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Legislative Document

No. 1125

H.P. 803

House of Representatives, March 22, 2021

An Act To Define "Leadership Political Action Committee"

Reported by Representative CAIAZZO of Scarborough for the Commission on Governmental Ethics and Election Practices pursuant to the Maine Revised Statutes, Title 1, section 1009.

Received by the Clerk of the House on March 18, 2021. Referred to the Committee on Veterans and Legal Affairs pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

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

2 **Sec. 1. 21-A MRSA §1001, sub-§2-A** is enacted to read:

3 **2-A. Leadership political action committee.** "Leadership political action
4 committee" means a political action committee designated under section 1053-D that is
5 directly or indirectly established, maintained or controlled by a member of the Legislature
6 but is not a caucus political action committee under section 1053-C.

7 **Sec. 2. 21-A MRSA §1053-D** is enacted to read:

8 **§1053-D. Leadership political action committees**

9 When a leadership political action committee registers pursuant to section 1052-A, the
10 committee shall identify the Legislator's position in the committee as required by section
11 1052-A, subsection 2. Once the Legislator leaves office for any reason, the commission
12 shall update its records to remove any designation of the committee as a leadership political
13 action committee.

14 **Sec. 3. 21-A MRSA §1125, sub-§6-F,** as amended by PL 2019, c. 635, §6, is
15 further amended to read:

16 **6-F. Participation in political action committees.** A participating candidate or a
17 certified candidate may not establish a leadership political action committee ~~for which the~~
18 ~~candidate is a treasurer or principal officer or for which the candidate is primarily~~
19 ~~responsible for fund-raising or decision making.~~ This prohibition applies between April
20 1st immediately preceding a general election through:

21 A. The date on which the candidate withdraws from a race;

22 B. The date of the primary election or general election for a candidate who loses either
23 election; or

24 C. January 1st immediately preceding the next general election for a candidate who
25 wins the general election.

26 This prohibition also applies to a participating candidate or certified candidate in a special
27 election, except that the prohibition begins on the date of the candidate's nomination. This
28 subsection does not prohibit a participating candidate or certified candidate, including a
29 certified candidate who wins a general or special election, from engaging in fund-raising
30 or decision making for a caucus political action committee, a ballot question committee or
31 a political action committee formed for the purpose of promoting or opposing a ballot
32 question. This prohibition applies to a participating candidate or certified candidate
33 regardless of the date on which the political action committee was established.

34 **SUMMARY**

35 This bill defines "leadership political action committee" in the campaign reports and
36 finances laws as a political action committee that is directly or indirectly established,
37 maintained or controlled by a member of the Legislature, who must be identified, but is not
38 a caucus political action committee. It also provides that it is a leadership political action
39 committee that a Maine Clean Election Act participating candidate or certified candidate
40 may not establish while running for office or, with the exception of a 3-month period from
41 January 1st to April 1st, holding office.