

# MAINE STATE LEGISLATURE

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L.D. 1485

Date: 6/2/21

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VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
130TH LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 1099, L.D. 1485, "An Act to Modify the Requirements for Political Action Committees and Ballot Question Committees"

Amend the bill by inserting before section 1 the following:

**Sec. 1. 21-A MRSA §1, sub-§3-A**, as enacted by PL 2019, c. 563, §1, is amended to read:

**3-A. Ballot question committee.** "Ballot question committee" ~~means a person required to register as a ballot question committee under section 1056-B~~ has the same meaning as in section 1052, subsection 2-A.

**Sec. 2. 21-A MRSA §1, sub-§29-A**, as enacted by PL 2019, c. 563, §2, is amended to read:

**29-A. Political action committee.** "Political action committee" ~~means a person required to register as a political action committee under section 1052-A~~ has the same meaning as in section 1052, subsection 5.

Amend the bill in section 1 in §1052 by inserting after subsection 4-B the following:

**4-C. Leadership political action committee.** "Leadership political action committee" means a political action committee, other than a caucus political action committee under section 1053-C, 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.

Amend the bill in section 1 in §1052 in subsection 5 in paragraph A in subparagraph (1) in the first 2 lines (page 3, lines 26 and 27 in L.D.) by striking out the following: "~~(1) Any separate or segregated fund established by any corporation, membership organization, cooperative or labor or other organization~~" and inserting the following: '(1) Any separate or segregated fund established by any corporation, membership organization, cooperative or labor or other organization'

Amend the bill in section 1 in §1052 in subsection 5 in paragraph A in subparagraph (1) in the last line (page 3, line 28 in L.D.) by inserting after the following: "campaign;"

**COMMITTEE AMENDMENT**

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2 the following: 'that receives contributions or makes expenditures aggregating more than  
3 \$2,500 in a calendar year for the purpose of influencing the nomination or election of a  
4 candidate to political office; and'

5 Amend the bill in section 2 in §1052-A in subsection 1 in paragraph A in the 2nd line  
6 (page 4, line 17 in L.D.) by striking out the following: "~~(1) or~~" and inserting the following:  
7 '(1) or'

8 Amend the bill in section 2 in §1052-A in subsection 3 in paragraph E in the last line  
9 (page 5, line 42 in L.D.) by striking out the following: "and" and inserting the following:  
10 'and'

11 Amend the bill in section 2 in §1052-A in subsection 3 by inserting after paragraph E  
12 the following:

13 'E-1. A certification of whether the committee is a leadership political action  
14 committee; and'

15 Amend the bill by striking out all of section 4 and inserting the following:

16 **'Sec. 4. 21-A MRSA §1054**, as amended by PL 2019, c. 563, §7, is repealed and the  
17 following enacted in its place:

18 **§1054. Appointment of treasurer; segregated campaign account**

19 **1. Appointment of treasurer.** A committee required to register under section 1052-A  
20 shall appoint a treasurer before registering with the commission.

21 **2. Segregated campaign account.** A committee registered under section 1052-A shall  
22 establish a separate account in a bank or other financial institution, referred to in this section  
23 as a "campaign account." The committee shall deposit all funds contributed to or received  
24 by the committee for the purpose of initiating or influencing a campaign in the campaign  
25 account and shall finance all of the committee's expenditures to initiate or influence the  
26 campaign through the campaign account. If a business or corporate entity has established  
27 the committee, the campaign account must be segregated from the general treasury funds  
28 of the entity that established the committee. If the committee is established by one or more  
29 individuals, the campaign account must be segregated from and not commingled with the  
30 personal funds of those individuals.

31 **3. Exceptions.** The commission may adopt procedures by rule for waiving the  
32 requirement under subsection 2 to maintain a segregated campaign account upon a showing  
33 by a committee that a separate account would be administratively burdensome, including  
34 but not limited to committees organized outside this State or an individual who registers as  
35 a ballot question committee. If the committee was formed by another organization, that  
36 other organization may pay its employees for their campaign-related activities on behalf of  
37 the committee through its own treasury, rather than the campaign account. Rules adopted  
38 pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375,  
39 subchapter 2-A.'

40 Amend the bill in section 7 in §1057 in subsection 5 in the last line (page 9, line 6 in  
41 L.D.) by inserting after the following: "question," the following: 'Rules adopted pursuant  
42 to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter  
43 2-A.'

43 Amend the bill by striking out all of section 9 and inserting the following:

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1        **Sec. 9. 21-A MRSA §1060**, as amended by PL 2019, c. 563, §§14 to 16, is further  
2 amended to read:

3        **§1060. Content of reports**

4        The reports must contain the following information and any additional information  
5 required by the commission to monitor the activities of ~~political action~~ committees:

6        **1. Identification of candidates.** The names of and offices sought by all candidates  
7 ~~whom whose campaigns~~ the ~~political action~~ committee supports; or intends to support ~~or~~  
8 ~~seeks to defeat~~ influence;

9        **2. Identification of committees; parties.** The names of all political committees or  
10 party committees supported in any way by the ~~political action~~ committee;

11        **3. Identification of referendum or initiated petition ballot question campaigns.**  
12 ~~The referenda or initiated petitions~~ ballot question campaigns that the ~~political action~~  
13 ~~committee supports or opposes~~ intends to initiate or influence;

14        **4. Itemized expenditures.** An itemization of each expenditure made to initiate or  
15 influence any campaign, including the date, payee and purpose of the expenditure; and the  
16 name of each candidate, ~~campaign, political committee, political action committee or party~~  
17 ~~committee supported or opposed~~; and each referendum or initiated petition supported or  
18 opposed by the expenditure. If expenditures were made to a person described in section  
19 1012, subsection 3, paragraph A, subparagraph (4), the report must contain the name of the  
20 person; the amount spent by that person on behalf of the ~~candidate, campaign, political~~  
21 ~~committee, political action committee, party committee, referendum or initiated petition~~;  
22 including, but not limited to, expenditures made during the signature gathering phase; the  
23 reason for the expenditure; and the date of the expenditure. The commission may specify  
24 the categories of expenditures that are to be reported to enable the commission to closely  
25 monitor the activities of ~~political action~~ committees;

26        ~~**5. Aggregate expenditures.** An aggregation of expenditures and cumulative~~  
27 ~~aggregation of expenditures to a candidate, campaign, political committee, political action~~  
28 ~~committee, party committee, referendum or initiated petition;~~

29        **6. Identification of contributions.** ~~Names, occupations~~ An itemization of each  
30 contribution of more than \$50 made to or received by the committee for the purpose of  
31 initiating or influencing a campaign, including the name, occupation, places of business  
32 and mailing addresses ~~address~~ of contributors ~~who have given more than \$50 to the political~~  
33 ~~action committee in the reporting period~~ each contributor and the amount and date of each  
34 ~~the contribution, except that an organization qualifying as a political action committee~~  
35 ~~under section 1052, subsection 5, paragraph A, subparagraph (5) is required to report only~~  
36 ~~those contributions made to the organization for the purpose of influencing a ballot question~~  
37 ~~or the nomination or election of a candidate to political office and all transfers to or funds~~  
38 ~~used to support the political action committee from the general treasury of the organization;~~  
39 and

40        **6-A. Funds deposited into campaign account.** Any funds deposited into or  
41 transferred into the campaign account described in section 1054, including but not limited  
42 to funds from the general treasury of an organization that is required to establish a  
43 committee; and





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# 130th MAINE LEGISLATURE

LD 1485

LR 1980(02)

An Act to Modify the Requirements for Political Action Committees and Ballot Question Committees

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-306)  
Committee: Veterans and Legal Affairs  
Fiscal Note Required: Yes

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## 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 laws regarding the registration and financial reporting by political action committees and ballot question committees are anticipated to be minor and can be absorbed within existing budgeted resources.