

MAINE STATE LEGISLATURE

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L.D. 1754

Date: 3/16/22

(Filing No. S-439)

MAJORITY

VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE

SENATE

130TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "~~H~~" to S.P. 614, L.D. 1754, "An Act To Modify the Reporting Requirements for Major Contributors to Ballot Question Campaigns"

Amend the bill by striking out the title and substituting the following:

'An Act To Modify the Reporting Requirements for Major Contributors to Ballot Question Campaigns and To Make a Technical Change to the Campaign Finance Laws'

Amend the bill by inserting before section 1 the following:

'Sec. 1. 21-A MRSA §1059, sub-§5, as amended by PL 2019, c. 323, §24, is further amended to read:

5. Electronic filing. A committee shall file each report required by this section through an electronic filing system developed by the commission. Notwithstanding any provision of this chapter to the contrary, for purposes of entering and retrieving information, the electronic filing system may categorize ballot question committees as a subcategory of political action committees. The commission may make an exception to this electronic filing requirement if a committee submits a written request that states that the committee lacks access to the technology or the technological ability to file reports electronically. The request for an exception must be submitted within 30 days of the registration of the committee. The commission shall grant all reasonable requests for exceptions.'

Amend the bill by striking out all of section 2 and inserting the following:

'Sec. 2. 21-A MRSA §1060-A, sub-§4, ¶E, as enacted by PL 2017, c. 418, §4, is repealed and the following enacted in its place:

E. The names of the 5 largest sources of funds received by the major contributor during the period beginning 6 months prior to the first contribution made to the recipient committee and ending on the date of the filing of the report. This paragraph does not apply to funds received by the major contributor:

COMMITTEE AMENDMENT

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(1) That are restricted to purposes that are unrelated to a people's veto referendum or direct initiative campaign in the State;

(2) In the ordinary course of the major contributor's regular trade or business or as investment income; or

(3) If the source of the funds provided no more than \$5,000 to the major contributor during the relevant period of time; and'

Amend the bill by inserting after section 4 the following:

Sec. 5. Appropriations and allocations. The following appropriations and allocations are made.

**ETHICS AND ELECTION PRACTICES, COMMISSION ON GOVERNMENTAL
Governmental Ethics and Election Practices - Commission on 0414**

Initiative: Provides a one-time allocation for programming costs to update the campaign finance report electronic filing system to incorporate submissions by ballot question committees.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$9,616	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$9,616</u>	<u>\$0</u>

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

SUMMARY

This amendment, which is the majority report of the committee, removes the provision of the bill that permits a major contributor to request that the Commission on Governmental Ethics and Election Practices grant it a discretionary modification of the requirement to disclose its 5 largest sources of funds and replaces it with a provision that categorically exempts from disclosure any funds received by the major contributor in the ordinary course of the major contributor's regular trade or business or as investment income; that are restricted to purposes unrelated to the ballot question; or if the source of the funds provided no more than \$5,000 to the major contributor during the relevant time period.

In addition, to avoid incurring more than \$100,000 in programming costs necessitated by the enactment of Public Law 2021, chapter 217 and Public Law 2021, chapter 274, which changed the campaign finance reporting requirements for ballot question committees and political action committees, the amendment provides that, notwithstanding the fact that ballot question committees are distinct from political action committees under Maine law, the electronic filing system through which these committees submit their campaign finance reports may categorize ballot question committees as a subcategory of political action committees. The amendment also includes an allocation of \$9,616 for the reduced programming costs of updating the electronic filing system for these committees.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



130th MAINE LEGISLATURE

LD 1754

LR 2387(02)

An Act To Modify the Reporting Requirements for Major Contributors to Ballot Question Campaigns

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-439)

Committee: Veterans and Legal Affairs

Fiscal Note Required: Yes

Fiscal Note

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
Appropriations/Allocations				
Other Special Revenue Funds	\$9,616	\$0	\$0	\$0

Correctional and Judicial Impact Statements

This bill may increase the number of civil suits filed in the court system. The additional workload associated with the minimal number of new cases filed in the court system does not require additional funding at this time. The collection of additional filing fees may increase General Fund revenue by minor amounts.

Fiscal Detail and Notes

This bill amends the laws regarding the reporting criteria that contributors to a political action committee or ballot question committee for the purpose of influencing a ballot question must use to file a statement with the Commission on Governmental Ethics and Election Practices. The Commission has indicated that these modifications necessitate, and the bill includes, a one-time allocation of \$9,616 for the programming costs to update the electronic filing system.