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Date: (Filing No. S- )

**VETERANS AND LEGAL AFFAIRS**

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**STATE OF MAINE  
SENATE  
130TH LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 514, L.D. 1621, “An Act To Reform Payments to Legislators by Political Action Committees”

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

**'An Act To Reform Payments to Legislators by Political Action Committees and Ballot Question Committees'**

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

'Sec. 1. 21-A MRSA §1054-B, as amended by PL 2019, c. 21, §1 and c. 563, §9, is repealed and the following enacted in its place:

**§1054-B. Payments to Legislators by political action committees and ballot question committees**

**1. Payments to Legislators.** If a Legislator is a principal officer or treasurer of a political action committee or a ballot question committee or is one of the individuals primarily responsible for raising contributions or making decisions for a political action committee or a ballot question committee, the committee is subject to the following restrictions regarding payments to that Legislator.

A. Except as provided in paragraphs B and C, the committee may not compensate the Legislator for services provided to the committee.

B. The committee may pay for or reimburse the Legislator for travel expenses incurred in the proper performance of the Legislator's legislative duties and in volunteering for the committee. If the Legislator uses the Legislator's vehicle when conducting the activities described in this paragraph, the committee may pay the Legislator mileage reimbursement at a rate established by the commission by rule but may not pay for or reimburse the Legislator for the direct costs of repairing or maintaining the Legislator's vehicle.

**COMMITTEE AMENDMENT**

1           C. The committee may pay for or reimburse the Legislator for other expenses incurred  
2           in the proper performance of the Legislator's legislative duties and for purchases made  
3           by the Legislator on behalf of the committee.

4           D. Notwithstanding any other provision of this section, the committee may not pay for  
5           or reimburse the Legislator for any expenses that have been or will be paid for or  
6           reimbursed by the Legislature or any other source of payment or reimbursement.

7           E. The committee may not make any payments for or reimburse the Legislator for any  
8           expenses that are determined by the commission to be for the purpose of personal  
9           financial enrichment of the Legislator.

10           **2. Payments to immediate family members and businesses.** If a Legislator is a  
11           principal officer or treasurer of a political action committee or a ballot question committee  
12           or is one of the individuals primarily responsible for raising contributions or making  
13           decisions for a political action committee or a ballot question committee, the committee is  
14           subject to the following restrictions regarding payments to an immediate family member  
15           of the Legislator or a business owned or operated by the Legislator or an immediate family  
16           member of the Legislator.

17           A. The committee may not compensate an immediate family member of the Legislator  
18           for services provided to the committee.

19           B. The committee may not make payments to or distribute, loan, advance, deposit or  
20           give money or anything of value to or compensate a business owned or operated by the  
21           Legislator or an immediate family member of the Legislator.

22           C. The committee may not make any payments for or reimburse the immediate family  
23           member of a Legislator for any expenses that are determined by the commission to be  
24           for the purpose of personal financial enrichment of the immediate family member of  
25           the Legislator.

26           **3. Commingling of funds.** If a Legislator is a principal officer or treasurer of a  
27           political action committee or a ballot question committee or is one of the individuals  
28           primarily responsible for raising contributions or making decisions for a political action  
29           committee or a ballot question committee, the committee's funds may not be commingled  
30           with the personal funds of the Legislator or the funds of a business owned or operated by  
31           the Legislator or any other person.

32           **4. Penalties.** A political action committee or ballot question committee that violates  
33           subsection 1, 2 or 3 commits a civil violation for which a fine of not more than \$500 or the  
34           amount of the impermissible payment or reimbursement, whichever is greater, may be  
35           imposed by the commission according to the procedures set forth in section 1004-A. A  
36           Legislator who accepts a payment or reimbursement from a committee that is prohibited  
37           by subsection 1 or who violates subsection 3 commits a civil violation for which a fine of  
38           not more than \$500 or the amount of the impermissible payment or reimbursement,  
39           whichever is greater, may be imposed by the commission according to the procedures set  
40           forth in section 1004-A.

41           **5. Rules.** The commission may adopt rules as necessary to implement this section,  
42           including rules establishing mileage reimbursement rates, record-keeping requirements and  
43           reporting requirements and rules related to reimbursable travel expenses. Rules adopted

1 pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375,  
2 subchapter 2-A.'

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

### 5 SUMMARY

6 This amendment strikes and replaces the bill. Under the amendment, if a Legislator is  
7 a principal officer or treasurer of a political action committee or a ballot question committee  
8 or is one of the individuals primarily responsible for raising contributions or making  
9 decisions for a political action committee or a ballot question committee:

10 1. The committee may not compensate the Legislator or an immediate family member  
11 of the Legislator for services provided to the committee;

12 2. The committee may not make payments to or distribute, loan, advance, deposit or  
13 give money or anything of value to or compensate a business owned or operated by the  
14 Legislator or an immediate family member of the Legislator;

15 3. The committee may not make any payments for or reimburse the Legislator or an  
16 immediate family member of the Legislator for any expenses that are determined by the  
17 Commission on Governmental Ethics and Election Practices to be for the purpose of  
18 personal financial enrichment of the Legislator or the immediate family member of the  
19 Legislator;

20 4. The committee may pay for or reimburse the Legislator for travel expenses incurred  
21 in the proper performance of the Legislator's legislative duties and for travel expenses  
22 associated with volunteering for the committee, including by providing mileage  
23 reimbursement to a Legislator who uses the Legislator's own vehicle for these purposes.  
24 The committee may not pay for or reimburse the Legislator for the direct costs of repairing  
25 or maintaining the Legislator's vehicle;

26 5. The committee may not pay for or reimburse the Legislator for any expenses that  
27 have been or will be paid for or reimbursed by the Legislature or any other source of  
28 payment or reimbursement; and

29 6. The committee's funds may not be commingled with the personal funds of the  
30 Legislator or the funds of a business owned or operated by the Legislator or any other  
31 person.

32 A committee that violates these prohibitions and a Legislator who accepts an  
33 impermissible payment or reimbursement or whose funds are impermissibly commingled  
34 with the committee's funds commits a civil violation for which a fine of not more than \$500  
35 or the amount of the impermissible payment or reimbursement, whichever is greater, may  
36 be imposed by the commission.