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Date: (Filing No. H-)

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
FIRST SPECIAL SESSION**

HOUSE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to S.P. 514, L.D. 1621, “An Act To Reform Payments to Legislators by Political Action Committees”

Amend the amendment by striking out the title and substituting the following:

'An Act To Reform Payments to Legislators by Political Action Committees and Ballot Question Committees and To Define the Term "Unenrolled Political Action Committee"'

Amend the amendment by inserting before section 1 the following:

'Sec. 1. 21-A MRSA §1001, sub-§4 is enacted to read:

4. Unenrolled political action committee. "Unenrolled political action committee" means a political action committee designated under section 1053-C, subsection 3 to promote the election of unenrolled candidates to the Senate or the House of Representatives.

Sec. 2. 21-A MRSA §1018-B, sub-§2, as amended by PL 2019, c. 635, §3, is further amended to read:

2. Limitations. After an election, candidates may receive donations for purposes of a recount. The donations must be within the limitations of section 1015, except that no limitation applies to donations from party committees, unenrolled political action committees and caucus political action committees and from attorneys, consultants and their firms that are donating their services without reimbursement. Candidates may not spend revenues received under chapter 14 for recount expenditures.

Sec. 3. 21-A MRSA §1053-C, as enacted by PL 2019, c. 635, §4, is amended by amending the section headnote to read:

§1053-C. Caucus political action committees and unenrolled political action committees

Sec. 4. 21-A MRSA §1053-C, sub-§1, ¶A-1 is enacted to read:

A-1. "House unenrolled leader" means a member of the House of Representatives who is not enrolled in a political party and who has been elected the leader of the members of the House of Representatives who are not enrolled in a political party. For purposes of this paragraph, if the Speaker of the House of Representatives is not enrolled in a

HOUSE AMENDMENT

1 political party, the Speaker of the House of Representatives is deemed the House
2 unenrolled leader.

3 **Sec. 5. 21-A MRSA §1053-C, sub-§1, ¶D** is enacted to read:

4 D. "Senate unenrolled leader" means a member of the Senate who is not enrolled in a
5 political party and who has been elected the leader of the members of the Senate who
6 are not enrolled in a political party. For purposes of this paragraph, if the President of
7 the Senate is not enrolled in a political party, the President of the Senate is deemed the
8 Senate unenrolled leader.

9 **Sec. 6. 21-A MRSA §1053-C, sub-§3** is enacted to read:

10 **3. Designation of unenrolled political action committee.** The Senate unenrolled
11 leader and the House unenrolled leader may each designate one unenrolled political action
12 committee to promote the election of unenrolled candidates to the body of the Legislature
13 of which the unenrolled leader is a member. The designation must be made in a letter to
14 the commission and remains effective until a new designation is made in a letter to the
15 commission from the unenrolled leader of the same body of the Legislature.'

16 Amend the amendment by inserting after section 1 the following:

17 **'Sec. 8. 21-A MRSA §1122, sub-§10** is enacted to read:

18 **10. Unenrolled political action committee.** "Unenrolled political action committee"
19 has the same meaning as in section 1001, subsection 4.

20 **Sec. 9. 21-A MRSA §1125, sub-§6-F,** as amended by PL 2019, c. 635, §6, is
21 further amended by amending the first blocked paragraph to read:

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

31 Amend the amendment by relettering or renumbering any nonconsecutive Part letter or
32 section number to read consecutively.

33 SUMMARY

34 This amendment incorporates the substance of Legislative Document 59, An Act To
35 Define the Term "Unenrolled Political Action Committee" to allow the unenrolled
36 members of the Senate and the unenrolled members of the House of Representatives to
37 elect a leader who may designate an unenrolled political action committee to promote the
38 election of unenrolled candidates to that body of the Legislature. Like a caucus political
39 action committee, an unenrolled political action committee may make unlimited donations
40 to a candidate to fund a recount. In addition, although Maine Clean Election Act candidates
41 are generally prohibited from serving as the treasurer, principal officer, primary fund-raiser
42 or primary decision maker for a political action committee, the bill authorizes Maine Clean

1 Election Act candidates to engage in fund-raising or decision making for an unenrolled
2 political action committee to the same extent that Maine Clean Election Act candidates
3 may engage in such activities for a caucus political action committee.

4 **SPONSORED BY:** _____

5 **(Representative PLUECKER, B.)**

6 **TOWN: Warren**