

MAINE STATE LEGISLATURE

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SAK
ROS

L.D. 1417

Date: 6/8/21

(Filing No. S-210)

MAJORITY

VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE

SENATE

130TH LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 467, L.D. 1417, "An Act Regarding Campaign Finance Reform"

Amend the bill by striking out everything after the enacting clause and inserting the following:

Sec. 1. 21-A MRSA §1004-A, sub-§2, as enacted by PL 2003, c. 628, Pt. A, §1, is amended to read:

2. Contribution in excess of limitations. A person that accepts or makes a contribution that exceeds the limitations set out in ~~section 1015, subsections 1 and 2~~ this chapter may be assessed a penalty of no more than the amount by which the contribution exceeded the limitation.

Sec. 2. 21-A MRSA §1012, sub-§4-B is enacted to read:

4-B. Leadership political action committee. "Leadership political action committee" has the same meaning as in section 1052, subsection 4-C.

Sec. 3. 21-A MRSA §1012, sub-§6 is enacted to read:

6. Separate segregated fund committee. "Separate segregated fund committee" has the same meaning as in section 1052, subsection 6.

Sec. 4. 21-A MRSA §1015, sub-§1, as amended by PL 2019, c. 51, §1 and affected by §3, is further amended to read:

1. Individuals Contributions by individuals. An individual may not make contributions to a candidate in support of the candidacy of one person aggregating more than \$1,500 in any election for a gubernatorial candidate, more than \$350 for a legislative candidate, more than \$500 for a candidate for municipal office and beginning January 1, 2012 more than \$750 in any election for any other candidate. This limitation does not apply to contributions in support of a candidate by that candidate or that candidate's spouse or domestic partner. Beginning December 1, 2010, contribution limits in accordance with this subsection are adjusted every 2 years based on the Consumer Price Index as reported by

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COMMITTEE AMENDMENT "A" to S.P. 467, L.D. 1417 (S-210)

1 the United States Department of Labor, Bureau of Labor Statistics and rounded to the
2 nearest amount divisible by \$25. The commission shall post the current contribution limit
3 and the amount of the next adjustment and the date that it will become effective on its
4 publicly accessible website and include this information with any publication to be used as
5 a guide for candidates.

6 **Sec. 5. 21-A MRSA §1015, sub-§2**, as amended by PL 2019, c. 51, §2 and affected
7 by §3, is repealed and the following enacted in its place:

8 **2. Contributions by party committees and political action committees.** Except as
9 provided in paragraph A, a party committee under section 1013-A, subsection 3, a political
10 action committee and any other committee may not make contributions to a candidate.

11 A. A party committee under section 1013-A, subsection 3, a leadership political action
12 committee, a separate segregated fund committee, a caucus political action committee
13 and any other political action committee may make contributions to a candidate in
14 support of the candidacy of one person aggregating no more than the amount that an
15 individual may contribute to a legislative candidate under subsection 1, except that the
16 committee may not make any monetary contributions to a candidate using funds that
17 derive, in whole or in part, from a business entity. Nothing in this paragraph prohibits
18 a separate segregated fund committee that receives nonmonetary contributions from a
19 business entity under section 1056-D, subsection 2, paragraph A from making
20 monetary contributions to a candidate within the limits described in this paragraph.

21 **Sec. 6. 21-A MRSA §1015, sub-§2-A** is enacted to read:

22 **2-A. Contributions by business entities.** A business entity may not make
23 contributions to a candidate.

24 **Sec. 7. 21-A MRSA §1015, sub-§10** is enacted to read:

25 **10. Business entity defined.** For purposes of this section, "business entity" includes
26 a firm, partnership, corporation, incorporated association, labor organization or other
27 organization, whether organized as a for-profit or a nonprofit entity.

28 **Sec. 8. 21-A MRSA §1015-A**, as amended by PL 2013, c. 334, §§5 and 6, is
29 repealed.

30 **Sec. 9. 21-A MRSA §1052, sub-§4-C** is enacted to read:

31 **4-C. Leadership political action committee.** "Leadership political action
32 committee" means a political action committee, other than a caucus political action
33 committee under section 1053-C, that was directly or indirectly established by a current
34 member of the Legislature or that is directly or indirectly maintained or controlled by a
35 current member of the Legislature.

36 **Sec. 10. 21-A MRSA §1052, sub-§6** is enacted to read:

37 **6. Separate segregated fund committee.** "Separate segregated fund committee"
38 means a political action committee described in subsection 5, paragraph A, subparagraph
39 (1).

40 **Sec. 11. 21-A MRSA §1056-C** is enacted to read:

41 **§1056-C. Limits on contributions to leadership political action committees**

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1 1. Contributions by individuals. An individual may not make contributions to a
2 leadership political action committee aggregating more in a calendar year than the amount
3 that the individual may contribute to a legislative candidate in any election under section
4 1015, subsection 1.

5 2. Contributions by party committees and political action committees. Except as
6 provided in paragraph A, a party committee under section 1013-A, subsection 3, a political
7 action committee and any other committee may not make contributions to a leadership
8 political action committee.

9 A. A party committee under section 1013-A, subsection 3, a leadership political action
10 committee, a separate segregated fund committee, a caucus political action committee
11 and any other political action committee may make contributions to a leadership
12 political action committee aggregating no more in a calendar year than the amount that
13 the committee may contribute to a legislative candidate in any election under section
14 1015, subsection 2, paragraph A, except that the committee may not make any
15 monetary contributions to a leadership political action committee using funds that
16 derive, in whole or in part, from a business entity. Nothing in this paragraph prohibits
17 a separate segregated fund committee that receives nonmonetary contributions from a
18 business entity under section 1056-D, subsection 2, paragraph A from making
19 monetary contributions to a candidate within the limits described in this paragraph.

20 3. Contributions by business entities prohibited. A business entity may not make
21 contributions to a leadership political action committee.

22 4. Business entity defined. For purposes of this section, "business entity" includes a
23 firm, partnership, corporation, incorporated association, labor organization or other
24 organization, whether organized as a for-profit or a nonprofit entity.

25 Sec. 12. 21-A MRSA §1056-D is enacted to read:

26 §1056-D. Limits on contributions to separate segregated fund committees

27 1. Contributions by individuals. An individual may not make contributions to a
28 separate segregated fund committee aggregating more than \$5,000 in a calendar year.

29 2. Contributions by business entities. Except as provided in paragraph A, a business
30 entity may not make contributions to a separate segregated fund committee. For purposes
31 of this subsection, "business entity" includes a firm, partnership, corporation, incorporated
32 association, labor organization or other organization, whether organized as a for-profit or
33 a nonprofit entity.

34 A. The corporation, membership organization, cooperative or labor or other
35 organization that established the separate segregated fund committee, referred to in this
36 paragraph as "the parent entity," may provide the separate segregated fund committee
37 with the use of offices, telephones, computers and similar equipment when that use
38 does not result in additional cost to the parent entity.'

39 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
40 number to read consecutively.

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SUMMARY

This amendment, which is the majority report of the committee, strikes and replaces the bill and makes the following changes to the campaign finance laws.

1. It defines "business entity," for purposes of the amendment, as a firm, partnership, corporation, incorporated association, labor organization or other organization, whether organized as a for-profit or a nonprofit entity.

2. It employs the phrase "separate segregated fund committee" to describe a political action committee that is a separate or segregated fund established by any corporation, membership organization, cooperative or labor or other organization whose purpose is to initiate or influence a campaign. A separate segregated fund committee may not accept contributions from an individual aggregating more than \$5,000 in a calendar year. A separate segregated fund committee also may not accept any contributions from a business entity, except that the corporation or organization that established the separate segregated fund committee may provide the use of offices, telephones, computers and similar equipment when that use does not result in additional cost to the corporation or organization.

3. It defines a "leadership political action committee" as a political action committee, other than a caucus political action committee, that was directly or indirectly established by a current member of the Legislature or that is directly or indirectly maintained or controlled by a current member of the Legislature. A business entity may not make any contributions to a leadership political action committee. A party committee, a leadership political action committee, a separate segregated fund committee, a caucus political action committee and any other political action committee may make contributions to a leadership political action committee aggregating no more in a calendar year than the amount that the committee may contribute to a legislative candidate in any one election, except that the committee may not make any monetary contributions to a leadership political action committee using funds that derive, in whole or in part, from a business entity.

4. It prohibits a business entity from making contributions to candidates. A party committee, a leadership political action committee, a separate segregated fund committee, a caucus political action committee and any other political action committee may make contributions to candidates that do not exceed the contribution limits applicable to individuals but may not make monetary contributions to candidates using funds that derive, in whole or in part, from a business entity.

FISCAL NOTE REQUIRED
(See attached)



130th MAINE LEGISLATURE

LD 1417

LR 1569(02)

An Act Regarding Campaign Finance Reform

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-210)
Committee: Veterans and Legal Affairs
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Any additional costs to the Commission on Governmental Ethics and Election Practices as a result of changes to the campaign finance laws, including the addition of certain definitions, prohibitions on certain contributions and limits on certain campaign expenditures are anticipated to be minor can be absorbed within existing budgeted resources.