

126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 770

H.P. 521

House of Representatives, February 28, 2013

An Act Regarding Corporate and Other Entity Campaign Advertising Disclosure and Accountability

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

Millient M. Macfarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MacDONALD of Boothbay. Cosponsored by Representative KRUGER of Thomaston and Representatives: CAREY of Lewiston, GRANT of Gardiner, MASTRACCIO of Sanford, SANBORN of Gorham.

2	Sec. 1. 21-A MRSA §1015-B is enacted to read:
3	§1015-B. Political activities by corporations and other groups
4 5	In addition to any applicable disclosure and reporting requirements prescribed by this chapter, a corporation or group that makes contributions shall comply with this section.
6 7	For purposes of this section, "group" means a political action committee, firm, partnership, trade or professional association or union.
8 9 10 11 12	1. Contributions and expenditures by corporations and groups. A corporation or group that makes a contribution or expenditure to support or defeat a candidate, referendum, direct initiative of legislation or people's veto referendum of more than \$2,000 in a calendar year shall submit a report to the commission within 60 days of the contribution or expenditure. The report must include but is not limited to:
13	A. The amount of the contribution or expenditure; and
14 15	B. The candidate, referendum, direct initiative of legislation or people's veto referendum to which the contribution or expenditure relates.
16 17 18	Reports required by this subsection must be retained by the corporation or group for a minimum of 5 years. The reporting requirements of this subsection are satisfied if substantially similar reports are filed in accordance with other provisions of this chapter.
19 20 21 22 23	2. Television and radio communications; disclosure required. A political communication made by or purchased by a corporation or group to support or defeat a candidate, referendum, direct initiative of legislation or people's veto referendum broadcast on television or radio must include the following information clearly audible or visible to the viewer:
24 25	A. The identity of the corporation's or group's chief executive officer or principal officer and the officer's title;
26	B. The city and state of the corporation's or group's principal place of business; and
27 28	C. The following statement, made by the chief executive officer, chair, principal officer or business manager of the corporation or group:
29 30 31	"I am (name), the (office held) of (name of corporation or group) (name of corporation or group) paid for and approves this message."
32 33	For a television communication, this statement must be made with a full-screen view of the person making the statement.
34 35 36 37	3. Internet communications; disclosure required. A political communication made by or purchased by a corporation or group to support or defeat a candidate, referendum, direct initiative of legislation or people's veto referendum broadcast on the Internet must include the following information clearly audible or visible to the viewer:

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

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1 2	A. The identity of the corporation's or group's chief executive officer or principal officer and the officer's title;
3	B. The city and state of the corporation's or group's principal place of business;
4 5	C. The following statement, made by the chief executive officer, chair, principal officer or business manager of the corporation or group:
6 7 8	"I am (name), the (office held) of (name of corporation or group) paid for and approves this message."
9 10	This statement must be made with a full-screen view of the person making the statement;
11 12 13 14	D. A list of the names of the 5 persons or entities that have made the largest contributions to the corporation or group in excess of \$250 during the 12-month period before the date of the communication, with the words "Top Five Contributors"; and
15	E. The logo of the corporation or group, if applicable.
16 17 18 19 20 21	4. Print communications; disclosure required. A printed political communication made by a corporation or group to support or defeat a candidate, referendum, direct initiative of legislation or people's veto referendum must include the same information as described in subsection 3, paragraphs A, B, D and E, which must be set aside from other printed matter so it is clearly distinguishable and printed in a font size no less than 10% of the largest font size in the communication.
22 23 24 25 26 27	5. Violations. A corporation or group that makes a political communication knowingly without the disclosures required by this section is punishable by a fine of 3 times the amount of the expenditure for the communication or \$100,000, whichever is greater. A person who knowingly aids or abets a violation as described in this subsection is subject to a fine of not more than \$10,000 and imprisonment not to exceed a term of one year.
28	SUMMARY
29 30 31 32 33	This bill requires specific disclosures by corporations and various groups that make political communications in print, by television and radio and through Internet media. The bill also requires corporations and groups making political contributions of more than \$2,000 to report regarding those contributions to the Commission on Governmental Ethics and Election Practices.