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Date: (Filing No. S-)

VETERANS AND LEGAL AFFAIRS

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**STATE OF MAINE
SENATE
130TH LEGISLATURE
SECOND REGULAR SESSION**

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'Sec. 2. 21-A MRSA §1060-A, sub-§4, ¶E, as enacted by PL 2017, c. 418, §4, is repealed and the following enacted in its place: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

- 1 (1) That are restricted to purposes that are unrelated to a people's veto referendum
- 2 or direct initiative campaign in the State;
- 3 (2) In the ordinary course of the major contributor’s regular trade or business or
- 4 as investment income; or
- 5 (3) If the source of the funds provided no more than \$5,000 to the major
- 6 contributor during the relevant period of time; and'

7 Amend the bill by inserting after section 4 the following:

8 '**Sec. 5. Appropriations and allocations.** The following appropriations and
9 allocations are made.

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

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

15 OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
16 All Other	\$9,616	\$0
17		
18 OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$9,616</u>	<u>\$0</u>

19 '
20 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
21 number to read consecutively.

22 **SUMMARY**

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

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

40 **FISCAL NOTE REQUIRED**
41 **(See attached)**