1	L.D. 1869
2	Date: (Filing No. S- )
3	VETERANS AND LEGAL AFFAIRS
4	Reproduced and distributed under the direction of the Secretary of the Senate.
5	STATE OF MAINE
6	SENATE
7	129TH LEGISLATURE
8	SECOND REGULAR SESSION
9 10 11	COMMITTEE AMENDMENT " " to S.P. 641, L.D. 1869, Bill, "An Act To Clarify the Financial Reporting Responsibilities of Political Action Committees and Ballot Question Committees"
12 13	Amend the bill by inserting after the enacting clause and before section 1 the following:
14	'Sec. 1. 21-A MRSA §1, sub-§3-A is enacted to read:
15 16	3-A. Ballot question committee. "Ballot question committee" means a person required to register as a ballot question committee under section 1056-B.
17	Sec. 2. 21-A MRSA §1, sub-§29-A is enacted to read:
18 19	<b>29-A.</b> Political action committee. "Political action committee" means a person required to register as a political action committee under section 1052-A.'
20	Amend the bill by inserting after section 11 the following:
21 22	'Sec. 12. 21-A MRSA §1060, sub-§1, as amended by PL 2007, c. 443, Pt. A, §36, is further amended to read:
23 24	<ol> <li>Identification of candidates. The names of and offices sought by all candidates whom the <u>political action</u> committee supports, intends to support or seeks to defeat;</li> </ol>
25 26	<b>Sec. 13. 21-A MRSA §1060, sub-§2,</b> as amended by PL 2007, c. 443, Pt. A, §36, is further amended to read:
27 28	<b>2. Identification of committees; parties.</b> The names of all political committees or party committees supported in any way by the <u>political action</u> committee;
29 30	<b>Sec. 14. 21-A MRSA §1060, sub-§3,</b> as amended by PL 2007, c. 443, Pt. A, §36, is further amended to read:
31 32	<b>3. Identification of referendum or initiated petition.</b> The referenda or initiated petitions that the <u>political action</u> committee supports or opposes;'
33	Amend the bill by inserting after section 12 the following:

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- 'Sec. 13. 21-A MRSA §1062-A, sub-§1, as amended by PL 2013, c. 334, §30, is further amended to read:
- 1. Registration. A political action committee required to register under section 1052-A. 1053-A or 1053-B or a ballot question committee required to register under section 1053-A or 1056-B that fails to do so or that fails to provide the information required by the commission for registration may be assessed a fine of no more than \$2,500. In assessing a fine, the commission shall consider, among other things, whether the violation was intentional, the amount of campaign and financial activity that occurred before the committee registered, whether the committee intended to conceal its campaign or financial activity and the level of experience of the committee's volunteers and staff.
- **Sec. 14. 21-A MRSA §1062-A, sub-§4,** as amended by PL 2019, c. 323, §25, is further amended to read:
- **4. Maximum penalties.** The maximum penalty under this subchapter is \$10,000 for reports required under section 1053-A, 1056-B or section 1059, except that if the dollar amount of the financial activity that was not timely filed or did not substantially conform to the reporting requirements of this subchapter exceeds \$50,000, the maximum penalty is 100% of the dollar amount of that financial activity.'

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

20 SUMMARY

This amendment, which is the majority report of the committee, clarifies that the terms "ballot question committee" and "political action committee," as those terms are used throughout the Maine Revised Statutes, Title 21-A, mean a person required to register as a ballot question committee or as a political action committee, respectively, in chapter 13, subchapter 4 of that Title.

The amendment also adds cross-references to the penalty provisions of chapter 13, subchapter 4 to clarify that, as stated in the bill, those penalties apply to political action committees or ballot question committees that are required to register and to file campaign finance reports with a municipal clerk and that violate the campaign finance laws. Finally, the amendment makes technical changes to the law governing the content of political action committees' campaign finance reports to clarify that the law does not apply to ballot question committees.