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An Act To Encourage Transparency in Certain Organizations Involved in Political Campaigns

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

Sec. 1. 21-A MRSA §1006 is enacted to read:

§ 1006. Public communications by certain organizations

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings:

- A. "Nonpreemptible airtime" means a purchased television broadcast the time and date of which is guaranteed to the purchaser; and
- B. "Political action committee" has the same meaning as in section 1052, subsection 5.

2. Person receiving government funding. A person other than a candidate under chapter 14 who receives funds in an amount of over \$50,000 from the State or a political subdivision of the State may not make an expenditure or public communication that initiates or influences a campaign until those funds are completely expended, or if the funds are in the form of a loan, until the loan is repaid in full.

3. Statement. A public communication to initiate or influence a campaign paid for by a political action committee must include a statement from its chief executive officer or highest ranking official and a representative of the top contributor to the communication that the officer or official and representative "approve this message." If funds of a political action committee derived from one or more contributions given with no restrictions on use are spent on a public communication to initiate or influence a campaign, the top 5 contributors of those funds to the political action committee must be listed in the communication.

4. Lowest rate for television advertisements. If a political action committee spends \$15,000 or more on television airtime to run a public communication supporting or opposing a candidate for office under this Title, then the broadcaster must provide airtime to the candidate or the statewide political committee of the party of the candidate at the lowest unit rate for that media market and reasonable access for nonpreemptible airtime.

5. Rules. The commission may adopt rules to carry out the purposes of this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2A.

Sec. 2. 21-A MRSA §1052, sub-§5, ¶A, as amended by PL 2009, c. 190, Pt. A, §16, is further amended to read:

- A. Includes:

(1) Any separate or segregated fund established by any corporation, membership organization, cooperative or labor or other organization whose purpose is to ~~influence the outcome of an election, including a candidate election or ballot question~~ initiate a campaign;

(4) Any organization, including any corporation or association, that has as its major purpose ~~initiating, promoting, defeating or influencing a candidate election, campaign or ballot question~~ and that receives contributions or makes expenditures aggregating more than \$1,500 in a calendar year for that purpose, ~~including for the collection of signatures for a direct initiative or referendum in this State~~; and

(5) Any organization that does not have as its major purpose ~~promoting, defeating~~ initiating or influencing ~~candidate elections~~ a campaign but that receives contributions or makes expenditures aggregating more than \$5,000 in a calendar year for the purpose of ~~promoting, defeating~~ initiating or influencing in any way the nomination or election of any candidate to political office; and

SUMMARY

This bill requires certain disclosures and other requirements relating to campaign-related contributions, expenditures and public communications, including:

1. Prohibits a person who receives funds from the State or a political subdivision of the State from making an expenditure or public communication that initiates or influences a campaign until the funds are completely expended or, if the funds are in the form of a loan, until the loan is paid in full;
2. Requires certain disclaimers to be included in political action committee public communications that initiate or influence a campaign;
3. Requires that a candidate receive the lowest rate for television airtime if a political action committee spends \$15,000 to run a televised communication concerning the candidate; and
4. Amends the definition of political action committee.