

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FIVE

S.P. 22 - L.D. 9

An Act Regarding Campaign Finance Disclosure

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

Sec. 1. 21-A MRSA §1001, sub-§4 is enacted to read:

4. Public communication. "Public communication" means a communication to the public by means of broadcast, cable or satellite communication; newspapers, direct mail, handbills or other printed literature; campaign signs or other outdoor advertising facilities; and prerecorded automated telephone calls or other types of general public political advertising. For the purposes of this subsection, "general public political advertising" does not include communication over the Internet, except for communications placed or promoted for a fee on another person's website, digital device, application or advertising platform.

Sec. 2. 21-A MRSA §1004, sub-§4, as amended by PL 2013, c. 334, §1, is further amended to read:

4. Registration; political action committees. A political action committee or ballot question committee required to be registered under section 1052-A ~~or 1056-B~~ may not operate in this State unless it is so registered.

Sec. 3. 21-A MRSA §1004-A, sub-§3, as enacted by PL 2003, c. 628, Pt. A, §1, is amended to read:

3. Contribution in name of another person. A person that makes a contribution in the name of another person, that knowingly permits that person's name to be used to effect such a contribution or that knowingly accepts a contribution made by one person in the name of another person, may be assessed a penalty not to exceed \$5,000 500% of the amount of the contribution.

Sec. 4. 21-A MRSA §1005, as enacted by PL 2007, c. 571, §7, is amended to read:
§1005. Restrictions on commercial use of contributor information

Information concerning contributors contained in campaign finance reports filed by candidates, political action committees ~~and~~, party committees ~~and reports filed under section 1056-B~~ and ballot question committees may not be used for any commercial

purpose, including, but not limited to, the sales and marketing of products and services, or for solicitations of any kind not directly related to activities of a political party, so-called "get out the vote" efforts or activities directly related to a campaign as defined in section 1052. Any person obtaining contributor information from the reports is prohibited from selling or distributing it to others to use for commercial purposes and also is prohibited from making publicly available the mailing addresses of contributors. This section does not prohibit a political party, party committee, candidate committee, political action committee or any other organization that has obtained contributor information from the commission from providing access to such information to its members for purposes directly related to party activities, so-called "get out the vote" efforts or a campaign as defined in section 1052. A person who violates this section is subject to a fine of up to \$5,000. A person who knowingly violates this section commits a Class E crime.

Sec. 5. 21-A MRSA §1007 is enacted to read:

§1007. Public communication placed or promoted for a fee

A public communication is considered placed or promoted for a fee when a payment is made to a website, digital device, application or advertising platform in order to increase the circulation, prominence or availability of the public communication on that website, digital device, application or advertising platform.

Sec. 6. 21-A MRSA §1012, sub-§2, ¶A, as amended by PL 1995, c. 483, §3, is further amended by repealing subparagraph (2).

Sec. 7. 21-A MRSA §1014, as amended by PL 2023, c. 324, §8, is further amended to read:

§1014. Publication or distribution of political public communications

1. Authorized by candidate. Whenever a person makes an expenditure to finance a public communication expressly advocating the election or defeat of a clearly identified candidate ~~through broadcasting stations, cable television systems, newspapers, magazines, campaign signs or other outdoor advertising facilities, publicly accessible sites on the Internet, direct mails or other similar types of general public political advertising or through flyers, handbills, bumper stickers and other nonperiodical publications,~~ the public communication, if authorized by a candidate, a candidate's authorized political committee or ~~their~~ a candidate's or a candidate's authorized political committee's agents, must clearly and conspicuously state that the public communication has been so authorized and must clearly state the name and address of the person who made or financed the expenditure for the public communication. A public communication financed by a candidate or the candidate's committee is not required to state the address of the candidate or committee that financed the public communication. If a public communication that is financed by someone other than the candidate or the candidate's authorized committee is broadcast by radio, only the city and state of the address of the person who financed the public communication must be stated.

2. Not authorized by candidate. If ~~the~~ a public communication described in subsection 1 is not authorized by a candidate, a candidate's authorized political committee or ~~their~~ a candidate's or a candidate's authorized political committee's agents, the public communication must clearly and conspicuously state that the public communication is not authorized by any candidate and state the name and address of the person who made or

financed the expenditure for the public communication, except that a public communication broadcast by radio is only required to state the city and state of the address of the person that financed the public communication. If the public communication is in written form, the public communication must contain at the bottom of the public communication in print that is no smaller in size than 12-point bold print, Times New Roman font, the words "NOT PAID FOR OR AUTHORIZED BY ANY CANDIDATE."

2-A. Other public communications. Whenever a person makes an expenditure to finance a public communication that names or depicts a clearly identified candidate and that is disseminated during the 28 days, including election day, before a primary election, during the 35 days, including election day, before a special election or during the period of time from Labor Day to the election day for a general election ~~through the media described in subsection 1,~~ the public communication must state the name and address of the person who made or financed the public communication and a statement that the public communication was or was not authorized by the candidate, except that a public communication broadcast by radio is only required to state the city and state of the address of the person that financed the public communication. The disclosure is not required if the public communication was not made for the purpose of influencing the candidate's nomination for election or election.

2-B. Top 3 funders; independent expenditures. A public communication that is funded by an entity making an independent expenditure as defined in section 1019-B, subsection 1 must conspicuously include the following statement:

"The top 3 funders of (name of entity that made the independent expenditure) are (names of top 3 funders)."

The information required by this subsection may appear simultaneously with any statement required by subsection 2 or 2-A. A public communication that contains a visual aspect must include the statement in written text. A public communication that does not contain a visual aspect must include an audible statement. This statement is required only for public communications made through ~~broadcast or cable television, broadcast radio, broadcast, cable or satellite systems;~~ Internet audio and video programming; direct mail; or newspaper or other periodical publications.

A ~~cable television, broadcast television~~ broadcast, cable or satellite television communication or Internet video communication must include both an audible and a written statement. For a ~~cable television, broadcast television~~ broadcast, cable or satellite television communication or Internet video communication ~~30 60~~ seconds or less in duration, the audible statement may be ~~modified to include only the single top funder omitted.~~

The top funders named in the required statement consist of the funders providing the highest dollar amount of funding to the entity making the independent expenditure since the day following the most recent general election day.

A. For purposes of this subsection, "funder" includes:

- (1) Any entity that has made a contribution as defined in section 1052, subsection 3 to the entity making the independent expenditure since the day following the most recent general election day; and

(2) Any entity that has given a gift, subscription, loan, advance or deposit of money or anything of value, ~~including a promise or agreement to provide money or anything of value whether or not legally enforceable~~, except for transactions in which a fair value is given in return, since the day following the most recent general election day.

B. If funders have given equal amounts, creating a tie in the ranking of the top 3 funders, the tie must be broken by naming the tying funders in chronological order of the receipt of funding until 3 funders are included in the statement. If the chronological order cannot be discerned, the entity making the independent expenditure may choose which of the tying funders to include in the statement. ~~In no case may a~~ A public communication may not be required to include the names of more than 3 funders.

C. The statement required under this subsection is not required to include the name of any funder who has provided less than \$1,000 to the entity making the independent expenditure since the day following the most recent general election day.

D. If only one or 2 funders must be included pursuant to this subsection, the public communication must identify the number of funders as "top funder" or "top 2 funders" as appropriate. If there are no funders required to be included under this subsection, no statement is required.

E. When compiling the list of top funders, an entity making an independent expenditure may disregard any funds that the entity can show were used for purposes unrelated to the candidate mentioned in the public communication on the basis that funds were either spent in the order received or were strictly segregated in other accounts.

F. ~~In~~ The statement required under this subsection is not required in any public communication consisting of an audio broadcast of 30 60 seconds or less or a print communication of 20 square inches or less, the requirements of this subsection are satisfied by including the name of the single highest funder only.

G. If the list of funders changes during the period in which a recurring public communication is aired or published, the statement appearing in the public communication must be updated at the time that any additional payments are made for that public communication.

H. The commission may establish by routine technical rule, adopted in accordance with Title 5, chapter 375, subchapter 2-A, forms and procedures for ensuring compliance with this subsection. Rules adopted pursuant to this paragraph must ensure that the information required by this subsection is effectively conveyed for a sufficient duration and in a sufficient font size or screen size ~~where~~ when applicable without undue burden on the ability of the entity to make the public communication. The rules must also provide an exemption for types of public communications for which the required statement would be impossible or impose an unusual hardship due to the unique format or medium of the public communication.

3. Broadcasting prohibited without disclosure. ~~No~~ A person operating a ~~broadcasting station or cable television broadcast, cable or satellite system~~ within this State may not broadcast any public communication, as described in subsections 1 to 2-A, without an oral or written visual announcement of the disclosure required by this section.

3-A. In-kind contributions of printed materials. A candidate, political committee or political action committee shall report on the campaign finance report as a contribution to the candidate, political committee or political action committee any contributions of in-kind printed materials to be used in the support of a candidate or in the support or defeat of a ballot question. Any in-kind contributions of printed materials used or distributed by a candidate, political committee or political action committee must include the name or title of that candidate, political committee or political action committee as the authorizing agent for the printing and distribution of the in-kind contribution.

3-B. Newspapers. A newspaper may not publish a public communication described in subsections 1 to 2-A without including the disclosure required by this section. For purposes of this subsection, "newspaper" includes any printed material intended for general circulation or to be read by the general public, including a version of the newspaper displayed on a website owned or operated by the newspaper. When necessary, a newspaper may seek the advice of the commission regarding whether or not ~~the~~ a communication requires the disclosure.

4. Enforcement. A violation of this section may result in a civil penalty of no more than 100% of the amount of the expenditure in violation, except that an expenditure for yard signs lacking the required information may result in a maximum civil penalty of \$200. In assessing a civil penalty, the commission shall consider, among other things, how widely the public communication was disseminated, whether the violation was intentional, whether the violation occurred as the result of an error by a printer or other paid vendor and whether the public communication conceals or misrepresents the identity of the person who financed it. If the person who financed the public communication or who committed the violation corrects the violation within 10 days after receiving notification of the violation from the commission by adding the missing information to the public communication, the commission may decide to assess no civil penalty.

5. Telephone calls. ~~Prerecorded automated telephone calls and scripted live telephone communications that name a clearly identified candidate during the 28 days, including election day, before a primary election, during the 35 days, including election day, before a special election or during the period of time from Labor Day to the general election day for a general election must clearly state the name of the person who made or financed the expenditure for the communication and whether the communication was authorized by a candidate, except for prerecorded automated telephone calls paid for by the candidate that use the candidate's voice in the telephone call and that are made in support of that candidate. Telephone surveys that meet generally accepted standards for polling research and that are not conducted for the purpose of influencing the voting position of call recipients are not required to include the disclosure.~~

5-A. Text messages. Text messages sent with the assistance of mass distribution technology that is paid for by a person must clearly and conspicuously state the name of the person who made or financed the expenditure if:

- A. The text message expressly advocates the election or defeat of a candidate; or
- B. The text message contains a link to a website that expressly advocates the election or defeat of a candidate.

5-B. Websites of candidate or political committee. A website or other Internet application available to the general public that is established by a party committee or a

person that is required to register with the commission as a candidate or political action committee and that expressly advocates for the election or defeat of a candidate or that names a clearly identified candidate during the 28 days, including election day, before a primary election, during the 35 days, including election day, before a special election or during the period of time from Labor Day to the election day for a general election must state the name and address of the person who made or financed the expenditure for the website or other Internet application and state that the website or other Internet application was or was not authorized by the candidate.

6. Exclusions. The requirements of this section do not apply to:

A. Handbills or other literature produced and distributed at a cost not exceeding \$100 and prepared by one or more individuals who are not required to register or file campaign finance reports with the commission and who are acting independently of and without authorization by a candidate, candidate's authorized campaign committee, party committee, political action committee or ballot question committee or an agent of a candidate, candidate's authorized campaign committee, party committee, political action committee or ballot question committee;

B. Campaign signs produced and distributed at a cost not exceeding \$100, paid for by one or more individuals who are not required to register or file campaign finance reports with the commission and who are acting independently of and without authorization by a candidate, candidate's authorized campaign committee, party committee, political action committee or ballot question committee or an agent of a candidate, candidate's authorized campaign committee, party committee, political action committee or ballot question committee;

C. Internet and e-mail activities costing less than \$100, as excluded by rule of the commission, paid for by one or more individuals who are not required to register or file campaign finance reports with the commission and who are acting independently of and without authorization by a candidate, candidate's authorized campaign committee, party committee, political action committee or ballot question committee or an agent of a candidate, candidate's authorized campaign committee, party committee, political action committee or ballot question committee;

D. ~~Communications~~ Public communications in which the name or address of the person who made or authorized the expenditure for the public communication would be so small as to be illegible or infeasible, including public communications on items such as ashtrays, badges and badge holders, balloons, campaign buttons, clothing, coasters, combs, emery boards, envelopes, erasers, glasses, key rings, letter openers, matchbooks, nail files, noisemakers, paper and plastic cups, pencils, pens, plastic tableware, 12-inch or shorter rulers, swizzle sticks, tickets to ~~fund-raisers~~ fundraisers and similar items determined by the commission to be too small and unnecessary for the disclosures required by this section and in electronic media advertisements where compliance with this section would be impractical due to size or character limitations; ~~and~~

E. Campaign signs that are financed by the candidate or candidate's authorized committee and that clearly identify the name of the candidate and are lettered or printed individually by hand;

F. Prerecorded automated telephone calls paid for by the candidate that use the candidate's voice in the telephone call and that are made in support of that candidate; and

G. Telephone surveys that meet generally accepted standards for polling research and that are not conducted for the purpose of influencing the voting position of call recipients.

Sec. 8. 21-A MRSA §1017, sub-§7-A, ¶A, as amended by PL 2009, c. 138, §1, is further amended to read:

A. A candidate seeking election to a county or municipal office may, at the time the candidate registers under section 1013-A, notify the commission that the candidate and the candidate's agents, if any, will not personally accept contributions, make expenditures or incur obligations associated with that candidate's candidacy. The notification must be ~~sworn and notarized~~ made through an online or written form prescribed by the commission. A candidate who provides this notice to the commission is not required to appoint a treasurer and is not subject to the filing requirements of this subchapter if the statement is true.

Sec. 9. 21-A MRSA §1017, sub-§7-A, ¶A-1, as enacted by PL 2015, c. 350, §5, is amended to read:

A-1. A legislative candidate seeking the nomination of a party in an uncontested primary election may, at the time the candidate registers under section 1013-A, notify the commission that the candidate and the candidate's agents, if any, will not personally accept contributions, make expenditures or incur obligations associated with that candidate's candidacy through the 35th day after the primary election. The notification must be ~~sworn and notarized~~ made through an online or written form prescribed by the commission. A candidate who provides this notice to the commission is not required to appoint a treasurer or to file the campaign finance reports under subsection 3-A, paragraphs B and D with respect to the primary election.

Sec. 10. 21-A MRSA §1017, sub-§8, ¶F, as amended by PL 1995, c. 193, §1, is further amended to read:

F. Repaying any loans or retiring any other debts incurred ~~to defray campaign expenses of the candidate~~ in the course of the candidate's campaign activity;

Sec. 11. 21-A MRSA §1019-B, sub-§1, ¶A, as amended by PL 2021, c. 132, §7, is further amended to read:

A. Is made to design, produce or disseminate any public communication that expressly advocates the election or defeat of a clearly identified candidate; or

Sec. 12. 21-A MRSA §1019-B, sub-§1, ¶B, as amended by PL 2023, c. 324, §10, is further amended to read:

B. Unless the person, party committee or political action committee making the expenditure demonstrates under subsection 2 that the expenditure did not have a purpose or effect of influencing the nomination, election or defeat of the candidate, is made to design, produce or disseminate a public communication that names or depicts a clearly identified candidate and is disseminated during the 28 days, including election

day, before a primary election; during the 35 days, including election day, before a special election; or from Labor Day to a general election day.

Sec. 13. 21-A MRSA §1020-A, sub-§6, as amended by PL 2013, c. 334, §17, is further amended to read:

6. Request for a commission determination. ~~If the commission staff finds that a candidate or political committee has failed to file a report required under this subchapter, the commission staff shall mail a notice to the candidate or political committee within 3 business days following the filing deadline informing the candidate or political committee that a report was not received.~~ If a candidate or a political committee files a report required under this subchapter late, a notice of preliminary penalty must be sent to the candidate or political committee whose registration or campaign finance report was not received by 11:59 p.m. on the deadline date, informing the candidate or political committee of the staff finding of violation and preliminary penalty calculated under subsection 4-A and providing the candidate or political committee with an opportunity to request a determination by the commission. Any request for a determination must be made within 14 calendar days of receipt of the commission's notice. A candidate or political committee requesting a determination may either appear in person or designate a representative to appear on the candidate's or political committee's behalf or submit a sworn statement explaining the mitigating circumstances for consideration by the commission. A final determination by the commission may be appealed to the Superior Court in accordance with Title 5, chapter 375, subchapter 7 and the Maine Rules of Civil Procedure, Rule 80C.

Sec. 14. 21-A MRSA §1020-A, sub-§8, as amended by PL 2007, c. 443, Pt. A, §25, is repealed and the following enacted in its place:

8. Penalties for failure to file report. If the commission staff finds that a candidate, party committee or other person has failed to file a report required under this subchapter, the commission staff shall send by regular mail and e-mail a notice to the candidate, party committee or person within 3 business days following the filing deadline informing the candidate, party committee or person that the report has not been received. If the report remains unfiled after 10 days, the commission staff shall send another notice by regular mail and e-mail. If the candidate, party committee or person has not filed the report after these 2 notices, the commission staff may refer the violation to the commission, which may, after providing notice and an opportunity to be heard, determine whether a violation has occurred and, if so, the amount of any penalty. The penalty may not exceed the maximum penalties as provided in subsection 5-A. A candidate party committee or other person who fails to file a report as required by this subchapter after the commission has sent the first 2 notices required by this subsection is guilty of a Class E crime. As an alternative to assessing a penalty, the commission may refer the violation to the Office of the Attorney General for potential criminal prosecution.

Sec. 15. 21-A MRSA §1020-A, sub-§8-A, as enacted by PL 2003, c. 628, Pt. A, §6, is repealed.

Sec. 16. 21-A MRSA §1020-A, sub-§9, as enacted by PL 1995, c. 483, §15, is repealed.

Sec. 17. 21-A MRSA §1052, sub-§3, ¶B, as amended by PL 2021, c. 217, §3, is repealed.

Sec. 18. 21-A MRSA §1052, sub-§4-B, as enacted by PL 2011, c. 389, §31, is amended to read:

4-B. Initiate. "Initiate" includes the collection of signatures on petitions and related activities to qualify a state or local initiative or referendum for the ballot.

Sec. 19. 21-A MRSA §1053-A, as amended by PL 2023, c. 314, §1, is further amended to read:

§1053-A. Municipal elections

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

Sec. 20. 21-A MRSA §1055, as amended by PL 2007, c. 443, Pt. A, §31, is further amended to read:

§1055. Publication or distribution of political public communications

A political action committee that makes an expenditure to finance a public communication expressly advocating the election or defeat of a candidate or that names or depicts a clearly identified candidate is subject to the requirements of section 1014.

Sec. 21. 21-A MRSA §1055-A, as amended by PL 2023, c. 324, §15, is further amended by amending the section headnote to read:

§1055-A. Political public communications to influence a ballot question

Sec. 22. 21-A MRSA §1055-A, sub-§1, as amended by PL 2023, c. 324, §15, is further amended to read:

1. ~~Communications~~ Public communications to influence ballot question elections. Whenever a person makes an expenditure exceeding \$500 for a public communication

~~expressly advocating through broadcasting stations, cable television systems, prerecorded automated telephone calls or scripted live telephone calls, newspapers, magazines, campaign signs or other outdoor advertising facilities, publicly accessible sites on the Internet, direct mails or other similar types of general public political advertising or through flyers, handbills, bumper stickers and other nonperiodical publications, for or against an initiative or referendum that is on the ballot, the public communication must clearly and conspicuously state the name and address of the person who made or financed the expenditure for the public communication, except that telephone calls must clearly state only the name of the person who made or financed the expenditure for the public communication. A digital public communication, including the transmission of text messages with the assistance of mass distribution technology, costing more than \$500 that expressly advocates for or against an initiative or referendum or that includes a link to a publicly accessible website expressly advocating for or against an initiative or referendum that is on the ballot containing express advocacy must clearly and conspicuously state the name of the person who made or financed the expenditure, unless the digital communication is excluded under subsection 2. A website established by a person required to register as a ballot question committee expressly advocating for or against an initiative or referendum must clearly and conspicuously state the name and address of the person who made or financed the expenditure for the website. Telephone surveys that meet generally accepted standards for polling research and that are not conducted for the purpose of influencing the voting position of call recipients are not required to include the disclosure.~~

Sec. 23. 21-A MRSA §1055-A, sub-§2, as enacted by PL 2013, c. 334, §24, is amended to read:

2. Exceptions. The following forms of political public communication do not require the name and address of the person who made or financed the expenditure for the public communication because the name or address would be so small as to be illegible or infeasible: clothing, envelopes and stationery, small promotional items, tickets to fundraisers and electronic media advertisements where compliance with this section would be impracticable due to size or character limitations and similar items determined by the commission to be too small and unnecessary for the disclosures required by this section. "Small promotional items" includes but is not limited to ashtrays, badges and badge holders, balloons, campaign buttons, coasters, combs, emery boards, erasers, glasses, key rings, letter openers, matchbooks, nail files, noisemakers, paper and plastic cups, pencils, pens, plastic tableware, 12-inch or shorter rulers and swizzle sticks.

Sec. 24. 21-A MRSA §1057, sub-§4, as amended by PL 2021, c. 217, §9, is further amended to read:

4. Account statements. The treasurer of a committee shall keep account statements ~~relating to the deposit of funds of the committee for the campaign account~~ required by section 1054.

Sec. 25. 21-A MRSA §1062-A, sub-§5, as amended by PL 2019, c. 563, §20, is further amended to read:

5. Request for a commission determination. ~~If the commission staff finds that a committee has failed to file a report required under this subchapter, the commission staff shall mail a notice to the treasurer of the committee within 3 business days following the~~

~~filing deadline informing the treasurer that a report was not received.~~ If a committee files a report required under this subchapter late, a notice of preliminary penalty must be forwarded to the treasurer of the committee whose report is not received by 11:59 p.m. on the deadline date, informing the treasurer of the commission staff finding of violation and preliminary penalty calculated under subsection 3 and providing the treasurer with an opportunity to request a determination by the commission. A request for determination must be made within 14 calendar days of receipt of the commission's notice. A principal officer or treasurer requesting a determination may either appear in person or designate a representative to appear on the principal officer's or treasurer's behalf or submit a sworn statement explaining the mitigating circumstances for consideration by the commission. A final determination by the commission may be appealed to the Superior Court in accordance with Title 5, chapter 375, subchapter 7 and the Maine Rules of Civil Procedure, Rule 80C.

Sec. 26. 21-A MRSA §1062-A, sub-§7, as amended by PL 2019, c. 563, §22, is repealed.

Sec. 27. 21-A MRSA §1062-A, sub-§8, as amended by PL 2003, c. 628, Pt. A, §8, is repealed and the following enacted in its place:

8. Penalties for failure to file report. If the commission staff finds that a committee or other person has failed to file a report required under this subchapter, the commission staff shall send by regular mail and e-mail a notice to the committee treasurer or other responsible officer within 3 business days following the filing deadline informing the committee treasurer or other responsible officer that the report has not been received. If the report remains unfiled after 10 days, the commission staff shall send another notice by regular mail and e-mail. If the committee or other person has not filed the report after these 2 notices, commission staff may refer the violation to the commission, which may, after providing notice and an opportunity to be heard, determine whether a violation has occurred and, if so, the amount of any penalty. The maximum penalty for failure to file a report required under section 1059 is \$10,000 or the amount of financial activity not reported, whichever is greater. A person who fails to file a report as required by this subchapter after the commission has sent the first 2 notices required in this subsection is guilty of a Class E crime, except that, if a penalty is assessed pursuant to this subsection and collected by the commission, the State may not prosecute a violation under this subsection.

Sec. 28. 21-A MRSA §1062-A, sub-§8-A, as amended by PL 2023, c. 405, Pt. A, §49, is repealed.

Sec. 29. 21-A MRSA §1064, sub-§1, ¶H, as enacted by IB 2023, c. 2, §1, is repealed.

Sec. 30. 30-A MRSA §2502, as amended by PL 2023, c. 314, §2, is further amended to read:

§2502. Campaign reports and registrations in municipal elections

1. Reports and registrations by candidates. ~~A candidate for municipal office of~~ Financial activities by candidates and others to influence elections for municipal office in a town or city with a population of 15,000 or more ~~is~~ are governed by Title 21-A, sections 1001 to 1020-A, except that registrations and campaign finance reports must be filed with the municipal clerk instead of the Commission on Governmental Ethics and Election

Practices. A town or city with a population of less than 15,000 may choose to be governed by Title 21-A, sections 1001 to 1020-A by vote of its legislative body at least 90 days before an election for office. A town or city that votes to adopt those provisions may revoke that decision, but it must do so at least 90 days before an election subject to those sections.

2. Municipal referenda campaigns. Municipal referenda ~~campaign finance reporting~~ is campaigns are governed by Title 21-A, chapter 13, subchapter 4.

3. Public access to records. A town or city that receives registrations or reports pursuant to this section must keep them for 8 years.