



128th MAINE LEGISLATURE

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Legislative Document

No. 1285

S.P. 437

In Senate, April 4, 2017

An Act To Tax Political Expenditures Made Immediately before an Election

Reference to the Committee on Taxation suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator SAVIELLO of Franklin.
Cosponsored by Senator: DAVIS of Piscataquis.

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

2 **Sec. 1. 36 MRSA c. 723** is enacted to read:

3 **CHAPTER 723**

4 **POLITICAL EXPENDITURES TAX**

5 **§4921. Tax on political expenditures**

6 **1. Definitions.** As used in this chapter, unless the context otherwise indicates, the
7 following terms have the following meanings.

8 A. "Campaign" means any course of activities to initiate or influence any of the
9 following ballot measures:

10 (1) A people's veto referendum under the Constitution of Maine, Article IV, Part
11 Third, Section 17;

12 (2) A direct initiative of legislation under the Constitution of Maine, Article IV,
13 Part Third, Section 18;

14 (3) An amendment to the Constitution of Maine under Article X, Section 4;

15 (4) A referendum vote on a measure enacted by the Legislature and expressly
16 conditioned upon ratification by a referendum vote under the Constitution of
17 Maine, Article IV, Part Third, Section 19;

18 (5) The ratification of the issue of bonds by the State or any agency thereof; and

19 (6) Any county or municipal referendum.

20 B. "Election" means any primary, general or special election for state, county or
21 municipal offices or referendum as defined in Title 21-A, section 1.

22 C. "Influence" means to promote, support, oppose or defeat.

23 D. "Political expenditure":

24 (1) For the purposes of an election, has the same meaning as "expenditure" as
25 defined in Title 21-A, section 1012, subsection 3; and

26 (2) For the purposes of a campaign, has the same meaning as "expenditure" as
27 defined in Title 21-A, section 1052, subsection 4.

28 E. "Taxable period" means the interval starting the 14th day before an election or
29 referendum and ending the day of the election or referendum.

30 **2. Tax imposed; rate.** A tax is imposed on a person making a political expenditure
31 during a taxable period at the rate of 50% of the value of the political expenditure.

32 **3. Payment of tax; when due.** A person making a political expenditure taxable
33 pursuant to this section shall file with the bureau, on forms supplied by the bureau, a
34 return showing the amount and type of the political expenditure, the election or campaign
35 for which the political expenditure was made and the date the political expenditure was

