

# MAJOR CONTRIBUTORS

## FREQUENTLY ASKED QUESTIONS

### **Who is a Major Contributor?**

*A Major Contributor is a person (a business, organization, association, etc., but not an individual) who gives more than \$100,000 to a political action committee or ballot question committee for the purpose of initiating or influencing a people's veto or citizen initiative.*

### **What counts as a contribution?**

*Funds or anything of value that is given to a committee to initiate or influence a people's veto or citizen initiative.*

### **Does this only apply to single contributions of more than \$100,000?**

*No. All contributions from the same Contributor, regardless of the amount, count towards the \$100,000 threshold.*

### **Who is responsible for notifying the Major Contributor of the reporting requirement?**

*The committee that received the contributions is responsible for sending a written notice to the Contributor explaining the reporting requirement. The recipient committee must also copy the Commission on the notification.*

### **When does the recipient committee have to notify the Contributor?**

*The recipient committee must notify the Contributor within 5 days of having received contributions from the Contributor exceeding the \$100,000 threshold. If the threshold is exceeded within 13 days before an election, then the committee must notify the Contributor in writing within 24 hours.*

### **When does the Contributor have to file?**

*The Contributor must file a report on or before the next regularly scheduled filing deadline for campaign finance reports. If, however, the Contributor receives notice during the 13 days before an election, then the Contributor must file the report within 2 business days of having received the notice. The notice from the recipient committee will have the filing schedule.*

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## FREQUENTLY ASKED QUESTIONS CONTINUED

### **What does the Contributor have to report?**

1. *The name and relevant contact information for the Contributor and the name of the responsible officer;*
2. *The form of the organization (LLC, P.A., etc.), and its purpose;*
3. *The amount and date of each contribution to the recipient committee;*
4. *A certification that the Contributor has not received any contributions for the purpose of initiating or influencing a people's veto or citizen initiative, or if the contributor has received such contributions, the dates, sources, and amounts of any such contributions must be included;*
5. *The names of the 5 largest sources of funds received by the Contributor during the period of six months prior to the first contribution made to the committee and ending on the date of filing the report. This does not apply to any funds received by the Contributor that are restricted to be used for purposes other than influencing or initiating a people's veto or citizen initiative; and*
6. *A statement indicating whether the contributor is exempt from taxation by the I.R.S. and a list of any governmental jurisdictions that the Contributor has filed campaign finance reports during the previous 12 months.*

### **What happens if the Contributor doesn't file timely?**

*If the Contributor doesn't file the report on time, the Commission will issue a notice of preliminary penalty, which is 10% of the total contributions up to a maximum penalty of \$50,000. The notice of preliminary penalty will be mailed to the Contributor.*

### **What happens if the committee fails to notify or is late in notifying the Contributor?**

*The committee maybe liable for a penalty of 10% of the total contributions from the Contributor up to a maximum of \$50,000.*

### **Can the Contributor contest the preliminary penalty?**

*Yes. Within 14 days of having received the notice of preliminary penalty, the Contributor may request that the Commission issue a waiver, in full or in part, of the penalty. The Commission will consider the request at a monthly public meeting.*

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## FREQUENTLY ASKED QUESTIONS CONTINUED

### **What factors does the Commission consider regarding a waiver request?**

*The Commission shall consider when the Contributor received notice of the reporting requirement, the number of days the report was late, the amount of the contributions reported late, and any other factors the Commission deems relevant.*

### **Does the Contributor have to appear in person at the Commission meeting?**

*The Contributor or a representative may appear in person, or submit an affidavit explaining the mitigating circumstances. It is the Commission's strong preference that the Contributor or a representative appear in person.*

### **What if the Commission doesn't grant a waiver request?**

*If the Commission does not grant a waiver request, the Contributor may appeal the Commission's decision to Superior Court. If the Contributor doesn't appeal the Commission's waiver denial, the Contributor must pay the preliminary penalty.*

### **Statutory references:**

*21-A MRSA Sec. 1060-A*

*21-A MRSA Sec. 1062-A*

### **Forms:**

*Notice to Major Contributor*

*Major Contributor Report*

### **For more information:**

*Call the Commission on Governmental Ethics and Election Practices at (207) 287-4179 and ask to speak with the Political Committee and Lobbyist Registrar or send an e-mail to [ethics@maine.gov](mailto:ethics@maine.gov).*