



130th MAINE LEGISLATURE

FIRST SPECIAL SESSION-2021

Legislative Document

No. 1621

S.P. 514

In Senate, April 28, 2021

An Act To Reform Payments to Legislators by Political Action Committees

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator MAXMIN of Lincoln.

Cosponsored by Senators: HICKMAN of Kennebec, President JACKSON of Aroostook.

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

2 **Sec. 1. 21-A MRSA §1054-B**, as amended by PL 2019, c. 21, §1 and c. 563, §9, is
3 repealed and the following enacted in its place:

4 **§1054-B. Payments to Legislators by political action committees**

5 **1. Political action committee requirements.** A political action committee is subject
6 to the following requirements if a Legislator is a principal officer or treasurer of the political
7 action committee or is one of the individuals primarily responsible for raising contributions
8 or making decisions for the political action committee:

9 A. The political action committee may not compensate the Legislator or an immediate
10 family member of the Legislator for services provided to the political action committee.
11 The political action committee may not make payments or distribute, loan, advance,
12 deposit or gift money or anything of value to or compensate a business owned or
13 operated by the Legislator or an immediate family member of the Legislator;

14 B. The political action committee may pay for or reimburse the Legislator for travel
15 expenses, including the cost of fuel for the use of the Legislator's vehicle, incurred in
16 the proper performance of the duties of the Legislator and for conducting activities for
17 the political action committee. The political action committee may not pay for or
18 reimburse the Legislator for costs of repairing or maintaining the Legislator's vehicle
19 or for accessories that are not necessary for the proper performance of the vehicle;

20 C. The political action committee may pay for or reimburse the Legislator for other
21 expenses incurred in the proper performance of the duties of the Legislator, for
22 purchases made on behalf of the political action committee and for travel expenses
23 associated with volunteering for the political action committee;

24 D. The political action committee may not pay for or reimburse the Legislator for any
25 expenses that have been or will be reimbursed by the Legislature or any other source
26 of payment or reimbursement; and

27 E. The funds of the political action committee may not be commingled with the
28 personal funds of the Legislator or any other person or the funds of a business owned
29 or operated by the Legislator or any other person.

30 Allowable payments or reimbursements for expenses do not include payments from the
31 political action committee that are determined by the commission to be for the purpose of
32 personal financial enrichment of the Legislator or an immediate family member of the
33 Legislator.

34 **2. Penalties.** A Legislator or political action committee that is found to be in violation
35 of this section may be subject to a penalty of up to \$500 or the amount of the impermissible
36 payment or reimbursement, whichever is greater.

37 **3. Rules.** The commission may establish, by rule, record-keeping and reporting
38 requirements and travel and vehicle reimbursement rates necessary to monitor compliance
39 with this section. Any rule established pursuant to this subsection is a routine technical
40 rule as described in Title 5, chapter 375, subchapter 2-A.

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SUMMARY

This bill makes the following changes to the laws governing payments to a Legislator by a political action committee if the Legislator is a principal officer or treasurer of the political action committee or is one of the individuals primarily responsible for raising contributions or making decisions for the political action committee.

1. It provides that the political action committee may not compensate an immediate family member of the Legislator for services provided to the political action committee or make payments or distribute, loan, advance, deposit or gift money or anything of value to or compensate a business owned or operated by an immediate family member of the Legislator.

2. It provides that the cost of fuel for the use of a Legislator's vehicle is a type of travel expense for which a political action committee may pay for or reimburse the Legislator. It prohibits a political action committee from paying for or reimbursing a Legislator for costs of repairing or maintaining the Legislator's vehicle or for accessories that are not necessary for the proper performance of the vehicle.

3. It prohibits a political action committee from paying for or reimbursing a Legislator for any expenses that have been or will be reimbursed by the Legislature or any other source of payment or reimbursement.

4. It provides that allowable payments or reimbursements for expenses do not include payments from a political action committee that are determined by the Commission on Governmental Ethics and Election Practices to be for the purpose of personal financial enrichment of an immediate family member of a Legislator.

5. It provides that the funds of a political action committee may not be commingled with the personal funds of a Legislator or any other person or the funds of a business owned or operated by the Legislator or any other person.

6. It provides that a Legislator or political action committee that is found to be in violation of the laws governing payments to Legislators by political action committees may be subject to a penalty of up to \$500 or the amount of the impermissible payment or reimbursement, whichever is greater.

7. It provides that the commission may establish, by routine technical rule, record-keeping and reporting requirements and travel and vehicle reimbursement rates.