

Agenda

Item #3



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

September 27, 2007

Audit Report No. 2006-HR041

**Candidate: John W. Churchill
House District 7**

Background

John W. Churchill was a candidate for re-election to the Maine House of Representatives, District 7, in the 2006 general election. The Commission on Governmental Ethics and Election Practices (Commission) certified Mr. Churchill as a Maine Clean Election Act (MCEA) candidate on March 7, 2006. MCEA candidates are required under the Act to submit reports of their receipts, expenditures, outstanding campaign debt, and equipment purchases and dispositions for specified periods during the election cycle.

Audit Scope

Examination of selected candidate contribution and expenditure transactions occurring during the following campaign reporting periods:

- Seed Money
- Six Day Pre-Primary
- 42 Day Post-Primary
- Six Day Pre-General
- 42 Day Post-General

Transactions subject to review were those recorded in the candidate's accounting records and reported to the Commission. The audit's purpose was to determine if the identified receipts and payments (1) were properly approved by the candidate or his authorized representative; (2) were adequately documented as evidenced by original vendor invoices and cancelled checks or other acceptable disbursement documentation; and (3) complied in all material respects with the requirements of the Maine Clean Election Act and the Commission's rules.

Audit Findings and Recommendations

Auditor's Note No. 1: In June 2007, after being notified that his campaign had been selected for audit, Mr. Churchill informed the Commission staff that he had encountered a serious problem regarding his campaign documentation. He stated that in early 2007, he was working out of state in Florida, and that he had his campaign financial records with him at that time. Mr. Churchill said that a weather event caused the destruction of many of those records, and that he would have to obtain copies from the vendors to his campaign. Since bank records and vendor invoices are the centerpieces of campaign expense documentation,

and since such documents can be replaced, we encouraged Mr. Churchill to contact his bank and the vendors to his campaign as soon as possible to obtain any missing items. Mr. Churchill's statement regarding the loss of records is included as Exhibit I to this report.

Finding No. 1 – Campaign expenditures in excess of authorized MCEA funding: The audit disclosed three expenditures that when taken together exceeded the total amount of MCEA funding distributed to the candidate and authorized by the Commission. The excess expenditures totaled \$119.27 and are described in Exhibit II to this report. The transactions in question were a combination of unreported and under-reported payments from the campaign bank account. Mr. Churchill reported and accounted for a total of \$7,714.62 in campaign expenditures, which was the amount the Commission authorized him to spend. However, our examination indicates that at least \$7,833.89 was spent by the campaign. Mr. Churchill explains that the overspending was due to a dispute with a printing company regarding a June 1, 2006 expenditure of \$512 which he hoped would be reduced because he did not receive expected palm cards.

Criteria: The MCEA requires participating candidates to report campaign expenditures according to procedures developed by the Commission. (21-A M.R.S.A. §1125(12)). The MCEA also permits the Commission to assess a penalty of up to \$10,000 for any violation of the MCEA. 21-A M.R.S.A. §1125 (6), "After certification, a candidate must limit the candidate's campaign expenditures and obligations, including outstanding obligations, to the revenues distributed to the candidate from the fund and may not accept any contributions unless specifically authorized by the commission." Commission Rules, Chapter 3, Section 5(2)(C)(2), "A certified candidate may only draw upon, spend or otherwise use, such advance Fund distributions after receiving written notification from the Commission authorizing a Matching Fund allocation in a specified amount."

Recommendation: the Commission staff recommends that the Commission find Mr. Churchill in violation of 21-A M.R.S.A. §1125 (6) for spending money other than Maine Clean Election Act funds to promote his election. If Mr. Churchill believed that his \$512 expenditure would be discounted, the staff believes he should have resolved the dispute with the vendor before spending all of his allowable campaign funds after the election. Also, the staff is concerned that most of the \$119.27 overspending was due to an unreported expenditure of \$98.26 for tee-shirts, so that the full extent of the overspending was only discovered through the audit. Nevertheless, the staff recommends assessing no penalty for this violation.

Finding No. 2 – Incomplete documentation of campaign expenditures: Mr. Churchill reported a June 2006 payment of \$512.00 for political signs to 27 Sign Place. According to Mr. Churchill, he paid the vendor with a personal credit card that he later cancelled. Although a copy of the vendor invoice was on file, there was no record of payment by the candidate, and no record of reimbursement from the campaign bank account. According to Mr. Churchill (see attachment), payment documentation was lost in the weather event in Florida (see Auditor's Note No. 1).

Finding No. 2A: Mr. Churchill reported a food expenditure of \$138.03 at WalMart; payment was made by credit card and there was no invoice or receipt listing the campaign purchases.

Finding No. 2B: Mr. Churchill reported a \$206.41 purchase of sign materials from the Maine Potato Growers (MPG) store; payment was made by credit card and the sales slip from MPG provided no listing of the items purchased.

Criteria: 21-A M.R.S.A. §1016, "Each treasurer shall keep detailed records of all contributions received and of each expenditure that the treasurer or candidate makes or authorizes...." 21-A M.R.S.A. §1125(12-A)(C), "The treasurer shall obtain and keep...a record proving that a vendor received payment for every expenditure of \$50 or more in the form of a cancelled check, receipt from the vendor or bank or credit card statement identifying the vendor as the payee."

Finding No. 3 – Undocumented campaign expenditure: On September 26, 2006, Mr. Churchill made what we understand was an online purchase from Macy's of tee shirts to be distributed at a hunters' breakfast. The payment amount of \$98.26 was processed through the campaign bank account. There was no invoice from Macy's on file to document the expenditure. According to Mr. Churchill, the vendor invoice was one of the documents lost during the weather event in Florida. We also determined that this expenditure was not listed in any of the candidate's campaign finance reports, and was one of the transactions that caused total campaign expenditures to exceed the maximum allowable amount (see Finding No. 1).

Criteria: 21-A M.R.S.A. §1016(3)(C), "A treasurer shall keep a detailed and exact account of: ... All expenditures made by or on behalf of the...candidate...." 21-A M.R.S.A. §1125(12-A)(C), "The treasurer shall obtain and keep...a record proving that a vendor received payment for every expenditure of \$50 or more in the form of a cancelled check, receipt from the vendor or bank or credit card statement identifying the vendor as the payee." 21-A M.R.S.A. §1125(12), "[P]articipating and certified candidates shall report any money collected [and] all campaign expenditures...according to procedures developed by the commission."

Recommendation (applicable to Findings No. 2 and 3): the Commission staff recommends that the Commission find Mr. Churchill in violation of 21-A M.R.S.A. §1125(12-A) for not keeping required documentation of expenditures for two years after he filed his final campaign finance report for the 2006 election. The staff recommends assessing no penalty for the violation because of the contributing factor of the weather event.

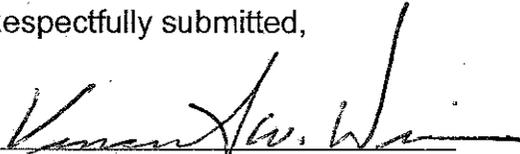
Auditor's Note No. 2: Mr. Churchill withdrew \$2,547.68 from his campaign bank account in December, 2006. Mr. Churchill informed the auditor that the monies withdrawn were to reimburse himself for campaign expenditures that he paid from his personal resources (see Exhibit III to this report). While Commission rules do not prohibit the practice, it should be noted that cash transactions provide no documentary evidence to support proof of payment for individual campaign expenditures. In the present circumstance, Mr. Churchill has provided documentation that forms the basis for the reimbursement. Although we have

accepted Mr. Churchill's submittal, the Commission staff would have preferred payment documentation that was independently verifiable. A better practice would have been for the Churchill campaign to (1) pay vendors directly with checks drawn on the campaign bank account, or (2) and less preferable, to write a reimbursement check to the candidate for each expenditure being reimbursed, supported by the original vendor invoice and original record of payment.

Candidate's Comments

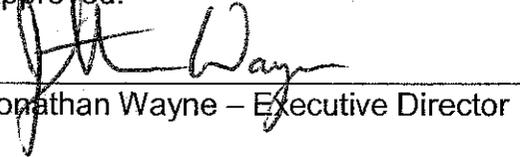
Mr. Churchill's comments are attached.

Respectfully submitted,

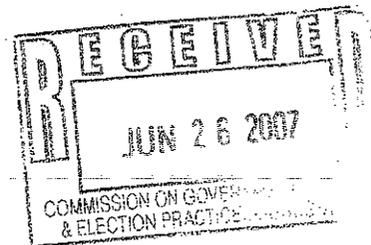


Vincent W. Dinan - Staff Auditor

Approved:



Jonathan Wayne - Executive Director



June 24, 2007

Jonathan Wayne
commission of Governmental Ethics
135 State House Station
Augusta, Maine 04333-0135

Dear Mr. Wayne

I am in receipt of your letter advising of an audit from the 2006 election cycle. I also understand the deadline of July 2, 2007. I am requesting an exception of the deadline for the following reasons:

On February 2, 2007, I was living in the Lady Lake area in Florida, I left Maine for two months to work in that area taking with me all tax and financial records, also included were my Clean election records .

I had taken my pick up, with everything packed under a cargo cover in the rear of the vehicle, during the early morning of February 2 nd , the area I was in received 9 inches of rain with some very high winds, the cargo cover was fiberglass and build to protect objects from thieves and the elements, however this was not the case, the items that were not blown away were destroyed by the water from the storm.

The IRS granted everyone in the area an automatic 6 month exception on filing their 2006 tax return. About 80% of the items you listed are large companies with computer systems that can produce copies of my expenses with them in very little time, however Wal mart- griffins Texaco(where most of my gas was purchased) is now out of business, this is going to take some time , travel is a large expense in district 7 as its 137 miles of rt. 1, I95 and rt 11 not adding for any secondary roads or streets. In my records I had kept a log dated with each trip. I have contacted the last owner of griffins Texaco , He states he can give me receipts for the amount of money I spent there and the date I paid him.

Would it be acceptable to forward everything I have on July 2 , with a letter of explanation of the situation at that time.?

Sincerely, John W> Churchill

**COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES
AUDIT OF 2006 CAMPAIGN FINANCE REPORTS**

CANDIDATE: JOHN W. CHURCHILL

HOUSE DISTRICT: 7

MODE OF CAMPAIGN FINANCING: MCEA

EXPENDITURES IN EXCESS OF AUTHORIZED MCEA FUNDING

TRANSACTION	DATE	AMOUNT	COMMENTS
Macy's	9/26/2006	\$98.26	Unreported expense. Undocumented online purchase of tee-shirts for distribution at hunters' breakfast.
Bangor Letter Shop	7/1/2006	\$15.50	Under-reported expense. Actual expenditure was \$409.50; expenditure reported was \$393.00.
Key Bank	6/28/2006	\$5.51	Unreported expense. Payment for checks.
Total		<u>\$119.27</u>	

COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES
AUDIT OF 2006 CAMPAIGN FINANCE REPORTS

CANDIDATE: JOHN W. CHURCHILL

HOUSE DISTRICT: 7

MODE OF CAMPAIGN FINANCING: MCEA

CASH REIMBURSEMENTS TO JOHN CHURCHILL

TRANSACTION	DATE	AMOUNT
Rathbun Lumber Co.	7/7/2006	\$100.46
Sign Place	7/12/2006	\$78.00
USPS	10/19/2006	\$78.00
Spectrum Printing	10/19/2006	\$228.00
Travel Costs	10/28/2006	\$379.00
WalMart Super Center	11/7/2006	\$138.03
MPG	11/7/2006	\$206.41
Bangor Daily News	11/8/2006	\$512.02
NE Publishing - Star Herald, Pioneer Times	11/11/2006	\$276.75
Three Trips to Augusta (Recount Hearings)	11/20/2006	\$120.00
Travel Costs	11/24/2006	\$431.60
Subtotal		<u>\$2,548.27</u>
Unreconciled Amount		<u>(\$0.59)</u>
December withdrawal total, per Key Bank		<u><u>\$2,547.68</u></u>

Audit Report No. 2006-HR041

Candidate: John W. Churchill

House District 7

Response to the Ethics commission :

Finding No.1- overexpendure of \$119.27

Guilty- this expenditure violation was caused by a dispute with one vender as to the materials I was going to receive for \$512.00 I was under the impression that the order included 500 palm cards, when the order was received it contained no palm cards, I inquired to the owner as to why the palm cards were not shipped, He stated the invoice did not include them, however he would look into the matter---- MEANWHILE---- I ordered the palm cards from spectrum at a cost of \$138.00 - my thought at that point was that I would be reimburse these funds when the sign place account got straight. After a few calls The dispute was a she said he said situation and the owner of the shop detailed the invoice showing the palm cards were not suppose to be included , however this was solved weeks after my last filing with ethics, too late to change anything.

Finding No.2 The documentation listed is incorrect, The vender was paid with a 512.00 bank cashier check which was obtained because this was my first election funds and I had not yet opened a checking account. I did keep the carbon copy of that check, it was destroyed in the tornado I sit out in my vehicle in Lady Lakes, Fla.

2A. Duplicate documentation on file for only 90 days.

2B. Material list of each item , same as above.

Finding 3 Macys- attempt to get a duplicate receipt was fruitless.

In closing if I had one recommendation to the commission it would be: delete words in rules such as should, may or recommends, replace with must..

Sincerely
John W. Churchill

Main Identity

27 Sign P

From: "June churchill" <jjchurch@verizon.net>
 To: "Dinan, Vincent W" <Vincent.W.Dinan@maine.gov>
 Sent: Friday, August 10, 2007 2:08 PM
 Subject: Re: Campaign Audit - Incomplete Bank Statements

this appeared to have happen prior to the opening of my election account- the money was spent at 27 sign place - I belive the exact figure will match money spent there- they do not accept credit cards, I belive this is what happen-

I ordered a parcel order of signs and handouts thru them- the \$512.00 check from the state was used to purchase a cashiers check from the bankfor \$512.00. and paid to 27 sign place... IF i had my original receipts I belive I could bear this out with a copy of the same. the check could have been purchased in 1 of 3 banks- I will attempt to figure out which one and attempt to get a copy if that is possible. I called to have the bank statements re-faxedoriginal

From: Dinan, Vincent W
 To: June churchill
 Cc: Wayne, Jonathan
 Sent: Friday, August 10, 2007 9:22 AM
 Subject: Campaign Audit - Incomplete Bank Statements

Dear Mr. Churchill:

I have reviewed the bank statements that you faxed to me on August 9th. The statements for July, August, and September of 2006 provide the necessary information; the statements for October, November and December, 2006 are incomplete. In the three instances where the statements are incomplete, all three are missing the detailed listing of withdrawals and checks paid during each of the monthly reporting periods. Your fax contained two blank pages and one reconciliation worksheet page, so the listing pages may have been omitted in error. Please forward the missing statement information to me as soon as possible.

In a related matter, the Commission disbursed \$512.00 to you on March 15, 2006 to fund your primary campaign. Your campaign bank statements do not show a deposit in this amount. Please explain what happened to that payment.

Thanks,

Vincent Dinan

Vincent W. Dinan

Auditor

Maine Commission on Governmental Ethics

and Election Practices

135 State House Station

Augusta, ME 04333-0135

Tel. (207) 287-4727

Fax (207) 287-6775

The personnel presence in Town Hall will remain until 8 pm this Friday evening. We believe the resources Lady Lake's newfound homeless will need to get through today and this weekend have been and will be made available via donations and shelter food supplies at the Villages Lady Lake Elementary School Shelter Facility on Rolling Acres Road.

The Lady Lake American Legion (SE corner of 466 and Rolling Acres) continues to serve as the staging area for donations of food, clothes, tents, toiletries, diapers, mattresses, water, ice if refrigeration unit provided as well, etc.

Temporary housing opportunities for after the shelter potentially closes on Monday being pursued in coordination with Congressman Stearns' Office with the appreciated assistance of FEMA Director Paulson. Portable showers also included in this FEMA request.

Red Cross remains in Lady Lake and will be administering their assistance on site for at least 1 week and we understand on site locations all in areas of southern Lady Lake destroyed by the Tornado(s).

Progress Energy anticipates 3200 electric customers currently without power but at least 400 of these should receive power by 6:00 pm Friday evening. The remaining 2800 should get power back by noon on Saturday.

Road Clearing, driveway clearing and debris removal efforts will commence immediately following the conclusion of ongoing search and rescue efforts. Town provided potable water is safe to drink.

State of Florida Insurance Regulator Phil Harris will be **ATTACHMENT**
providing insurance claims resources within the Lady L:
Villages Elementary School Shelter Facility on Saturday 2/3
and Sunday 2/4 to provide filing assistance to Tornado victims.

Regional emergency services and clean-up support has been provided on a grand scale and continue to be sincerely appreciated by Lady Lake's Mayor and Town Commission.

If you are interested in providing resources of any kind to assist the victims of this morning's tornado please call Town Hall at 751-1502 until 8 pm this evening or between 9-5 pm to provide your information and specific type of assistance you could donate.

Bill Vance
Lady Lake Town Manager


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Tornadoes kill at least 19 in Florida

POSTED: 3:35 a.m. EST, February 3, 2007



Jack Hurst sent this photo of interior damage to one of his neighbor's houses in Lady Lake, Florida.

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VIDEO

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Astonished resident describes what's left



Homes smashed to splinters



What it was like as the storm hit

EMERGENCY CONTACTS

EMERGENCY CONTACTS

- FEMA director reportedly planning to arrive during weekend
- Death toll climbs to 19 as crews search rubble
- Volusia County sheriff declares curfew in affected areas
- Governor declares emergency in Lake, Seminole, Sumter, Volusia counties

[Adjust font](#)

LADY LAKE, Florida (CNN) – At least 19 people were killed in one county catastrophic storms packing tornadoes raked across central Florida.

Lake County authorities said the early-morning storm killed 13 people in the Paisley and six more in Lady Lake.

Among the dead were two high school students – a 17-year-old girl and a freshman, said Anna Cowin, superintendent of Lake County Schools. (A helicopter tour reveal extent of tornado damage)

The boy, one of triplets, was killed along with his parents, while a sister, also triplets, is in serious condition at a hospital, Cowin's office said.

Cowin also said a 7-year-old boy and his father were killed.

Officials in Sumter and Volusia counties, which also were hit, said they had 1 deaths. (Retirees live through a nightmare)

Florida Gov. Charlie Crist declared a state of emergency in Lake, Seminole, Volusia counties.

He said he had spoken with President Bush and Homeland Security Secretary Chertoff regarding the importance of receiving federal aid.

In Lady Lake late Friday, Crist told CNN the storm damage was the worst he seen in the state.

Title 21-A, §1125, Terms of participation

5. Certification of Maine Clean Election Act candidates. Upon receipt of a final submittal of qualifying contributions by a participating candidate, the commission shall determine whether or not the candidate has:

- A. Signed and filed a declaration of intent to participate in this Act; [IB 1995, c. 1, §17 (new).]
- B. Submitted the appropriate number of valid qualifying contributions; [IB 1995, c. 1, §17 (new).]
- C. Qualified as a candidate by petition or other means; [IB 1995, c. 1, §17 (new).]
- D. Not accepted contributions, except for seed money contributions, and otherwise complied with seed money restrictions; [2003, c. 270, §1 (amd).]
- D-1. Not run for the same office as a nonparticipating candidate in a primary election in the same election year; and [2003, c. 270, §2 (new).]
- E. Otherwise met the requirements for participation in this Act. [IB 1995, c. 1, §17 (new).]

The commission shall certify a candidate complying with the requirements of this section as a Maine Clean Election Act candidate as soon as possible and no later than 3 business days after final submittal of qualifying contributions.

Upon certification, a candidate must transfer to the fund any unspent seed money contributions. A certified candidate must comply with all requirements of this Act after certification and throughout the primary and general election periods. Failure to do so is a violation of this chapter.

[2005, c. 301, §30 (amd).]

6. Restrictions on contributions and expenditures for certified candidates. After certification, a candidate must limit the candidate's campaign expenditures and obligations, including outstanding obligations, to the revenues distributed to the candidate from the fund and may not accept any contributions unless specifically authorized by the commission. Candidates may also accept and spend interest earned on bank accounts. All revenues distributed to a certified candidate from the fund must be used for campaign-related purposes. The candidate, the treasurer, the candidate's committee authorized pursuant to section 1013-A, subsection 1 or any agent of the candidate and committee may not use these revenues for any but campaign-related purposes. The commission shall publish guidelines outlining permissible campaign-related expenditures.

[2005, c. 542, §3 (amd).]

7. Timing of fund distribution. The commission shall distribute to certified candidates revenues from the fund in amounts determined under subsection 8 in the following manner.

- A. Within 3 days after certification, for candidates certified prior to March 15th of the election year, revenues from the fund must be distributed as if the candidates are in an uncontested primary election. [2001, c. 465, §4 (amd).]
- B. Within 3 days after certification, for all candidates certified between March 15th and April 15th of the election year, revenues from the fund must be distributed according to whether the candidate is in a contested or uncontested primary election. [2001, c. 465, §4 (amd).]
- B-1. For candidates in contested primary elections receiving a distribution under paragraph A, additional revenues from the fund must be distributed within 3 days of March 15th of the election year. [2001, c. 465, §4 (new).]
- C. Within 3 days after the primary election results are certified, for general election certified candidates, revenues from the fund must be distributed according to whether the candidate is in a contested or uncontested general election. [2001, c. 465, §4 (amd).]

Funds may be distributed to certified candidates under this section by any mechanism that is expeditious, ensures accountability and safeguards the integrity of the fund.

[2001, c. 465, §4 (amd).]

7-A. Deposit into account. The candidate or committee authorized pursuant to section 1013-A, subsection 1 shall deposit all revenues from the fund in a campaign account with a bank or other financial institution. The campaign funds must be segregated from, and may not be commingled with, any other funds.

[2005, c. 542, §4 (new).]

Title 21-A, §1125, Terms of participation

12-A. Required records. The treasurer shall obtain and keep:

A. Bank or other account statements for the campaign account covering the duration of the campaign; [2005, c. 542, § 5 (new) .]

B. A vendor invoice stating the particular goods or services purchased for every expenditure of \$50 or more; and [2005, c. 542, § 5 (new) .]

C. A record proving that a vendor received payment for every expenditure of \$50 or more in the form of a cancelled check, receipt from the vendor or bank or credit card statement identifying the vendor as the payee. [2005, c. 542, § 5 (new) .]

The treasurer shall preserve the records for 2 years following the candidate's final campaign finance report for the election cycle. The candidate and treasurer shall submit photocopies of the records to the commission upon its request.

[2005, c. 542, § 5 (new) .]

13. Distributions not to exceed amount in fund. The commission may not distribute revenues to certified candidates in excess of the total amount of money deposited in the fund as set forth in section 1124. Notwithstanding any other provisions of this chapter, if the commission determines that the revenues in the fund are insufficient to meet distributions under subsections 8 or 9, the commission may permit certified candidates to accept and spend contributions, reduced by any seed money contributions, aggregating no more than \$500 per donor per election for gubernatorial candidates and \$250 per donor per election for State Senate and State House candidates, up to the applicable amounts set forth in subsections 8 and 9 according to rules adopted by the commission.

[IB 1995, c. 1, §17 (new) .]

14. Appeals. A candidate who has been denied certification as a Maine Clean Election Act candidate, the opponent of a candidate who has been granted certification as a Maine Clean Election Act candidate or other interested persons may challenge a certification decision by the commission as follows.

A. A challenger may appeal to the full commission within 7 days of the certification decision. The appeal must be in writing and must set forth the reasons for the appeal. [2005, c. 301, §32 (amd) .]

B. Within 5 days after an appeal is properly made and after notice is given to the challenger and any opponent, the commission shall hold a hearing. The appellant has the burden of providing evidence to demonstrate that the commission decision was improper. The commission must rule on the appeal within 3 days after the completion of the hearing. [IB 1995, c. 1, §17 (new) .]

C. A challenger may appeal the decision of the commission in paragraph B by commencing an action in Superior Court according to the procedure set forth in section 356, subsection 2, paragraphs D and E. [IB 1995, c. 1, §17 (new) .]

D. A candidate whose certification by the commission as a Maine Clean Election Act candidate is revoked on appeal must return to the commission any unspent revenues distributed from the fund. If the commission or court find that an appeal was made frivolously or to cause delay or hardship, the commission or court may require the moving party to pay costs of the commission, court and opposing parties, if any. [IB 1995, c. 1, §17 (new) .]

[2005, c. 301, §32 (amd) .]

IB 1995, Ch. 1, §17 (NEW) .

PL 2001, Ch. 465, §4-6 (AMD) .

PL 2003, Ch. 270, §1,2 (AMD) .

PL 2003, Ch. 448, §5 (AMD) .

PL 2003, Ch. 453, §1,2 (AMD) .

PL 2003, Ch. 688, §A21,22 (AMD) .

PL 2005, Ch. 301, §29-32 (AMD) .

PL 2005, Ch. 542, §3-5 (AMD) .

Title 21-A, §1016, Records

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§1016. Records

Each treasurer shall keep detailed records of all contributions received and of each expenditure that the treasurer or candidate makes or authorizes, as provided in this section. When reporting contributions and expenditures to the commission as required by section 1017, the treasurer shall certify the completeness and accuracy of the information reported by that treasurer. [1991, c. 839, §13 (amd); §34 (aff).]

1. Segregated funds. All funds of a political committee and campaign funds of a candidate must be segregated from, and may not be commingled with, any personal funds of the candidate, treasurer or other officers, members or associates of the committee. Personal funds of the candidate used to support the candidacy must be recorded and reported to the treasurer as contributions to the political committee, or the candidate if the candidate has not authorized a political committee. [1991, c. 839, §13 (amd); §34 (aff).]

2. Report of contributions and expenditures. A person who receives a contribution or makes an expenditure for a candidate or political committee shall report the contribution or expenditure to the treasurer within 5 days of the receipt of the contribution or the making of the expenditure. A person who receives a contribution in excess of \$10 for a candidate or a political committee shall report to the treasurer the amount of the contribution, the name and address of the person making the contribution and the date on which the contribution was received. [1991, c. 839, §13 (amd); §34 (aff).]

3. Record keeping. A treasurer shall keep a detailed and exact account of:

A. All contributions made to or for the candidate or committee, including any contributions by the candidate; [1989, c. 504, §§10, 31, (amd).]

B. The name and address of every person making a contribution in excess of \$10, the date and amount of that contribution and, if a person's contributions in any report filing period aggregate more than \$50, the account must include the contributor's occupation and principal place of business, if any. If the contributor is the candidate or a member of the candidate's immediate family, the account must also state the relationship. For purposes of this paragraph, "filing period" is as provided in section 1017, subsections 2 and 3-A; [1991, c. 839, §13 (amd).]

C. All expenditures made by or on behalf of the committee or candidate; and [1985, c. 161, §6 (new).]

D. The name and address of every person to whom any expenditure is made and the date and amount of the expenditure. [1985, c. 161, §6 (new).]
[1991, c. 839, §13 (amd).]

4. Receipts preservation. A treasurer shall obtain and keep a receipted bill, stating the particulars, for every expenditure in excess of \$50 made by or on behalf of a political committee or a candidate and for any such expenditure in a lesser amount if the aggregate amount of those expenditures to the same person in any election exceeds \$50. The treasurer shall preserve all receipted bills and accounts required to be kept by this section for 2 years following the final report required to be filed for the election to which they pertain, unless otherwise ordered by the commission or a court. [1991, c. 839, §13 (amd); §34 (aff).]

PL 1985, Ch. 161, §6 (NEW).