



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

To: Interested Persons
From: Jeremy J. Brown, PAC/Party/Lobbyist Registrar
Date: May 21, 2009
Re: Financial Reporting Requirements for Proponents and Opponents of a People's Veto Referendum

The Ethics Commission staff has received questions regarding whether groups involved in the initial stages of getting a people's veto on the ballot must file financial reports with the Commission. This memo is intended to provide basic information about the criteria that would require an organization to register and file campaign finance reports with the Commission. Please be aware that in 2006, the Legislature amended the campaign finance law to clarify that expenditures made to gather signatures in support of a ballot question are expenditures to influence an election and would count towards the threshold for registration and reporting. (P.L. 2005, c. 575) The Commission staff views expenditures by *opponents* of people's veto referenda during the signature-gathering phase as expenditures to influence an election which would count towards the threshold.

Threshold for Registering and Reporting

- *PACs.* If an organization has as its major purpose initiating, promoting, defeating, or influencing a ballot question and it spends more than \$1,500 to initiate, promote, defeat, or influence the question, it is required to register and file campaign finance reports as a political action committee (PAC).
- *Ballot question committees.* If an organization which has a major purpose other than influencing an election or an individual raises or spends more than \$5,000 for the purpose of initiating, promoting, defeating, or influencing in any way a ballot question, the organization or individual is required to register and file reports as a Ballot Question Committee under 21-A M.R.S.A. § 1056-B.

Other Sources of Information

If you or anyone else that you know has questions about whether you should file financial reports with the Commission, please telephone me at 287-4179. On the Forms and Guides page of the Commission's website (www.maine.gov/ethics), the Commission has posted a pamphlet entitled How to Report Ballot Question Expenditures and the reporting form with filing schedule for ballot question committees. Thank you.