

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1336

H.P. 850

House of Representatives, March 28, 2023

**An Act to Increase Transparency in Municipal Ballot Referenda
Expenditures**

Reference to the Committee on State and Local Government suggested and ordered printed.

R. B. Hunt
ROBERT B. HUNT
Clerk

Presented by Representative MATLACK of St. George.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 21-A MRSA §1053-A**, as amended by PL 2021, c. 217, §5, is further
3 amended to read:

4 **§1053-A. Municipal elections**

5 If an organization qualifies as a committee under section 1052, subsection 2 and that
6 organization receives contributions or makes expenditures to influence a municipal
7 campaign in towns or cities with a population of 15,000 or more, that organization must
8 register and file reports with the municipal clerk as required by Title 30-A, section 2502.
9 If an organization qualifies as a ballot question committee under section 1052, subsection
10 2-A and that organization makes expenditures exceeding \$5,000 to influence a municipal
11 referendum campaign in a town or city with a population of less than 15,000, that
12 organization must register and file reports with the municipal clerk as required by Title
13 30-A, section 2502, subsection 2. The reports must be filed in accordance with the reporting
14 schedule in section 1059 and must contain the information listed in section 1060. A
15 committee registered with the commission and that receives contributions or makes
16 expenditures relating to a municipal election shall file a copy of the report containing such
17 contributions or expenditures with the clerk in the subject municipality. The commission
18 retains the sole authority to prescribe the content of all reporting forms. The commission
19 does not have responsibility to oversee the filing of registrations or campaign finance
20 reports relating to municipal campaigns. If a municipal clerk becomes aware of a potential
21 violation of this subchapter that the clerk considers to be substantial, the clerk may refer
22 the matter to the commission for enforcement. The commission may conduct an
23 investigation if the information referred by the municipal clerk shows sufficient grounds
24 for believing that a violation may have occurred. After conducting the investigation, if the
25 commission determines that a violation of this subchapter has occurred, the commission
26 may assess penalties provided in this subchapter.

27 **Sec. 2. 30-A MRSA §2502, sub-§2**, as amended by PL 2011, c. 389, §60 and
28 affected by §62, is further amended to read:

29 **2. Municipal referenda campaigns.** Municipal referenda campaigns in towns or
30 cities with a population of 15,000 or more are governed by Title 21-A, chapter 13,
31 subchapter 4. The registrations and reports of political action committees and ballot
32 question committees must be filed with the municipal clerk. A Except as provided in
33 paragraph A, a town or city with a population of less than 15,000 may choose to be
34 governed by Title 21-A, chapter 13, subchapter 4 by vote of its legislative body at least 90
35 days before a referendum election. A town or city that votes to adopt those provisions
36 may revoke that decision, but it must do so at least 90 days before an election subject to
37 that subchapter.

38 A. If an organization qualifies as a ballot question committee under Title 21-A, section
39 1052, subsection 2-A and that organization makes expenditures exceeding \$5,000 to
40 influence a municipal referendum campaign in a town or city with a population of less
41 than 15,000, that organization must file the registrations and reports with the municipal
42 clerk.

SUMMARY

This bill requires organizations that qualify as ballot question committees and spend more than \$5,000 to influence a municipal referendum campaign in a town or city with a population of less than 15,000 to comply with the same campaign reporting laws that currently govern their actions in larger municipalities.