

MAINE STATE LEGISLATURE

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L D 1869

Date 6/20/23

(Filing No S-368)

MINORITY

VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE

SENATE

131ST LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S P 753, L D 1869, "An Act to Prohibit the Private Funding of Elections"

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

'An Act to Require Municipalities to Report the Private Funding of Administration of Elections'

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

'Sec. 1. 21-A MRSA §634 is enacted to read

§634. Private funding for election administration; report required

Within 30 days of a municipality spending funds received from a private source in excess of \$100 on the administration of an election, the municipality shall submit a report to the Commission on Governmental Ethics and Election Practices. The report must include the amount of the funds received by the municipality, the source of the funds and a detailed explanation of how the funds were spent. The commission may adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. Effective date. This Act takes effect January 1, 2024 '

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

SUMMARY

This amendment, which is the minority report of the committee, replaces the bill and changes the title. The amendment provides that, beginning January 1, 2024, a municipality that spends private funds in excess of \$100 on the administration of an election must submit a report to the Commission on Governmental Ethics and Election Practices. The report must include the amount of the funds received, the source of the funds and a detailed

COMMITTEE AMENDMENT



COMMITTEE AMENDMENT "A" to S P 753, L D 1869

1 explanation of how the funds were spent The commission may adopt routine technical
2 rules related to the reporting requirement

3 The amendment also incorporates a fiscal note that identifies a potential state mandate

4 **FISCAL NOTE REQUIRED**

5 **(See attached)**



131st MAINE LEGISLATURE

LD 1869

LR 931(02)

An Act to Prohibit the Private Funding of Elections

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-368)
 Committee: Veterans and Legal Affairs
 Fiscal Note Required: Yes

Fiscal Note

Potential State Mandate - Unfunded

State Mandates

Required Activity

Requires municipalities that receive funds from a private source in excess of \$100 to spend on the administration of an election to submit a report to the Commission on Governmental Ethics and Election Practices detailing the amount of the funds received, the source of the funds and a detailed explanation of how the funds were spent. This report must be submitted within 30 days of the municipality spending the funds received.

Unit Affected

Municipality

Local Cost

Insignificant statewide

The required local activities in this bill may represent a state mandate pursuant to the Constitution of Maine. If the bill does require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue, the state mandate provisions of the Constitution of Maine require either (1) General Fund appropriations be provided to fund at least 90% of any additional necessitated local costs of the mandate, or (2) a Mandate Preamble be added to the bill and two-thirds of the members of each House vote to exempt the mandate from the funding requirement. If the bill does represent a state mandate and neither one of these actions occurs, the local units of government will not be required to implement the mandated activities.

Fiscal Detail and Notes

Any additional costs to the Commission on Governmental Ethics and Election Practices to implement the provisions of this bill are expected to be minor and can be absorbed within existing budgeted resources.