



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

To: Commission  
From: Jonathan Wayne, Executive Director  
Date: January 22, 2025  
Re: Postcard Mailing by Maine Senate Republicans PAC

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At the Commission's October 30, 2024 meeting, the Commission directed staff to investigate a postcard mailing by the Maine Senate Republicans PAC in support of Richard "Dick" Bradstreet, who was a State Representative and the Republican nominee for State Senate, District 15. The complaint asked the Commission to determine whether the Maine Senate Republicans PAC made a contribution to Dick Bradstreet because the postcard included an endorsement of outgoing State Senator Matthew Pouliot, who was Dick Bradstreet's campaign treasurer.

The relevant witnesses were not available prior to Thanksgiving due to recounts. In December, I interviewed a consultant for the PAC, the PAC treasurer, Sen. Bradstreet, and former Senator Pouliot. The staff determined that, tentatively, it planned to recommend two findings of violation and a penalty of \$1,000.

We wrote up this recommendation in the attached seven-page staff memo, which we transmitted to the PAC through its attorney on January 2, 2025. We invited the PAC to participate in the meeting and to submit any written response the PAC might wish to make. The PAC did not respond in writing, but we assume it may wish to comment at your January 29, 2025 meeting.



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135 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0135

January 2, 2025

*Via email and regular mail*

Mr. Joshua Tardy, Esq.  
Rudman Winchell  
P.O. Box 1401  
Bangor, Maine 04402

Dear Josh,

The Ethics Commission has scheduled the complaint concerning the postcard mailing by the Maine Senate Republicans PAC in support of Dick Bradstreet for the Commission's January 29, 2025 meeting. Commission staff asks that Zach Lingley participate in the meeting in person or by zoom to respond to any questions from the Commission members. Our intention is to schedule this as the first item on the agenda to minimize wait time for the PAC.

I have attached a memo by the Commission staff. Our view is that the PAC inadvertently made a contribution to Dick Bradstreet's campaign. We recommend two findings of violation and the assessment of a \$1,000 penalty. The members of the Commission will make their own assessment of the situation and may wish to apply the law differently.

If the PAC would like, it is welcome to submit a written response by Monday, January 20, 2024. Staff expects that the Commission will consider any written or in-person comments by the PAC and make a decision at the January 29 meeting, although it could request additional investigation. Thank you for the PAC's cooperation with the investigation.

Sincerely,

A handwritten signature in black ink that reads "Jonathan Wayne".

Jonathan Wayne  
Executive Director

cc: Maine Senate Republicans PAC



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To: Commission  
From: Jonathan Wayne, Executive Director  
Date: January 2, 2025  
Re: Postcard Mailing by Maine Senate Republicans PAC

---

At the Commission's October 30, 2024 meeting, the Commission directed staff to investigate a postcard mailing by the Maine Senate Republicans PAC in support of Richard "Dick" Bradstreet, who was a State Representative and the Republican nominee for State Senate, District 15. The mailing included a message from the outgoing State Senator, Matthew Pouliot, in which he thanked his constituents and encouraged a vote for Dick Bradstreet. Matthew Pouliot was the campaign treasurer for Dick Bradstreet's successful Senate campaign. The complaint asks the Commission to determine whether the Maine Senate Republicans PAC made a contribution to Dick Bradstreet because Matthew Pouliot was an agent of Sen. Bradstreet and cooperated in the expenditure by the PAC. The value of the mailing, \$2,920.05, exceeded the contribution limit applicable to all legislative candidates. In addition, during 2024 Sen. Bradstreet was not allowed to accept any cash or in-kind contributions from others because he participated in the Maine Clean Election Act program.

## **Applicable Law**

### Limits on Contributions to Legislative Candidates

An individual, PAC, or other entity may contribute no more than \$475 per election to a candidate for the Maine Legislature. 21-A M.R.S. § 1015(1) & (2-B). The limit applies to monetary and in-kind contributions (goods or services).

Also, candidates who voluntarily join the Maine Clean Election Act (MCEA) program, such as Dick Bradstreet, agree to certain restrictions on their spending and the contributions they may receive. One of the restrictions is that, after qualifying for public campaign funds, candidates in the MCEA program may not accept any cash or in-kind contributions. 21-A M.R.S. § 1125(6).

### Coordinated Expenditures are Contributions

Under the contribution limits statute, if a candidate, the candidate's political committee, or *the agents of the candidate or their political committee*, cooperate or consult with an expenditure by another person to promote the candidate, the candidate has received an in-kind contribution:

Any expenditure made by any person in cooperation, consultation or concert with, or at the request or suggestion of, a candidate, a candidate's political committee or their agents is considered to be a contribution to that candidate.

21-A M.R.S. § 1015(5). One effect of this law is that PACs, parties, and other third-parties may spend unlimited funds on communications to promote a candidate, provided they are acting independently of the candidate, the candidate's political committee, and their agents.

### Independent Expenditure Reporting, including Statement of Independence

An independent expenditure is a payment for a communication that expressly advocates for the election or defeat of a candidate, when the expenditure "is not made in cooperation, consultation or concert with, or at the request or suggestion of, a candidate, a candidate's authorized political committee or an agent of either ...." 21-A M.R.S.

§ 1019-B. If a person makes an independent expenditure of more than \$250 per candidate, they must file an independent expenditure report disclosing how much was spent to elect or defeat the candidate and the transaction details. § 1019-B(4). The report also "must include, under penalty of unsworn falsification ..., a statement whether the expenditure is made in cooperation, consultation or concert with, or at the request or suggestion of, the candidate or an authorized committee or agent of the candidate." *Id.*

### Agent, Political Committee, and Treasurer

Agent is not defined in Maine campaign finance law but is often understood in other contexts as someone who acts on behalf of another person, the "principal." *See* Black's Law Dictionary 72 (9th ed.2009) (defining "agent" as "[o]ne who is authorized to act for or in place of another"); Restatement (Second) of Agency § 387 cmt. a (1958) ("An agent is one who acts on behalf of the principal and only for his benefit."). These definitions are not authoritative for purposes of applying 21-A M.R.S. § 1015(5).

Candidates are required to appoint a treasurer before accepting any contributions or making expenditures. 21-A M.R.S. § 1013-A(1)(A). They must identify the treasurer in the candidate's registration statement filed with the Commission. § 1013-A(1). The treasurer is responsible for filing campaign finance reports for the candidate, although

that duty may be delegated. 21-A M.R.S. § 1016-A(2). The treasurer is jointly responsible with the candidate for keeping the records of the campaign. § 1016-A(1). The Commission may hold the candidate and treasurer jointly and severally liable for any penalties assessed for campaign finance violations. § 1016-A(3).

Candidates “may” authorize a political committee and list the name of the committee in the registration. 21-A M.R.S. § 1013-A(1)(B). In practice, few candidates for the Legislature list a political committee by name when they register. Political committee is defined in 21-A M.R.S. § 1(30) to mean “2 or more persons associated for the purpose of promoting or defeating a candidate, party or principle.”

### Making a False Statement

The Commission is authorized to assess a penalty when a person makes a material false statement in certain documents submitted to the Commission: “A person that makes a material false statement or that makes a statement that includes a material misrepresentation in a document that is required to be submitted to the commission, or that is submitted in response to a request by the commission, may be assessed a penalty not to exceed \$5,000.” 21-A M.R.S. § 1004-A(5).

### **Results of Investigation**

On December 17, 2024, I interviewed Zach Lingley, a consultant who organized the postcard mailing for the Maine Senate Republicans PAC. I also interviewed the PAC’s treasurer, Heather Priest, and Sen. Dick Bradstreet. On January 2, 2025, I interviewed Matthew Pouliot. I have summarized their responses below.

Sen. Bradstreet described Matthew Pouliot’s involvement in his campaign. Mr. Pouliot filed campaign finance reports for Sen. Bradstreet’s campaign and may have looked them over before filing. He did not keep the campaign checkbook. Sen. Bradstreet entered the campaign’s expenditures in the Commission’s eFiling system and told Mr. Pouliot when he could file the reports. Mr. Pouliot provided Dick Bradstreet with some advice in April or May 2024 about how Mr. Pouliot had campaigned in District 15. Mr. Pouliot may have participated in a couple of videos in support of Sen. Bradstreet.

Consultant Zach Lingley was responsible for the PAC’s independent expenditure communications to support Republican nominees for the State Senate. He consulted with the PAC’s principal officer, Sen. Trey Stewart, about the communications. The PAC sent postcards to some Senate districts using “local voices” to endorse their nominees.

Mr. Lingley was unaware that Matt Pouliot was Dick Bradstreet’s treasurer. Mr. Lingley texted some language to Mr. Pouliot, which he presented as language that might

be used in a postcard. Mr. Lingley said Mr. Pouliot edited the language and texted it back. Matt Pouliot was otherwise not involved in the postcard.

Mr. Lingley said neither he nor Sen. Stewart discussed the postcard with Dick Bradstreet. They maintained a strict firewall with candidates on independent expenditure communications.

When interviewed, Dick Bradstreet confirmed he had not communicated with the PAC on the postcard. He did not know about the postcard until he received it in the mail.

Mr. Lingley told the PAC treasurer, Heather Priest, about the cost of the postcard mailing so she could file an independent expenditure report, which was the PAC's normal procedure. On October 14, 2024, the PAC filed an independent expenditure report disclosing the PAC had paid \$2,920.05 to Spectrum Marketing for a mailing in support of Dick Bradstreet. Ms. Priest did not know about the content of the postcard mailing and relied on advice by Mr. Lingley.

### **Analysis by Commission Staff**

Several statutes are relevant to this case, and the Commission has considerable discretion how to apply them. The following represents the staff's recommendation on how to apply the law and an appropriate outcome.

In the staff's opinion, the Maine Senate Republicans PAC inadvertently made a contribution to Dick Bradstreet by consulting with Matthew Pouliot on a paid communication. We believe Mr. Pouliot should be understood as an agent of Dick Bradstreet in his 2024 campaign. The candidate authorized Mr. Pouliot to file campaign finance reports on his behalf, including certifying that they were accurate and complete. Mr. Pouliot did not act on behalf of the candidate in all respects (he wasn't a campaign manager or a director of communications) but in the area of complying with campaign finance reporting, Mr. Pouliot was the candidate's agent. Complying with rules for how campaigns are financed is a significant part of running for the Maine Legislature. Applying the language of 21-A M.R.S. § 1015(5), we recommend viewing the expenditure by the Maine Senate Republicans PAC as a contribution to Sen. Bradstreet because the expenditure was made in consultation and cooperation with Matt Pouliot who was an agent of Dick Bradstreet.

The information received in the investigation indicates the PAC had no intention of contributing to Dick Bradstreet. Mr. Lingley viewed the postcard mailing as an independent expenditure, which is why he asked the PAC treasurer to file an independent expenditure report. When interviewed, Zach Lingley said credibly he was unaware that Matthew Pouliot was Sen. Bradstreet's campaign treasurer. He said he and the PAC's

principal officer, Sen. Stewart, have a strict policy of not discussing independent expenditure communications with the candidates they are supporting.

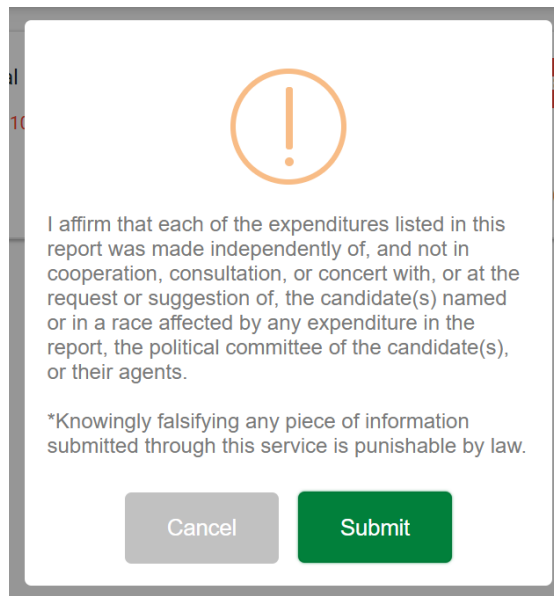
Mr. Pouliot said he couldn't remember approving the language for the postcard. People who were helping Dick Bradstreet sometimes asked him about campaigning. It is possible that someone asked him to approve the language, and he thought it would be used in a mailing by the campaign, but he doesn't recall. Other than possibly approving the language for the postcard, he had no other involvement in the mailing. Mr. Pouliot said that, although he was nominally the treasurer, Dick Bradstreet kept track of his campaign's finances.

### **Recommended Enforcement Actions**

The Commission staff recommends finding that the Maine Senate Republicans PAC violated two statutes.

*Proposed finding of violation #1: making a material false statement in a report filed with the Commission.* When a PAC files an independent expenditure report, they are required to include "a statement whether the expenditure is made in cooperation, consultation or concert with, or at the request or suggestion of, the candidate or an authorized committee or agent of the candidate." 21-A M.R.S. § 1019-B(4)(B).

In the course of filing an independent expenditure report in the Commission's eFiling system, PACs are shown a pop-up box that allows them to state that the expenditure was not made in cooperation or consultation with the candidate, the candidate's political committee, or their agents:



I affirm that each of the expenditures listed in this report was made independently of, and not in cooperation, consultation, or concert with, or at the request or suggestion of, the candidate(s) named or in a race affected by any expenditure in the report, the political committee of the candidate(s), or their agents.

\*Knowingly falsifying any piece of information submitted through this service is punishable by law.

Cancel Submit

After the filer clicks submit, the report is complete and viewable on the Commission's public access website. The filer's online affirmation is reflected in a printed statement on the cover page of the report PDF.

When the Maine Senate Republicans PAC filed the October 14, 2024 independent expenditure report, it affirmed that that expenditure was not made in consultation with Dick Bradstreet, his political committee, or their agents. The affirmation by the PAC's treasurer is printed on the cover page of the report. Although unintentional, this statement was false. The expenditure *was* made in cooperation and consultation with Matt Pouliot, who was an agent of Dick Bradstreet. In the opinion of the Commission staff, the statement was materially false. One primary purpose of the independent expenditure report is to confirm that the spender acted independently. Commission staff recommends finding that the PAC violated 21-A M.R.S. § 1004-A(5) by making a material false statement in the October 14, 2024 independent expenditure report that the PAC filed with the Commission.

*Proposed penalty for violation #1:* the Commission is authorized in 21-A M.R.S. § 1004-A(5) to assess a penalty for making a material false statement. Commission staff believes the assessment of a penalty against the PAC would be appropriate in this matter, even though the violation was inadvertent. In Maine, independent expenditures have become a common part of election communication. It can be hard for the public and political actors to know if PACs are truly spending money independently of the candidates they support. Although the Maine Senate Republicans PAC acted in good faith, this is the kind of case that looks bad on its face and could decrease confidence that PACs are acting independently.

We recommend a penalty in order to maintain trust in the system and to encourage PACs and political parties to do their utmost to make sure they are not consulting with the candidate *or* the candidate's political committee *or* their agents. If the Commission does not assess a penalty, staff has some concern that it will represent a precedent that sends the wrong message that the coordination rules do not matter. Our recommendation is to assess a penalty of \$1,000 under 21-A M.R.S. § 1004-A(5) that reflects the unintentional nature of the violation. This amount is 20% of the maximum penalty.

*Proposed finding of violation #2: making an over-the-limit contribution.* Under 21-A M.R.S. § 1015(2-B), PACs are prohibited from making a contribution to a legislative candidate totaling more than \$475 in support of their candidacy in any election. The Commission staff recommends finding that the Maine Senate Republicans PAC violated 21-A M.R.S. § 1015(2-B) by making a contribution of \$2,920.05 to Dick Bradstreet. Although Sen. Bradstreet agreed to a further restriction that he would not



accept any contributions as an MCEA candidate, Commission staff believes the PAC violated § 1015(2-B) by making a contribution that exceeded \$475.

*Potential penalty for violation #2:* the Commission is authorized by 21-A M.R.S. § 1004-A(2) to assess a monetary penalty against a person that makes an over-the-limit contribution: “A person that accepts or makes a contribution that exceeds the limitations set out in section 1015, subsections 1 and 2-B may be assessed a penalty of no more than the amount by which the contribution exceeded the limitation.” In this case, Commission staff believes the Commission is authorized to assess a penalty of \$2,445.05 which is the amount that the contribution of \$2,920.05 exceeded the \$475.00 limit.

Commission staff believes the \$1,000 penalty for making a material false statement recommended above is sufficient as a means of encouraging compliance with Maine’s coordination rules. Accordingly, we recommend no penalty for making a contribution to Sen. Bradstreet that exceeded the \$475 limit.

The interviews conducted by Commission staff established that Sen. Bradstreet did not know about the postcard mailing prior to receiving it himself. Mailings by PACs and parties without the candidate’s knowledge are now part of candidates’ everyday experience of running for office in Maine. Because staff’s investigation to date suggests Sen. Bradstreet was not at fault in this situation, Commission staff recommends against any enforcement action against him.

October 24, 2024

Maine Ethics Commission  
135 State House Station  
Augusta, ME 04333-0135

**RE: Maine Clean Election Act Complaint, Richard Bradstreet campaign**

Dear Executive Director Wayne and Members of the Maine Ethics Commission:

I am writing to file a complaint with the Maine Ethics Commission regarding a potential violation of the Maine Clean Election Act (the "Act"). This complaint regards actions by Matt Pouliot, current treasurer for Dick Bradstreet's Maine Senate campaign.

It has come to my attention that Mr. Pouliot coordinated with the Maine Senate Republican PAC in an activity that may breach the ethical and legal standards established by the Act. Specifically, Mr. Pouliot signed onto a mailer that was paid for and authorized by the Maine Senate Republican PAC, a third-party organization. Please find attached the mailer (front and back, addressed to me as an Augusta resident). This appears to be in contravention of provisions set forth in the Act, given it strictly prohibits candidates or their agents, *including treasurers*, from coordinating with any outside group that makes independent expenditures on behalf of the campaign.

As you know, the purpose of this act is to ensure transparency, prevent undue influence, and safeguard the integrity of Maine's publicly funded election process. To that end, this action by Mr. Pouliot, the treasurer of a candidate benefiting from Maine Clean Elections funds, raises serious concerns about the potential misuse of public resources and coordination with independent political entities. These actions undermine the critical yet fragile trust the public places in the electoral process and, I believe, warrant immediate investigation.

I request that the Maine Ethics Commission conduct a thorough investigation into this matter and take appropriate corrective and disciplinary actions as required by law. I would greatly appreciate being informed of the outcome of the investigation once it has been completed.

Thank you for your attention to this urgent and important matter. I trust that the Maine Ethics Commission will handle this complaint with the seriousness it deserves.

***Respectfully,***  
Whitney A. Parrish Perry



Paid for and authorized by the Maine Senate Republican PAC, PO Box 1, Augusta, ME 04330. NOT AUTHORIZED OR PAID FOR BY ANY CANDIDATE.  
The top 3 funders of the Maine Senate Republican PAC are RSLC, Maine Senate Republican Majority PAC, & Grover Gaming.

Friends,

Greetings! I wanted to send a short note to say thank you for allowing me to represent you in the House and Senate these last 12 years. I'm happy to report that my colleague, State Representative Dick Bradstreet, will be running to replace me. Dick is a thoughtful leader, a great listener, and one of the most honest, hardworking men I've ever met. I hope you will join me in voting for Dick Bradstreet. Early voting starts on October 7th and you can vote early at city hall or your town office to skip the long lines on Election Day!

For Maine,  
Matt Pouliot  
State Senator  
Augusta

P0 Box 1

Augusta, ME 04330



Whitney Parrish Perry  
6 Bangor Street Pl  
Augusta, ME 04330-4428



Joshua A. Tardy  
(207)992-2267  
[jtardy@rudmanwinchell.com](mailto:jtardy@rudmanwinchell.com)

October 28, 2024

Jonathan Wayne, Executive Director  
Commission on Governmental Ethics &  
Election Practices  
135 State House Station  
Augusta, Me 04333-0135  
[Jonathan.Wayne@maine.gov](mailto:Jonathan.Wayne@maine.gov)

Dear Jonathan,

As indicated in our phone call on Friday, I am representing the Maine Senate Republican PAC. I have attached an email from Senator Matt Pouliot regarding the subject matter of this complaint.

In response to the questions raised in your letter of October 24, please consider the following:

- The “post card” mailer containing Senator Pouliot’s endorsement was prepared and distributed by the Maine Senate Republican PAC without Rep. Bradstreet’s knowledge, consent or participation.
- Although the text of the endorsement had been previously approved by Senator Pouliot, the mailer was designed and distributed without Senator Pouliot’s knowledge or participation.
- The PAC acknowledges that it failed to recognize that Senator Pouliot serves as treasurer to the Bradstreet campaign.

Please be advised that I will be in attendance at the Commission meeting on October 30, 2024. Zach Lingley, consultant for the Maine Senate Republican PAC, will be able to participate remotely.

My client is committed to fully cooperate in the matter if the Commission chooses to further investigate.

Regards,

/s/ Joshua A. Tardy

Joshua A. Tardy

## Renee M. Knowles

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**From:** Joshua A. Tardy  
**Sent:** Monday, October 28, 2024 1:55 PM  
**To:** Renee M. Knowles  
**Subject:** Fwd: Wednesday

Sent from my iPhone

Begin forwarded message:

**From:** Matthew Pouliot <matt@pouliotrealestate.com>  
**Date:** October 28, 2024 at 1:38:35 PM EDT  
**To:** "Joshua A. Tardy" <jtardy@rudmanwinchell.com>  
**Subject:** Wednesday

Josh -

Regarding the meeting on Wednesday, I have other commitments that have me tied up all day and unfortunately I am unable to attend with such short notice. In reference to the post card that was sent out for Dick by a PAC, I had no knowledge of who was authorizing a postcard for Dick to be sent and did not send the postcard. Any work I have done for Dick has been in a ceremonial capacity, so that his material could have my name on it as Treasurer because many folks recognize my name through current service to the district, this is a common practice when a member retires in support of their replacement. Dick has filled out his own reports and told me when they were complete to file on his behalf. We did not coordinate with any PACs for any expenditures, and while I support Dick and the language on the postcard, they used writing that looks like handwriting but is not mine. I did not write the postcard nor did I send it.

Please let me know if you need anything else.

Best,

Matt

--

**Matthew Pouliot - Broker/Owner**  
Realtor®



Pouliot Real Estate  
351 Water Street | Augusta, ME 04330  
C: 207-441-9418 | O: 207-248-6044  
[matt@pouliotrealestate.com](mailto:matt@pouliotrealestate.com) | [www.pouliotrealestate.com](http://www.pouliotrealestate.com)

**\*\*For all real estate transactions, please CC my transaction coordinator, Danielle:  
[danielle@pouliotrealestate.com](mailto:danielle@pouliotrealestate.com)\*\***







Commission on Governmental Ethics and Election Practices  
Mail: 135 State House Station, Augusta, Maine 04333  
Office: 45 Memorial Circle, Augusta, Maine  
Website: [www.maine.gov/ethics](http://www.maine.gov/ethics)  
Phone: 207-287-4179  
Fax: 207-287-6775

## 2024 INDEPENDENT EXPENDITURE REPORT

COMMITTEE		TREASURER	
Maine Senate Republicans PO Box 1 Augusta, ME 04332 PHONE: (207) 458-5980 EMAIL: hezjrp@gmail.com		Heather Priest 42 Meadowrue Drive Augusta, ME 04332 PHONE:(207) 458-5980 EMAIL: hezjrp@gmail.com	
REPORT	DUE DATE	REPORTING PERIOD	
2-Day Pre-General Independent Expenditure Report	10/16/2024	10/14/2024-10/14/2024	

### FINANCIAL ACTIVITY SUMMARY

EXPENDITURES	
Total independent expenditures greater than \$250 per candidate	\$2,920.05
Total independent expenditures of \$250 or less per candidate	\$0.00
Total independent expenditures for all candidates	\$2,920.05

### AFFIRMATION

I, Heather Priest affirm that each of the expenditures listed in this report was made independently of, and not in cooperation, consultation, or concert with, or at the request of suggestion of, the candidate(s) named or in a race affected by any expenditure in the report, the political committee of the candidate(s), or their agents.

Unsworn falsification is a Class D crime. 17-A M.R.S. § 453

REPORT FILED BY: Heather Priest  
REPORT FILED ON: 10/14/2024 3:32:19 PM  
LAST MODIFIED: 10/14/2024 8:52:56 PM  
COMMITTEE ID: 483485  
REPORT NUMBER: 35887



**SCHEDULE B-IE-1  
CANDIDATE(S) SUPPORTED/OPPOSED**

<b>Expenditure Date</b>	<b>Support / Oppose</b>	<b>Candidate Name</b>	<b>Office</b>	<b>District / County</b>	<b>Payee</b>	<b>Expenditure Amount</b>
<del>10/14/2024</del>	<del>SUPPORT</del>	<del>Hon. Richard T. Bradstreet</del>	<del>Senator</del>	<del>15</del>	Spectrum Marketing Companies	<del>\$4,174.53</del>
10/14/2024	SUPPORT	Hon. Richard T Bradstreet	Senator	15	Spectrum Marketing Companies	\$2,920.05
<b>Total itemized independent expenditures greater than \$250 per candidate</b>						\$2,920.05
<b>Total unitemized independent expenditures of \$250 or less per candidate</b>						\$0.00
<b>Total independent expenditures for all candidates</b>						\$2,920.05

**SCHEDULE B-IE-2  
EXPENDITURES**

EXPENDITURE TYPES				
APP	Apparel (t-shirts, hats, embroidery, etc.)	CON	Contribution to party committee, non-profit, other candidate, etc.	
EQP	Equipment of \$50 or more (computer, tablet, phone, furniture, etc.)	EVT	Campaign and fundraising events (venue or booth rental, entertainment, supplies, etc.)	
FOD	Food for campaign events or volunteers, catering	HRD	Hardware and small tools (hammer, nails, lumber, paint, etc.)	
LIT	Printed campaign materials (palmcards, signs, stickers, flyers, etc.)	MHS	Mail house and direct mail (design, printing, mailing, and postage all included)	
NEW	Newspaper and print media ads only	OFF	Office supplies, rent, utilities, internet service, phone minutes and data	
ONL	Social media and online advertising only	OTH	Other and fees (bank, contribution, and money order fees, etc.)	
PER	Personnel and campaign staff, consulting, and independent contractor costs	PHO	Phones (phone banking, robocalls and texts)	
POL	Polling and survey research	POS	Postage for U.S. Mail and mail box fees	
PRO	Professional services (graphic design, legal services, web design, etc.)	RAD	Radio ads, production costs	
TKT	Entrance cost to event (ban suppers, fairs, party events, etc.)	TRV	Travel (fuel, mileage, lodging, etc.)	
TVN	TV/cable ads, production, and media buyer costs only	WEB	Website and internet costs (website domain and registration, etc.)	
Date of expenditure	Payee	Remark	Expenditure type	Net Amount
<del>10/14/2024</del>	<del>Spectrum Marketing Companies 95 EDDY ROAD, SUITE 101 MANCHESTER, NH, 03102</del>	<del>Design, Printing, Mailing</del>	<del>MHS</del>	<del>\$4,174.53</del>
10/14/2024	Spectrum Marketing Companies 95 EDDY ROAD, SUITE 101 MANCHESTER, NH, 03102	Design, Printing, Mailing	MHS	\$2,920.05
<b>Total Expenditure</b>				\$2,920.05

**Title 21-A M.R.S.**  
**Chapter 13: Campaign Finance Reports and Finances**

**Subchapter I**  
**General Provisions**

**§ 1004-A. Penalties**

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The commission may assess the following penalties in addition to the other monetary sanctions authorized in this chapter.

- 1. Late campaign finance report.** A person that files a late campaign finance report containing no contributions or expenditures may be assessed a penalty of no more than \$100.
- 2. Contribution in excess of limitations.** A person that accepts or makes a contribution that exceeds the limitations set out in section 1015, subsections 1 and 2-B may be assessed a penalty of no more than the amount by which the contribution exceeded the limitation.
- 3. Contribution in name of another person.** A person that makes a contribution in the name of another person, or that knowingly accepts a contribution made by one person in the name of another person, may be assessed a penalty not to exceed \$5,000.
- 4. Substantial misreporting.** A person that files a campaign finance report that substantially misreports contributions, expenditures or other campaign activity may be assessed a penalty not to exceed \$5,000.
- 5. Material false statements.** A person that makes a material false statement or that makes a statement that includes a material misrepresentation in a document that is required to be submitted to the commission, or that is submitted in response to a request by the commission, may be assessed a penalty not to exceed \$5,000.

When the commission has reason to believe that a violation has occurred, the commission shall provide written notice to the candidate, party committee, political action committee, committee treasurer or other respondent and shall afford them an opportunity to appear before the commission before assessing any penalty. In determining any penalty under subsections 3, 4 and 5, the commission shall consider, among other things, the level of intent to mislead, the penalty necessary to deter similar misconduct in the future and the harm suffered by the public from the incorrect disclosure. A final determination by the commission may be appealed to the Superior Court in accordance with Title 5, chapter 375, subchapter 7 and the Maine Rules of Civil Procedure Rule 80C.

## § 1015. Limitations on contributions and expenditures

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**1. Contributions by individuals.** An individual may not make contributions to a candidate in support of the candidacy of one person aggregating more than \$1,950 in any election for a gubernatorial candidate, more than \$475 for a legislative candidate, more than \$575 for a candidate for municipal office and more than \$975 in any election for any other candidate. This limitation does not apply to contributions in support of a candidate by that candidate or that candidate's spouse or domestic partner. Beginning December 1, 2024, contribution limits in accordance with this subsection are adjusted every 2 years based on the Consumer Price Index as reported by the United States Department of Labor, Bureau of Labor Statistics and rounded to the nearest amount divisible by \$25. The commission shall post the current contribution limit and the amount of the next adjustment and the date that it will become effective on its publicly accessible website and include this information with any publication to be used as a guide for candidates.

**2.** [Repealed]

**2-A.** [Repealed]

**2-B. Committees; corporations; associations.** A political committee, political action committee, ballot question committee or other committee, firm, partnership, corporation, association or organization may not make contributions to a candidate in support of the candidacy of one person aggregating more than \$1,950 in any election for a gubernatorial candidate, more than \$475 for a legislative candidate, more than \$575 for a candidate for municipal office and more than \$975 in any election for any other candidate. Beginning December 1, 2024, contribution limits in accordance with this subsection are adjusted every 2 years based on the Consumer Price Index as reported by the United States Department of Labor, Bureau of Labor Statistics and rounded to the nearest amount divisible by \$25. The commission shall post the current contribution limit and the amount of the next adjustment and the date that it will become effective on its publicly accessible website and include this information with any publication to be used as a guide for candidates.

**3.** [Repealed]

**4. Political committees; intermediaries.** For the purpose of the limitations imposed by this section, contributions made to any political committee authorized by a candidate to accept contributions on the candidate's behalf are considered to be contributions made to that candidate. If the campaign activities of a political action committee within a calendar year primarily promote or support the nomination or election of a single candidate, contributions to the committee that were solicited by the candidate are considered to be contributions made to the candidate for purposes of the limitations in this section. For purposes of this subsection, solicitation of contributions includes but is not limited to the candidate's appearing at a fundraising event organized by or on

behalf of the political action committee or suggesting that a donor make a contribution to that committee.

For the purposes of the limitations imposed by this section, all contributions made by a person, either directly or indirectly, on behalf of a particular candidate, that are in any way earmarked or otherwise directed through an intermediary or conduit to the candidate are considered to be contributions from that person to the candidate. The intermediary or conduit shall report the original source and the intended recipient of the contribution to the commission and to the intended recipient.

**5. Other contributions and expenditures.** Any expenditure made by any person in cooperation, consultation or concert with, or at the request or suggestion of, a candidate, a candidate's political committee or their agents is considered to be a contribution to that candidate.

The financing by any person of the dissemination, distribution or republication, in whole or in part, of any broadcast or any written or other campaign materials prepared by the candidate, the candidate's political committee or committees or their authorized agents is considered to be a contribution to that candidate.

**6. Prohibited expenditures.** A candidate, a treasurer, a political committee, a party or party committee, a person required to file a report under this subchapter or their authorized agents may not make any expenditures for liquor to be distributed to or consumed by voters while the polls are open on election day.

**7. Voluntary limitations on political expenditures.** A candidate may voluntarily agree to limit the total expenditures made on behalf of that candidate's campaign as specified in section 1013-A, subsection 1, paragraph C and subsections 8 and 9.

**8. Political expenditure limitation amounts.** Total expenditures in any election for legislative office by a candidate who voluntarily agrees to limit campaign expenditures as provided in subsection 7 are as follows:

A. For State Senator, \$25,000; and

B. For State Representative, \$5,000.

C. [Repealed]

Expenditure limits are per election and may not be carried forward from one election to another. For calculation and reporting purposes, the reporting periods established in section 1017 apply.

**9. Publication of list.** The commission shall publish a list of the candidates for State Representative and State Senator who have agreed to voluntarily limit total expenditures for their campaigns as provided in section 1013-A, subsection 1, paragraph C.

For the purposes of subsections 7 and 8 and this subsection, “total expenditures” means the sum of all expenditures made to influence a single election that are made by a candidate or made on the candidate’s behalf by the candidate’s political committee or committees, the candidate’s party or the candidate’s immediate family.

10. [Repealed]

## § 1019-B. Reports of independent expenditures

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**1. Independent expenditures; definition.** For the purposes of this section, an “independent expenditure” means any expenditure made by a person, party committee or political action committee that is not made in cooperation, consultation or concert with, or at the request or suggestion of, a candidate, a candidate’s authorized political committee or an agent of either and that:

**A.** Is made to design, produce or disseminate any communication that expressly advocates the election or defeat of a clearly identified candidate; or

**B.** Unless the person, party committee or political action committee making the expenditure demonstrates under subsection 2 that the expenditure did not have a purpose or effect of influencing the nomination, election or defeat of the candidate, is made to design, produce or disseminate a communication that names or depicts a clearly identified candidate and is disseminated during the 28 days, including election day, before a primary election; during the 35 days, including election day, before a special election; or from Labor Day to a general election day.

**2. Commission determination.** A person, party committee or political action committee may request a determination that an expenditure that otherwise meets the definition of an independent expenditure under subsection 1, paragraph B is not an independent expenditure by filing a signed written statement with the commission within 7 days of disseminating the communication stating that the cost was not incurred with a purpose of influencing the nomination, election or defeat of a candidate, supported by any additional evidence the person, party committee or political action committee chooses to submit. The commission may gather any additional evidence it determines relevant and material. The commission shall determine by a preponderance of the evidence whether the cost was incurred with a purpose of, or had the effect of, influencing the nomination, election or defeat of a candidate. In order to make this determination, the commission shall consider whether the language and other elements of the communication would lead a reasonable person to conclude that the communication had a purpose of, or had the effect of, influencing an election. The commission may consider other factors, including, but not limited to, the timing of the communication, the recipients of the communication or, if the communication is a digital communication, any links to publicly accessible websites related to the

nomination, election or defeat of a candidate. The commission's executive director shall make an initial determination on the request, which must be posted on the commission's publicly accessible website. Any person may appeal the initial determination, which must be considered by the commission at the next public meeting that is feasible.

**3. Report required; content; rules.** [Repealed]

**4. Report required; content; rules.** A person, party committee or political action committee that makes any independent expenditure in excess of \$250 during any one candidate's election shall file a report with the commission. In the case of a municipal election, the report must be filed with the municipal clerk.

**A.** A report required by this subsection must be filed with the commission according to a reporting schedule that the commission shall establish by rule that takes into consideration existing campaign finance reporting requirements. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**B.** A report required by this subsection must contain an itemized account of each expenditure in excess of \$250 in any one candidate's election, the date and purpose of each expenditure and the name of each payee or creditor. The report must state whether the expenditure is in support of or in opposition to the candidate and must include, under penalty of unsworn falsification, as provided in Title 17-A, section 453, a statement whether the expenditure is made in cooperation, consultation or concert with, or at the request or suggestion of, the candidate or an authorized committee or agent of the candidate.

**C.** A report required by this subsection must be on a form prescribed and prepared by the commission. A person filing this report may use additional pages if necessary, but the pages must be the same size as the pages of the form. The commission may adopt procedures requiring the electronic filing of an independent expenditure report, as long as the commission adopts an exception for persons who lack access to the required technology or the technological ability to file reports electronically.

**5. Exclusions.** An independent expenditure does not include:

**A.** [Repealed]

**B.** A telephone survey that meets generally accepted standards for polling research and that is not conducted for the purpose of changing the voting position of the call recipients or discouraging them from voting;

**C.** A telephone call naming a clearly identified candidate that identifies an individual's position on a candidate, ballot question or political party for the

purpose of encouraging the individual to vote, as long as the call contains no advocacy for or against any candidate; and

**D.** A voter guide that consists primarily of candidates' responses to surveys and questionnaires and that contains no advocacy for or against any candidate.



**Title 21-A M.R.S.**  
**Chapter 14: Maine Clean Election Act**

**§ 1125. Terms of participation**

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**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 fund revenues in campaign 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 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 post-election parties. This section does not prohibit a candidate from using personal funds for post-election parties as governed by rules of the commission. The commission shall publish guidelines outlining permissible campaign-related expenditures.