



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

MEMORANDUM

To: Commissioners
From: Jonathan Wayne, Executive Director
Date: August 2, 2016
Subject: Materials for August 10 Public Hearing

On August 10, 2016, the Commission will hold a public hearing to receive comments on a proposed change to the Commission Rules. The proposed amendment would interpret the “house party exception” in the Election Law. Under this exception, volunteers may pay for up to \$250 per election for invitations, food or beverages in the course of volunteering for a candidate. Because of the exception, these expenses by the volunteer are *not* a contribution to the candidate.

The exception in the Election Law covers:

(2) The use of real or personal property and the cost of invitations, food and beverages, voluntarily provided by an individual to a candidate in rendering voluntary personal services for candidate-related activities, if the cumulative value of these activities by the individual on behalf of any candidate does not exceed \$250 with respect to any election

(21-A M.R.S.A. § 1012(2)(B)(2)) The invitation to comment and the proposed rule amendment are attached.

Following the public hearing:

- Members of the public may submit written comments through 5:00 p.m. on Monday, August 22. The staff will distribute them to you in the packet mailed to you the next day.
- After considering the oral and written comments, you are scheduled to decide on the final amendment at your regular meeting on Wednesday, August 31.

Thank you.



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MEMORANDUM

To: Interested Parties

From: Jonathan Wayne, Executive Director

Date: July 12, 2016

Subject: Invitation to Comment on Proposed Rule Amendment – House Parties

The Ethics Commission is inviting comments on a proposed amendment to the Commission Rules to better define the “house party exception” in campaign finance law. Generally, if candidates request others to pay for campaign expenses, the costs that they have paid are in-kind contributions to the candidate. Under the house party exception, individuals may pay for the costs of food, beverages or invitations in rendering voluntary personal services for candidate-related activities, as long as the volunteer’s costs do not exceed \$250 per election.

Under the proposed rule amendment (language on reverse side):

- individuals could pay for the cost of food, beverages or invitations as an “incidental cost” of providing voluntary personal services to a candidate (up to the \$250 per-election limit)
- the cost of food or beverages would be exempt only if they relate to the personal services provided by the volunteer. (For example, if a supporter wished to pay for food at a September event, she would need to volunteer at the event or provide some voluntary services related to the event in advance.)
- the costs of invitations could not be shared among volunteers, and would be exempt only if paid by a single volunteer who provided the home or premises for the event.

To receive comments from the public, the Commission will hold a hearing on Wednesday, August 10 at 9:00 a.m. at the Commission’s office at 45 Memorial Circle (second floor), in Augusta. Written and e-mailed comments are also welcome. Please email comments to Lorrie.Brann@maine.gov. The deadline for written and e-mailed comments is 5:00 p.m. on Monday, August 22, 2016.

If you have any questions, please telephone me at 287-4179. Thank you for your consideration of the proposed rule change.

OFFICE LOCATED AT: 242 STATE STREET, AUGUSTA, MAINE
WEBSITE: WWW.MAINE.GOV/ETHICS

PHONE: (207) 287-4179

FAX: (207) 287-6775

SECTION 6. CONTRIBUTIONS AND OTHER RECEIPTS

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11. The statutory exception to the definition of “contribution” in 21-A M.R.S.A. § 1012 (2)(B)(2) applies when an individual provides real or personal property or pays for invitations, food or beverages as an incidental cost of providing voluntary personal services for a candidate-related activity. The costs of food and beverages are exempt only if they relate to the personal services provided by the volunteer (for example, assisting at a house party, or hosting an evening of envelope-stuffing by volunteers). The costs of invitations for a campaign event may not be shared and are exempt only if paid by a single volunteer providing the real property for the event.