

MAINE STATE LEGISLATURE

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L D 726

Date 6/6/23

(Filing No S-186)

VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE

SENATE

131ST LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S P 284, L D 726, "An Act to Amend the Laws Governing Political Action Committees Relating to Union, Business and Nonprofit Organizations"

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 amended by PL 2021, c 274, §1 and affected by §13, is further amended to read

2. Contribution in excess of limitations. A person that accepts or makes a contribution that exceeds the limitations set out in ~~this chapter~~ section 1015, subsections 1 and 2-B 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Sec. 2. 21-A MRSA §1012, sub-§4-B, as enacted by PL 2021, c 274, §2 and affected by §13, is repealed

Sec. 3. 21-A MRSA §1012, sub-§6, as enacted by PL 2021, c 274, §3 and affected by §13, is repealed

Sec. 4. 21-A MRSA §1015, sub-§1, as amended by PL 2021, c 274, §4 and affected by §13, is further amended to read

1 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~~ \$1,950 in any election for a gubernatorial candidate, more than ~~\$350~~ \$475 for a legislative candidate, more than ~~\$500~~ \$575 for a candidate for municipal office and ~~beginning January 1, 2012~~ more than ~~\$750~~ \$975 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~~ 2024, contribution limits in accordance with this subsection are adjusted every 2 years based on the Consumer Price Index as reported by the United States Department of Labor, Bureau of Labor Statistics and rounded to the nearest amount divisible by \$25 The commission shall post the current

COMMITTEE AMENDMENT

1 contribution limit and the amount of the next adjustment and the date that it will become
 2 effective on its publicly accessible website and include this information with any
 3 publication to be used as a guide for candidates

4 **Sec. 5. 21-A MRSA §1015, sub-§2**, as amended by PL 2021, c 607, §1 and
 5 affected by §5, is repealed

6 **Sec. 6. 21-A MRSA §1015, sub-§2-A**, as enacted by PL 2021, c 274, §6 and
 7 affected by §13, is repealed

8 **Sec. 7. 21-A MRSA §1015, sub-§2-B** is enacted to read

9 **2-B Committees, corporations, associations.** A political committee, political action
 10 committee, ballot question committee or other committee, firm, partnership, corporation,
 11 association or organization may not make contributions to a candidate in support of the
 12 candidacy of one person aggregating more than \$1,950 in any election for a gubernatorial
 13 candidate, more than \$475 for a legislative candidate, more than \$575 for a candidate for
 14 municipal office and more than \$975 in any election for any other candidate Beginning
 15 December 1, 2024, contribution limits in accordance with this subsection are adjusted every
 16 2 years based on the Consumer Price Index as reported by the United States Department of
 17 Labor, Bureau of Labor Statistics and rounded to the nearest amount divisible by \$25 The
 18 commission shall post the current contribution limit and the amount of the next adjustment
 19 and the date that it will become effective on its publicly accessible website and include this
 20 information with any publication to be used as a guide for candidates

21 **Sec. 8. 21-A MRSA §1015, sub-§10**, as enacted by PL 2021, c 274, §7 and
 22 affected by §13, is repealed

23 **Sec. 9. 21-A MRSA §1015-A**, as repealed by PL 2021, c 274, §8 and affected by
 24 §13, is reenacted to read

25 **§1015-A. Corporate contributions**

26 Contributions made by a for-profit or a nonprofit corporation including a parent,
 27 subsidiary, branch, division, department or local unit of a corporation, and contributions
 28 made by a political committee or political action committee whose contribution or
 29 expenditure activities are financed, maintained or controlled by a corporation are
 30 considered to be made by that corporation, political committee or political action
 31 committee

32 **1. Single entities.** Two or more entities are treated as a single entity if the entities

33 A Share the majority of members of their boards of directors,

34 B Share 2 or more officers,

35 C Are owned or controlled by the same majority shareholder or shareholders,

36 C-1 Are limited liability companies that are owned or controlled by the same majority
 37 member or members, or

38 D Are in a parent-subsidiary relationship

39 **2. Sole proprietorships.** A sole proprietorship and its owner are treated as a single
 40 entity

- 1 4 It updates the limits on contributions to candidates based on the current limits, which
- 2 are adjusted every 2 years based on the Consumer Price Index as reported by the United
- 3 States Department of Labor, Bureau of Labor Statistics and rounded to the nearest amount
- 4 divisible by \$25

- 5 5 It provides that contributions made by a for-profit or nonprofit corporation, including
- 6 a parent, subsidiary, branch, division, department or local unit of a corporation, and
- 7 contributions made by a political committee or political action committee whose
- 8 contribution or expenditure activities are financed, maintained or controlled by a
- 9 corporation are considered to be made by that corporation, political committee or political
- 10 action committee. It also clarifies when 2 or more entities are treated as a single entity and
- 11 provides that a sole proprietorship and its owner are treated as a single entity

- 12 6 It removes the limits on contributions to leadership political action committees and
- 13 limits on contributions to separate segregated fund committees

- 14 7 It makes a change to a cross-reference to conform to a change made in the
- 15 amendment

FISCAL NOTE REQUIRED
(See attached)



131st MAINE LEGISLATURE

LD 726

LR 1419(02)

An Act to Amend the Laws Governing Political Action Committees Relating to Union, Business and Nonprofit Organizations

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-186)
Committee: Veterans and Legal Affairs
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

Any additional costs to the Commission on Governmental Ethics and Election Practices to adopt the changes in this bill are expected to be minor and can be absorbed within existing budgeted resources