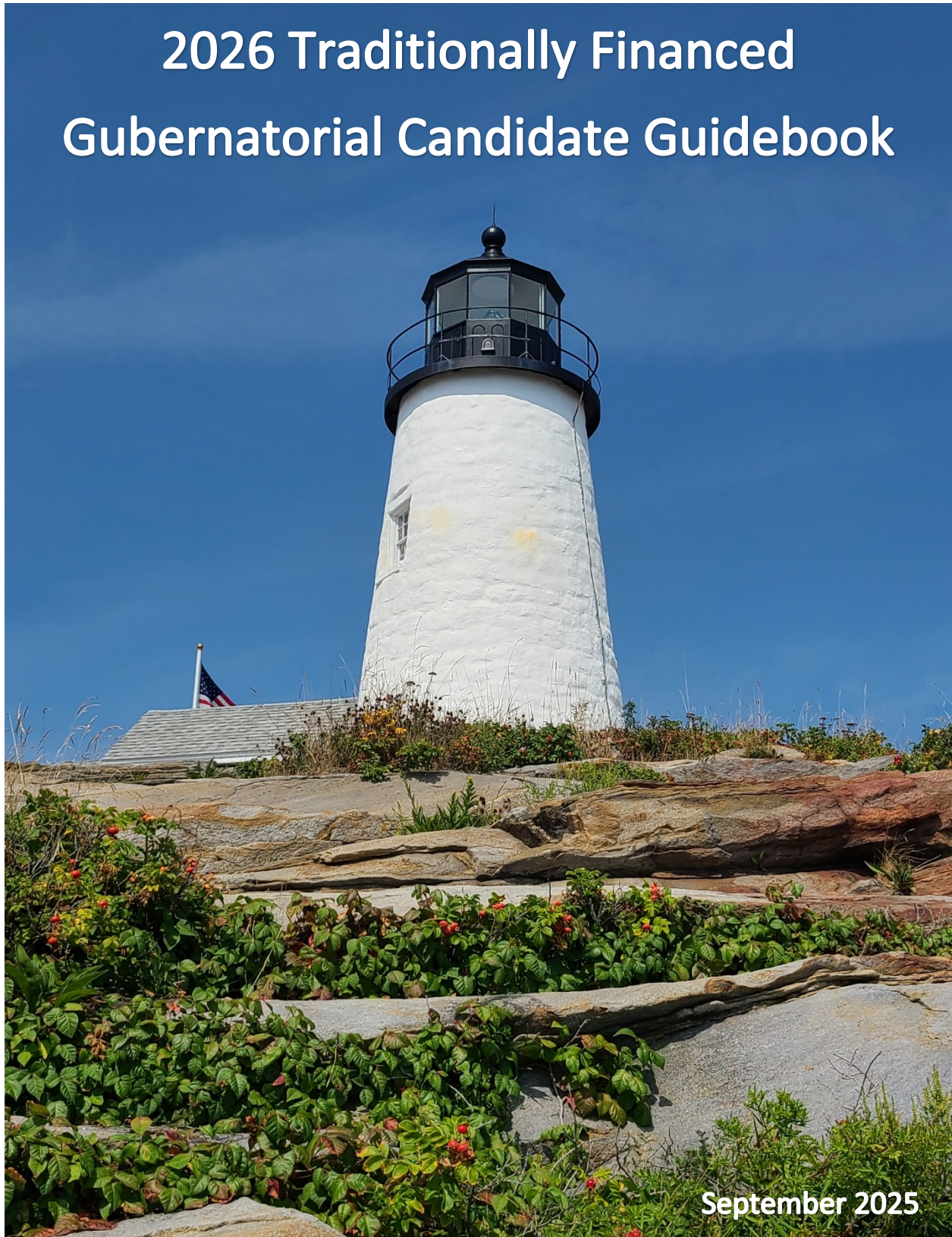


COMMISSION ON GOVERNMENTAL ETHICS & ELECTION PRACTICES

135 State House Station

Augusta, ME 04333-0135

2026 Traditionally Financed Gubernatorial Candidate Guidebook



September 2025

IMPORTANT NOTICE

Information concerning the petitioning process and qualifications for office is provided by the Secretary of State in a separate publication.

The Commission has taken care to make this guide concise and accurate; however, do not substitute the information presented here for the applicable provisions of Maine Election Law and the Commission's Rules. The statutes and rules are available on the Commission's website. The statutory and regulatory requirements are controlling in the event of any omission or error in this publication. This guide's contents are subject to statutory changes enacted by the Legislature and rule changes adopted under the Administrative Procedure Act.

Please contact the Commission staff if you have any questions:

Commission on Governmental Ethics & Election Practices

Office: 45 Memorial Circle, Second Floor, Augusta

Mail: 135 State House Station, Augusta, ME 04333

Phone: (207) 287-4179 | *Fax:* (207) 287-6775

ethics@maine.gov

www.maine.gov/ethics

OTHER CONTACTS

Department of the Secretary of State Bureau of Corporations, Elections & Commissions <i>Office:</i> 111 Sewall Street, 4th Floor, Augusta <i>Mail:</i> 101 State House Station, Augusta, ME 04333 <i>Phone:</i> (207) 624-7736 <i>Fax:</i> (207) 287-6545 cec.elections@maine.gov www.maine.gov/sos	Department of Transportation Maintenance & Operations 16 State House Station, Augusta, ME 04333 <i>Phone:</i> (207) 624-3332 meghan.russo@maine.gov www.maine.gov/mdot
Federal Election Commission 1050 First Street NE, Washington, D.C. 20463 <i>Phone:</i> (800) 424-9530 www.fec.gov	Federal Communications Commission Office of Political Programming 45 L Street NE, Washington, D.C. 20554 <i>Phone:</i> (888) 225-5322 campaignlaw@fcc.gov www.fcc.gov/rules-political-campaign-calls-and-texts

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CHAPTER 1 – BECOMING A CANDIDATE

INTRODUCTION

Congratulations on your decision to run for office in the State of Maine! The Ethics Commission staff would like all candidates, treasurers, and campaign staff to know that our main priority is helping you. We encourage you to call, email, or visit our office with any questions or concerns. At the beginning of your campaign, you will be assigned a Candidate Registrar who will work with you throughout the election cycle. Your Candidate Registrar will be your primary point of contact, review campaign finance reports, and address any compliance matters.

REGISTERING AS A CANDIDATE

A person should register as a candidate as soon as they decide to run for office.

By law, a candidate must appoint a treasurer before they raise or spend any money for their campaign and register within 10 days of appointing a treasurer. Making a purchase with personal funds, such as creating business cards to declare their candidacy, triggers the registration requirement, as does filing the nomination papers. Failure to register timely may result in a financial penalty.

Who can serve as treasurer for a campaign? Almost anyone! A candidate's spouse, roommate, neighbor, or best friend in Connecticut may all make a great treasurer, if the person is easy to contact and has a good head for detail and organization. A candidate may even serve as their own treasurer.

Write-in candidates are also required to register and file campaign finance reports.

FORMING A CAMPAIGN COMMITTEE

There is space on the registration form to name a Campaign Committee. A campaign committee is not a political action committee (PAC) but the small group of people most involved with the campaign. Naming a campaign committee and its members is optional, but it can be a good way for a candidate to recognize their Campaign Manager and other officers more formally. It can also be helpful in identifying people associated with the campaign to Commission staff.



EXPLORATORY ACTIVITIES PRIOR TO BECOMING A CANDIDATE

Under election law, an individual may raise and spend funds to explore if they want to become a candidate for governor. Once candidacy is declared, all exploratory activity must be reported on the candidate's first campaign finance report.

Contributions received for exploratory activities cannot exceed \$2,075 per contributor. There is no limit on the amount of personal funds a candidate and their spouse/domestic partner can spend on exploratory activities. If the individual decides not to become a candidate, no report is required.

CHANGES TO REGISTRATION FORM

It is important that a candidate's contact information be current. When information for a candidate or a treasurer changes, log into eFiling and amend the registration, or send an email to the Candidate Registrar.

CANDIDATE AND TREASURER RESPONSIBILITIES

The candidate and treasurer are equally responsible for maintaining records of all contributions and expenditures and for filing timely campaign finance reports.

The campaign must open a separate bank account. Election law prohibits campaign funds from being commingled with personal funds. The Commission staff recommend a checking account, with a debit card and/or checks, so all contributions may be deposited, and all campaign purchases are made directly from the account.

RECORD KEEPING

The campaign must keep the following records:

- The name and address of every person making a contribution of more than \$10, the date and the amount of the contribution; as well as the employer and occupation information of any contributor giving more than \$50 in a single reporting period;
- All expenditures made by or on behalf of the candidate;
- The name and address of every vendor to whom any expenditure is made, the date and the amount of the expenditure; and
- All receipts and invoices for expenditures.
 - If an expenditure is made by someone who is being reimbursed by the campaign, that person must provide the receipt and proof of payment.



Staff recommend the campaign also keep the following records:

- Bank statements and copies of cancelled checks;
- Personnel records; and
- Travel logs.

Careful and complete record-keeping is critically important, because the candidate or treasurer must certify the accuracy of a report when they file it. The campaign is not required to submit receipts or records when filing a report, but Commission staff may request certain records during routine compliance reviews. All campaign records must be retained for 2 years after the final report for an election is filed.

Legal References	
Selecting a Treasurer	21-A M.R.S. § 1013-A (1)
Removal of Treasurer	21-A M.R.S. § 1013-B
Duties of Treasurer	21-A M.R.S. §§ 1013-A(1)(A), (4); 1016; 1016-A; 1017(2), (3-A), (10)
Registration	21-A M.R.S. § 1013-A (1)
Reporting Changes in Registration Information	21-A M.R.S. § 1013-A (5)
Commingling of Campaign and Personal Funds	21-A M.R.S. § 1016(1)
Write-In Candidates	Rules, Chapter 1, Section 1(5)
Exemption from Reporting	21-A M.R.S. § 1017(7-A)
Requirement to Keep Records	21-A M.R.S. §§ 1013-A (4), 1016
Occupation and Employer of Contributor	21-A M.R.S. §§ 1016(3)(B); 1017(5)
Exploratory Activities	21-A M.R.S. § 1015-B; Rules, Chapter 1, Sections 6(10) & 7(8)





CHAPTER 2 – CONTRIBUTIONS AND LOANS

In Maine law, a **contribution** is:

“A gift, subscription, loan, advance or deposit of money or anything of value made for the purpose of influencing the nomination or election of any person to state, county or municipal office or for the purpose of liquidating any campaign deficit of a candidate...”

21-A M.R.S. § 1012(2)(A)(1)

All campaign contributions fall into one of two categories: cash or in-kind.

- **Cash** is a monetary contribution made with cash, a check, or a credit/debit card.
- **In-kind** means the contribution was goods (campaign signs, t-shirts, sign wickets, etc.) or services (graphic design, accounting, etc.). The amount of an in-kind contribution is the fair market value of the goods or services, which is often the original purchase price of the goods or the regular rate of the person providing the service.
 - A *discount on goods or services* is an in-kind contribution and must be reported. For instance, a vendor agrees to make \$400 worth of t-shirts at cost for \$250. The campaign reports the \$250 as an expenditure and the \$150 discount as an **in-kind contribution** from the vendor to the campaign.

Whether cash or in-kind, all contributions from a single source (individual, committee, corporation, or association) are subject to the contribution limit per election. The candidate and their spouse/domestic partner are not subject to any contribution limit and may spend as much as they like on their own campaign; however, all donations must be reported.

CONTRIBUTION LIMITS PER CONTRIBUTOR FOR 2026 ELECTIONS ¹			
	Primary	General	Total
Gubernatorial Candidates	\$2,075	\$2,075	\$4,150

The date of a contribution is the date it is received by the campaign, not the date on the check or the date it is deposited into the campaign account. Candidates must designate which election the contribution is for; contributions received after the date of the primary election must be designated for the general.

¹ Effective 09/24/2025, unenrolled candidates may accept contributions for both the primary and general elections.



Party² Candidates must keep their general funds segregated from their primary funds until after the primary election; general election funds cannot be used to promote the candidate's nomination in the primary.

Contributions from businesses. In certain circumstances, Maine election law considers businesses, or non-profits or other organizations to be a single contributor if they have common owners or officers. If the entities are considered a single contributor, the combined total of their contributions may not exceed the contribution limit.

A sole proprietorship and its owner are considered to be a single contributor. Additionally, 2 or more entities are considered a single contributor if they share the majority of the members of their boards of directors; share 2 or more officers; are owned or controlled by the same majority shareholder(s); or are in a parent-subsidary relationship. Limited liability companies are considered to be a single entity if they are owned or controlled by the same majority member(s).

PROHIBITED CONTRIBUTIONS

It is important for the candidate to keep careful records of the source of all their contributions, so they do not inadvertently accept a prohibited contribution. Prohibited contributions include:

- *Contributions from foreign nationals.* Only U.S. citizens and persons holding a valid green card may make contributions to a candidate.
- *Anonymous contributions of more than \$10.* Anonymous contributions over \$10 cannot be accepted. If the campaign receives an anonymous contribution of more than \$10, the excess must be donated to a charitable organization, educational institution, or other similar cause not associated with any Maine election or campaign.
- *Contributions in the name of another.* No person may make a contribution in the name of another person, and candidates cannot knowingly accept them. Misreporting the source of contributions is a serious violation of Maine election law; the contributor, the intermediary, and the candidate could be penalized up to 500% of the amount of the contribution for each violation.
- *Contributions from lobbyists.* A lobbyist or lobbyist associate may make a contribution to a candidate for Governor who is running for reelection if the Legislature is **not** in session **and** they live in Maine. Candidates who are not currently in office may accept contributions from lobbyists or lobbyist associates at any time if they live in Maine.
- *Earmarked contributions.* Sometimes a contributor will give money to an intermediary, such as a family member or employee, and direct that the money be passed along to a specific candidate. If a candidate is aware that they have received a contribution from a source that was directed through an intermediary, the candidate should report the original source as the contributor. The intermediary has a legal responsibility to inform the candidate who is the original source of the contribution.

² Unenrolled candidates do not have to segregate their primary and general funds because they are not in a primary election.



EXEMPT GOODS AND SERVICES

Certain goods and services are not legally considered contributions and do not have to be reported. Examples of this include:

- A trade association or labor union may donate office space or office equipment to a campaign, provided there is no additional cost.
- An individual may volunteer their services to a campaign at no charge (including professional services such as legal advice, bookkeeping assistance, or web/graphic design) as long as they are not being paid by another for providing the services.
- A volunteer may spend up to \$350 per election in campaign-related travel before the campaign must reimburse them.
- A state, county, or local party committee (*not* a PAC or other organization) may spend money to produce and distribute slate cards (“party candidate listings”) to promote three or more candidates.
- The “House Party Rule:” a volunteer hosting or helping at a campaign event may spend up to \$250 per election per candidate of personal funds on items such as food, beverages, equipment, or venue. The event host, that is, the person providing the venue, may choose to spend those funds on invitations. These costs are not considered contributions.

Assistance from State Party Committees. Candidates can receive some help from paid employees of a state party committee without it constituting a contribution. For campaign activities involving 3 or more candidates, a state party committee may coordinate events or recruit and oversee volunteers. The committee may also provide up to 40 hours of assistance by paid employees to an individual candidate in each election (that is, both primary and general).

This exception is only for state party committees and does not apply to local or county committees, caucus committees, or PACs.

LOANS

Loans to the campaign are the same as monetary contributions and are subject to the same limits and reporting requirements. Loans from individuals, committees, and business entities cannot exceed the contribution limit. There is no limit to how much a candidate and their spouse/domestic partner may loan to the campaign.

The campaign may make payments on a loan, repaying all or a portion of the loan to its original source. The original source may forgive all or a portion of a loan; the amount forgiven is reported as a contribution.



CONTRIBUTIONS FOR RECOUNTS

Candidates in an election recount may accept unlimited funds and services from party committees and caucus campaign committees. They may also receive unlimited donations of in-kind services from attorneys, consultants, and their firms – if they are not being reimbursed for their services. All other contributors are subject to contribution limits.

All contributions received and expenditures made related to the recount must be reported in a special financial report (provided by the Ethics Commission) within 90 days after the election.

Legal References	
Definition of Contribution	21-A M.R.S. § 1012(2)
Contribution Limits	21-A M.R.S. § 1015(1 - 3)
Contributions in the Name of Another	21-A M.R.S. §§ 1004(3); 1004-A (3)
Earmarked Contributions	21-A M.R.S. § 1015(4)
Loans	Rules, Chapter 1, Section 6(2)
In-Kind Contributions	Rules, Chapter 1, Section 6(4) & (5)
Exempt Goods and Services	21-A M.R.S. § 1012(2)(B)
Coordinated Expenditures	21-A M.R.S. § 1015(5) Rules, Chapter 1, Section 6(9)

ETHICS COMMISSION STAFF TIPS

2026 Contribution Limits

	PRIMARY	GENERAL	TOTAL
Gubernatorial Candidates	\$2,075	\$2,075	\$4,150

Over the Limit Contributions

There are several ways that a campaign may receive an over the limit contribution:

1. A check from a single contributor for more than the contribution limit.
2. A single contributor giving multiple contributions that add up to more than the contribution limit.

Over the limit contributions are a violation of election law. Here's how to fix this:

1. If it is a single check, **do not** deposit it! Return it to the contributor and ask for a new check.
 - a. If the check is deposited, 1) write a campaign check to the contributor for the amount over the contribution limit, 2) report the total contribution, and 3) edit the contribution to show the return of the over the limit funds.
2. If the campaign mistakenly accepted too much money from a contributor(s) who made multiple contributions, it must:
 - a. return the amount over the contribution limit ASAP; and
 - b. edit the contribution to show the return of the over the limit funds.

DO NOT ENTER AN EXPENDITURE TO SHOW THE RETURN OF FUNDS!

Joint Contributions

Campaigns may receive contributions from couples who send a single check. The campaign must report these contributions individually, which means the campaign must know:

- the name and address of each contributor;
- the occupation and employer for each contributor;
- how much each contributor is giving; and
- whether it is for the Primary or General election or both.

Online Contributions

- Contributions received via an online service are reported in the same way that regular contributions are reported.
- Fees for the online service are reported as an expenditure and are **not** deducted from the contribution.
- A NOTE ON FEES:
 - Some online services provide an option to the contributor to pay the processing fee on the campaign's behalf. **A fee paid by the contributor constitutes an in-kind contribution.** The campaign must report the in-kind contribution separately from the monetary contribution and ensure they do not exceed the contribution limit in the aggregate.
 - To avoid complications, Commission staff recommend one of two options: reduce the maximum allowable online contribution by the amount of the maximum fee paid; or turn off the option for a contributor to pay the fee on the campaign's behalf.



CHAPTER 3 – EXPENDITURES & DEBTS

In Maine law, an **expenditure** is:

A purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value made for the purpose of influencing the nomination or election of any person to state, county, or municipal office ...”

(21-A M.R.S. § 1012(3)(A)(1))

“Expenditure” refers to both paid expenses (for instance, a purchase made in store with the campaign debit card) and unpaid obligations (an order placed with a vendor for signs, to be invoiced on delivery). For reporting purposes, the date of an expenditure is either the date on a receipt or the earliest date the campaign knew what the cost of an ordered good or service was going to be — not necessarily the date on an invoice or the date on the campaign check; it is not the date the funds clear the campaign bank account. An expenditure is reported as a **debt** if the order was placed in one reporting period but is not paid until a later reporting period.

Purchases made with campaign funds should be for the clear benefit of the campaign. Campaign funds are not to be used for the personal enrichment of the candidate or their household. Candidates are permitted to use campaign funds to make payments to their immediate family or household for campaign purposes, for instance, web design, door knocking, or reimbursements; the relationship to the candidate must be disclosed as part of the description when the expenditure is reported.

EXEMPT GOODS AND SERVICES

Certain items, activities, and communications are exempt from the definition of expenditure and do not have to be reported, such as:

- Campaign travel costs incurred by the candidate and their spouse/domestic partner may, but are not required to, be reimbursed.
- Campaign materials such as lawn signs that were paid for and reported in a prior election can be reused and are not considered expenditures.
- The use of property and the cost of food, beverages, and invitations to a “house party” provided by a volunteer for a campaign event or activity, up to \$250 per election.

For more exemptions, please see the Expenditures Appendix or 21-A M.R.S. § 1012(3)(B).



REPORTING PAYEES ACCURATELY

Best practice is for the campaign to make all purchases directly from the campaign bank account. However, there are two common instances when a third party might make a purchase on the campaign's behalf:

1. An individual, such as the candidate or a volunteer, buys supplies for the campaign using their own money. The campaign may report this as an in-kind contribution (see previous chapter) or as a reimbursement.
2. The campaign hires a consultant or firm to handle certain purchases on the campaign's behalf. The consultant must provide an invoice for their services but also all receipts and invoices from sub-vendors.
 - *Mail houses* (vendors who specialize in every step of a campaign mailer's production, from design to printing to postage) are an exception to the consultant requirements. The cost of postage is assumed when reporting a mail house expenditure.

PEER TO PEER COMMUNICATIONS		
1536 Piedmont Ave North City, ME 00000		
Date		Invoice #
04/29/2026		PPC-26-01426
Bill To		
Georgina Smythe, Candidate 134 Coldbrook Rd North City, ME 00000		
Third party – NOT the Payee		
Description	Rate	Amount
Online Ads (report as paid to Online Ads , 1001 Advertiser Lane, Anywhere, US 00000) 2 weeks online advertising	\$565.00	\$565.00
Prints for U (report as paid to Prints for U , 95 Main Street, Big City, ME 00000) Graphic Design Postage for 200 mailers		\$765.45
	\$645.45	\$645.45
	\$0.60	\$120.00
Balance Due		\$1,330.45

In the sample invoice above, the original payee (e.g., the retail store or the sub-vendor) must be reported by the campaign, *not* the third party.



INDEPENDENT EXPENDITURES VS. COORDINATED EXPENDITURES

Occasionally a candidate finds themselves in the happy circumstance of having supporters who want to spend money to help them. Those supporters, whether individual or committee, have 2 options: to coordinate the expenditure with the candidate or to make an independent expenditure.

An independent expenditure is just that—made *independently* of any input from the candidate or their campaign. Meaning, the candidate and the campaign cannot consult with the spender or have any advance knowledge of the expenditure. Independent expenditures are subject to their own reporting requirements, but the campaign is not involved.

If, however, the campaign knows about the expenditure and worked with their supporter to make it happen, it is considered a coordinated expenditure. Costs incurred by the supporter for the coordinated expenditure are a contribution to the campaign, are reported as in-kind contributions, and are subject to the contribution limit. The campaign must pay for any costs above the limit (\$2,075) and report that expenditure accordingly.

A candidate may coordinate an expenditure with another candidate, such as a combined advertisement. In this case, each candidate should pay the cost equal to the benefit received by their campaign.

Candidates are permitted to coordinate with expenditures made by a party committee, for example, for a meet-the-candidates event or a party slate card, if there are *3 or more* candidates benefiting from the same expenditure.

DEBTS

Debts are simply expenditures that remain unpaid for 1 or more reporting periods.

Example:

The campaign places an order for signs, receives the invoice from the vendor, but has not paid the vendor by the filing deadline; the treasurer will report the sign order as a Debt, using the date the campaign placed the order.

When the invoice for the signs is paid, it is reported as a Debt Payment.

If a debt remains unpaid for more than six months after the election and the campaign continues to raise the money to pay the vendor, this activity is reported in semiannual reports. If the debt remains unpaid for 4 years, the debt is considered a contribution under election law; depending on the amount of the remaining debt, the campaign could be subject to penalties for accepting an over-the-limit contribution.



Legal References	
Definition of Expenditure	21-A M.R.S. § 1012(3)
Unpaid Debts and Obligations	21-A M.R.S. §§ 1012(3)(A)(2), (4) Rules, Chapter 1, Section 7(3)
Joint Expenditures	Rules, Chapter 1, Section 7(11)
Records of Expenditures Made on Behalf of the Candidate	21-A M.R.S. § 1016(4)
Payments to Members of Household and Family	21-A M.R.S. § 1017(5)

ETHICS COMMISSION STAFF TIPS

Reimbursements

Travel Reimbursements

Campaigns may reimburse the candidate and volunteers for campaign-related travel. All claims for travel should have:

- The name of the person claiming the travel reimbursement;
- The date(s) of the travel; and
- The number of miles and reason for the travel (*e.g.*, 50 miles door knocking or 25 miles putting up signs).

Except for staff/personnel costs or payments for a service, this is the only time a person's name should appear as a Payee!

Reimbursements for Purchases

The candidate, member of the candidate's family, campaign staffer or volunteer can make purchases for the campaign and be reimbursed by the campaign. Here's how to report this:

- The Payee is the business where the purchase was made, **not** the name of the person making the purchase.
- In the Explanation of Purpose, the campaign reports the name of the person who made the purchase and a description of what was purchased.

Example:

The candidate purchased food at Hannaford for a campaign event. The Payee is **Hannaford** and Purpose is **"Food for campaign event, reimbursed to Candidate"**

Reporting Returns/Refunds

If a campaign reports a purchase and then decides it doesn't need it or wants something different, that is a Return.

- If the campaign returns the purchase and doesn't replace it, the original expenditure is edited to show the date, amount, and reason for the return.

- If the campaign returns a purchase and purchases something different, (1) the original expenditure is edited to show the return and, (2) a new expenditure is entered for the replacement purchase.

To report a partial or full refund from a vendor, the original expenditure is edited to enter the date, amount, and reason for the refund.

RETURNS AND REFUNDS ARE NOT REPORTED AS CONTRIBUTIONS!

Obligations Reported as Debts

If a candidate decides to purchase something for the campaign during one filing period but doesn't pay for the purchase until the next filing period, the obligation must be reported as a Debt.

Example:

4/19	4/20	4/21	4/22 Start of 11-Day Pre-Primary Report	4/23	4/24	4/25
4/26	4/27	4/28	4/29	4/30	5/1	5/2
5/3	5/4	5/5	5/6	5/7	5/8	5/9
5/10	5/11	5/12	5/13	5/14	5/15	5/16
5/17	5/18 Candidate contacts Vendor about purchase	5/19	5/20	5/21 Vendor provides proof & cost estimate	5/22	5/23
5/24	5/25 Candidate <u>approves</u> purchase	5/26 End of 11-Day Pre-Primary Report	5/27	5/28	5/29 Candidate <u>pays</u> purchase	5/30

Based on the example above, the candidate would:

- Report the agreement to make the purchase or “obligation” on **5/25** as a Debt in the 11-Day Pre-Primary Report.
- When the purchase is paid on 5/29, the payment is entered on the Debt.
- The Debt payment appears as an Expenditure in the 42-Day Post-Primary Report.



CHAPTER 4 – REPORTING REQUIREMENTS

A candidate and their treasurer are jointly responsible for filing timely and accurate reports. Campaign finance reports must be:

- **Complete**, containing all the financial activity that falls within the dates of the report period;
 - If the campaign makes a mistake or unintentional omission in the filed report, they must file an **amended** report as soon as possible.
- **On time**, filed online via eFiling, no later than 11:59 p.m. the day of the deadline; and
- **Accurate** and complete to the best knowledge of the candidate and treasurer. Knowingly making a false statement in a report is a Class E crime.

The Commission staff review all campaign finance reports to ensure candidates are in compliance with Maine election law. The staff may contact the campaign for additional information or amendments when necessary.

In addition to the regular filing schedule, some candidates may have to file **24-Hour Reports**. A 24-Hour Report is filed in the last 13 days before an election for any single transaction of \$1,000 or more. Only candidates who are opposed in an election by either a candidate on the ballot or a declared write-in candidate must file 24-Hour Reports. Overhead costs that have been made regularly throughout the campaign, such as rent, taxes, or salary payments, are not required to be reported in a 24-Hour Report.

24-HOUR REPORTS:	24-HOUR REPORT PERIOD						
	Sun	Mon	Tue	Wed	Thu	Fri	Sat
			Election Day				
 Indicates 24-Hour Report period							

A 24-Hour Report is filed online in eFiling within 24 hours of the transaction being made.



PENALTIES FOR LATE FILING

Candidates who do not file their campaign finance reports by the deadline may face financial penalties. Maine election law considers a late-filed or substantially inaccurate report to be a violation and holds the candidate and treasurer jointly responsible.

A late-filing penalty is calculated according to a statutory formula based on the total contributions and loans or total expenditures and debts, whichever is greater. A percentage of that total is multiplied by the number of days the report is late. A candidate's first late-filing is calculated at 2%; subsequent late-filing violations increase to 4% and then 6%.

EXAMPLE OF PENALTY CALCULATION			
Total Contributions		Total Expenditures	
Report Period Amounts	\$2,000	\$500	The total of contributions for the report period is greater than the total of expenditures. Therefore, \$2,000 is used in the calculation.
Percent Used	2%	This is the first time the candidate was late in filing their report, so the percentage used is 2%.	
Penalty Amount/Day	\$40	$\$2,000 \times 2\% = \40 per day	
Number of Days Late	5	$\$40 \times 5 = \200	
Penalty Amount	\$200	A penalty is due within 30 days from the date of the penalty letter.	

A financial penalty of less than \$25 is automatically waived but the late-filing violation remains.

A note on report names: Reporting cycles are built around the dates of the Primary and General elections and are named according to when they are filed: 42-Day Pre-Primary, 42-Day Post-General, etc. Candidates are required to file reports even if they are not in a Primary election.

Legal References	
Requirement to File Reports	21-A M.R.S. §§ 1013-A (4); 1016; 1017(3-A)
24-Hour Reporting Requirement	21-A M.R.S. § 1017(3-A) (C)
Report Forms	21-A M.R.S. § 1017(6)
Reporting Reimbursements	Rules, Chapter 1, Section 7(5)
Penalties	21-A M.R.S. § 1020-A(4-A)

ETHICS COMMISSION STAFF TIPS

Filing Reports

- Regular campaign finance reports should **not** be filed before the end of the reporting period. Filing a campaign finance report early can require amending the report if additional contributions are received or purchases made or missed, leading to a possible filing violation and penalty.
- Good communication between the candidate and treasurer is **essential!** A candidate and treasurer who are not on the same page about what the campaign receives and spends can lead to campaign finance reporting errors and potential penalties for those errors.

24-Hour Reports

During the 24-hour reporting periods:

- Enter all contributions and expenditures daily!

The most frequent mistake campaigns make is to enter transactions just prior to when a report is due. Unfortunately, during the 24-Hour reporting period this can lead to not filing a 24-Hour Report and ***significant*** preliminary penalties for a late-filed report.



CHAPTER 5 – HOW TO COMPLETE A CAMPAIGN FINANCE REPORT

Campaign finance reports are filed online. Campaigns enter their contributions, expenditures, debts, and loans, and the system automatically assigns these transactions to the relevant report based on date. When the candidate or treasurer is ready to file the **report**, they are required to attest the report is true, complete, and correct to the best of their knowledge.

GATHER YOUR MATERIALS

Prepare for filing by assembling all your campaign records:

- Contribution records (date and amount of contribution, the name and address and employer/occupation of the contributor);
- All purchase receipts;
- Invoices;
- Requests for reimbursements;
- Bank statements for the months covering the reporting period.

Remember, the date of a contribution or expenditure may not match the bank statement date of transaction exactly, but it can be helpful to refer to the bank statement to ensure nothing has been missed.

REPORTING CONTRIBUTIONS

The campaign must **itemize** all individual contributions of more than \$50 in the reporting period. Most contributions will be reported as one of the following types:

Contribution Type	Description of Contribution
1) Monetary (Itemized)	Contributions over \$50
2) Monetary (Unitemized)	Individual contributions \$50 or less
3) In-Kind (Itemized)	Goods or services with a value over \$50
4) In-Kind (Unitemized)	Goods or services with a value \$50 or less

The campaign is not required to itemize cash contributions of \$50 or less and may report them in the aggregate for the period.

There are 2 other types of transactions in eFiling that describe an inflow of cash:

- *Transfer from Previous Campaign*, to indicate a rollover of surplus funds from a prior state campaign to the current campaign; and
- *Bank Interest*, to report receipt of interest earned on the campaign bank account.



Sometimes a campaign will receive a contribution that must be returned either fully or partially. To report this, the campaign must edit the original contribution to show the date and amount of the return.

REPORTING THE USE OF THE CANDIDATE’S PERSONAL FUNDS

Any use of personal funds by the candidate, their spouse/domestic partner to support the campaign must be reported. Refer to the table below for guidance:

Contribution Type	How to Report
The candidate makes a purchase for the campaign and does not expect to be reimbursed.	As an in-kind contribution.
The candidate is reimbursed by the end of the reporting period.	As an expenditure (noting in the Description this is a reimbursement).
The candidate is not reimbursed by the end of the reporting period.	As an unpaid debt.
The candidate makes a deposit of personal funds to cover various campaign expenses, with the expectation of being repaid.	As a loan.

**REPORTING EXPENDITURES**

The campaign must report all paid expenditures for the reporting period using the following Expenditure Types:

EXPENDITURE TYPES			
APP	Apparel (t-shirts, hats, embroidery, etc.)	OTH	Other (expenditure that does not match a Type)
CON	Contribution to party committee, non-profit, other candidate, etc.	PER	Personnel and campaign staff, consulting, and independent contractor costs
EQP	Equipment of \$50 or more (computer, tablet, phone, furniture, etc.)	PHO	Phones (phone banking, robocalls and texts)
EVT	Campaign and fundraising events (venue or booth rental, entertainment, supplies, etc.)	POL	Polling and survey research
FEE	Bank and other fees	POS	Postage for US Mail and mailbox fees
FOD	Food for campaign events or volunteers, catering	PRO	Professional services (graphic design, legal services, web design, etc.)
HRD	Hardware and small tools (hammer, nails, lumber, paint, etc.)	PTN	Petition costs
LIT	Printed campaign materials (palm cards, signs, stickers, flyers, etc.)	RAD	Radio ads and production costs only
MHS	Mail house and direct mail (design, printing, mailing, and postage all included)	TKT	Entrance cost to event (bean suppers, fairs, party events, etc.)
NEW	Newspaper and print media ads only	TRV	Travel (mileage and lodging, etc.)
OFF	Office supplies, rent, utilities, internet service, phone minutes and data	TVN	TV/cable ads, production, and media buyer costs only
ONL	Social media and online advertising only	WEB	Website and internet costs (website domain and registration, etc.)

REPORTING FEES FOR AN ONLINE FUNDRAISING SERVICE

An online fundraising service can be a useful tool for candidates by allowing a supporter to contribute electronically, according to the limits set by the campaign, and have built-in forms to collect the contributor data required by law. The fee for this service is usually taken as a percentage of the contributions received. The contribution received should be reported as the *whole amount* given by the contributor. The fee is reported as a separate *expenditure*.

Some online fundraising services allow the contributor to pay the processing fee for their contributions. If the contributor pays this fee, it must be reported as an in-kind contribution to the campaign, which may result in an over-the limit contribution. Commission staff advises that, to avoid this complication, the campaign turns off the option for contributors to pay processing fees.

Campaigns may report the total fees for the period as an aggregate amount rather than individually, using the expenditure purpose code "FEE." The campaign may report these weekly,



monthly, or for the whole reporting period — whatever makes the most sense given the volume of contributions received online and the way the service provides the records.

REPORTING LOANS AND LOAN PAYMENTS

If a candidate loans money to or receives a loan for their campaign, they must report it and any payments.

REPORTING DEBTS AND OBLIGATIONS

If a campaign makes a purchase but does not fully pay for it within the reporting cycle, the purchase must be reported as a Debt, and are carried forward to the next report.

24-HOUR REPORTS

If a campaign enters a contribution or makes an expenditure of \$1,000 or more, a 24-Hour Report will be created in the system. When the transaction is entered, a message will pop up alerting the campaign a 24-Hour Report is due. The filing will also show up in the candidate's eFiling dashboard. A best practice for campaigns is to enter all new transactions *daily* during the 24-Hour Report Period.

Transactions filed in a 24-Hour Report will appear automatically on the 42-Day Post-Election Report and do not need to be entered again.

FILING CAMPAIGN FINANCE REPORTS

Once all information for the reporting period has been entered into eFiling, you are ready to file the campaign finance report.

When the report has been successfully filed, a confirmation message appears onscreen and a confirmation email is sent to the candidate, treasurer, and any authorized agents.

COMMISSION'S REVIEW OF REPORTS

Commission staff carefully review all campaign finance reports in the weeks following a filing deadline. During the review, staff check for compliance in the following areas:

- the campaign has not received any over-the-limit contributions;
- the information for a contribution over \$50 is complete, including the full name and address of the contributor, employer/occupation information, and the correct contributor type;
- the correct payee has been reported for reimbursements;
- the correct expenditure type has been selected, and the description of the goods or services is sufficiently detailed;
- sub-vendors have been reported correctly where appropriate; and
- the ending cash balance for the reporting period is not negative.



Following their review, staff will contact the candidate and treasurer with any issues of non-compliance in the report and suggested corrections. Staff may also ask for additional materials, such as travel logs or invoices. Campaigns are required to make the corrections, file an amended report and provide any requested information within the deadline provided by Commission staff.

Legal References	
Required Contents of Reports	21-A M.R.S. § 1017(5)
24-Hour Reporting Requirement	21-A M.R.S. § 1017(3-A) (C)
Reporting Payments to Members of Household and Family	21-A M.R.S. § 1017(5)
Electronic Filing Requirement	21-A M.R.S. § 1017(10)
Substantially Non-Conforming Reports	21-A M.R.S. § 1020-A (2)
Required Reporting of Expenditures, including date, payee, amount, purpose	21-A M.R.S. § 1017(5)
Forms of Commission	21-A M.R.S. § 1017(6)
Reporting Expenditures by Consultants, Employees, and Other Agents	21-A M.R.S. § 1016(4)
Compliance Reviews	Rules, Chapter 1, Section (4)(2)(A)



Traditionally Financed Gubernatorial Filing Schedule

Primary Election: June 9, 2026

General Election: November 3, 2026

REPORT NAME	FILING PERIOD	FILING DEADLINE
2025 July Semiannual*	Beginning of campaign – 06/30/2025	07/15/2025
2026 January Semiannual*	If semiannual report(s) filed: 07/01/2025 – 12/31/2025 OR Beginning of campaign – 12/31/2025	01/15/2026
42-Day Pre-Primary	If semiannual report(s) filed: 01/01/2026 – 04/21/2026 OR Beginning of campaign – 04/21/2026	04/28/2026
11-Day Pre-Primary	04/22/2026 – 05/26/2026	05/29/26
24-HOUR REPORT (PRIMARY)	05/27/2026 – 06/08/2026	Day after receipt of a single contribution/purchase of \$1000 or more
42-Day Post-Primary	05/27/2026 – 07/14/2026	07/21/2026
42-Day Pre-General	07/15/2026 – 09/15/2026	09/22/2026
11-Day Pre-General	09/16/2026 – 10/20/2026	10/23/2026
24-HOUR REPORT (GENERAL)	10/21/2026 – 11/02/2026	Day after receipt of a single contribution/purchase of \$1000 or more
42-Day Post-General	10/21/2026 – 12/08/2026	12/15/2026
2027 January Semiannual*	07/16/2026 – 12/31/2026	01/15/2027
2027 July Semiannual*	12/09/2026 – 06/30/2026	07/15/2027

***SEMIANNUAL REPORTS FOR GUBERNATORIAL CANDIDATES IN THE 2026 ELECTION**

Pre-Election Semiannual Reports: If a campaign raises or spends more than \$1,000 by 06/30/ 2025, it will have to file both the 2025 July and 2026 January Semiannual Report. If a campaign raises or spends more than \$1,000 07/01/2025-12/31/2025, it will have to file the 2026 January Semiannual Report. If a campaign does not raise or spend \$1,000 in 2025, the 42-Day Pre-Primary Report would be the first report filed.

Post-Election Semiannual Reports: If a campaign has more than \$100 remaining in unspent cash or unpaid debts or loans after the final post-election report is filed, the campaign must file the next scheduled semiannual report. Candidates who were unsuccessful in the Primary Election, would file the 2027 January Semiannual Report. Candidates who participated in the General Election, would file the 2027 July Semiannual Report. Campaigns will continue to file Semiannual reports due in July and January until all obligations are paid, and all unspent cash is disposed of, which must take place within four years of the election.



CHAPTER 6 – CAMPAIGN COMMUNICATIONS AND DISCLOSURE STATEMENTS

DISCLOSURE ON CAMPAIGN COMMUNICATIONS

A candidate is required to put a disclosure statement on any piece of campaign communication they distribute. A campaign communication is one that costs money and expressly advocates either the election of the candidate or defeat of their opponent, and can include the following examples:

- Newspaper or other print advertisement
- Yard signs
- Direct mailers
- Palm cards or flyers
- Radio or television advertisements
- Text messages

A proper disclosure statement includes the name of the entity who paid for the communication and whether the candidate authorized it. The table below has examples of proper disclosure statements based on who made the expenditure:

Communication Type	Sample Disclosure
Expenditure paid for by candidate (address not required):	Paid for and authorized by the Candidate.
Expenditure Made by a Candidate's Agent (address not required):	Authorized by the Candidate and paid for by the Treasurer.
Expenditure Made by the Candidate's Committee (address not required):	Authorized by the Candidate and paid for by the Committee to Elect the Candidate.
Expenditure Made by Others not Associated with the Campaign (address is required):	Authorized by the Candidate and paid for by <i>Contributor Name, Street Address, City, State & Zip Code</i> .

The requirement for a disclosure statement extends to communications that name or depict a clearly identified candidate even if it does not expressly advocate for or against that candidate in the last 35 days before an election, or from Labor Day to the date of the November election.

COMMUNICATIONS EXEMPT FROM DISCLOSURE REQUIREMENTS

A good rule of thumb is to put a disclosure statement on anything the campaign produces that promotes the candidate, but there are a few specific exemptions in the law:

- **Signs that are lettered or printed by hand:** a handmade sign that has been paid for and authorized by the candidate and clearly identifies the candidate does not need a disclosure statement.
- **Small items:** certain items are exempt from the requirement because of their small size, for instance, campaign buttons, pens, coasters, clothing, or fundraiser tickets. Check



with the Ethics Commission for other items that may be considered too small for the disclosure statement.

- **Online advertisement:** the disclosure statement may not be required in online advertisements if it would be *impractical due to size or character count limitations*. The campaign should check with the vendor to see if including the disclosure statement is possible.

ROBOCALLS AND SCRIPTED LIVE CALLS

The Federal Communications Commission (FCC) has specific regulations regarding the sponsor identification that must be included in “robocalls,” which are phone calls to landlines and mobile phones that use certain automated dialing technology, deliver a pre-recorded message, or use an artificial voice. The federal disclosure requirement is not limited to recorded voice messages, as it also applies to live calls if automated dialing technology is used to make the call.

Maine requires robocalls and scripted live calls include a disclosure statement that clearly states the name of the person who paid for the communication. However, the FCC regulation is stricter than Maine’s and preempts Maine’s disclosure statute. Candidates are urged to read the FCC Enforcement Advisory on robocalls and robotexts on the FCC’s website (www.fcc.gov/rules-political-campaign-calls-and-texts) to understand and comply with the federal disclosure requirements for robocalls.

There is one type of phone call that is subject to Maine’s disclosure requirement but not the FCC’s — a scripted live call made by a person without the use of automated dialing technology. For those calls, the caller must clearly state the name of the person who financed the communication.

FREE ELECTRONIC COMMUNICATIONS

Certain types of communications are free to use, such as email, social media posts/pages, etc. Regardless of whether or not there is a cost associated with the communication, the Commission staff recommends adding a partial disclosure statement (e.g. “Authorized by the Candidate”), so it is clear to the recipient who is sending the communication; if there is a cost associated with the communication (e.g., purchase of email list, production costs for a video posted on social media, etc.), a full disclosure statement is required.

TELEVISION AND NEWSPAPERS

Broadcasting stations, cable television systems, and newspapers in Maine may not broadcast or print communication that lacks the required information about the sponsor of the communications, and whether the communication was authorized by a candidate.

Under federal regulations (47 CFR § 73.1212(a)(2)(ii) and 47 CFR § 76.1615(a)), in the case of any television political advertisement concerning candidates for public office, the sponsor shall be identified with letters equal to or greater than 4% of the vertical picture height which must be visible on screen for not less than four seconds. This requirement applies to broadcast and cablecast television ads for all candidates, not just federal candidates.



If a candidate has any questions concerning these requirements, they should consult with the business producing the advertisements.

USE OF COPYRIGHTED MATERIAL

The Commission staff recommends that if a candidate plans to use photos or other material from an online source in its campaign literature, they check the source to avoid possible copyright infringement.

MISSING DISCLOSURE STATEMENTS AND ENFORCEMENT

Mainers are aware of the requirement for campaign disclosure statements and are on the lookout for them. When complaints are received about a missing disclosure statement, Commission staff will first contact the party responsible and request that it be added to the communication, if possible. If the person who paid for the communication corrects the missing disclosure statement within 10 days of being notified there may not be any further enforcement action.

A person who violates the disclosure requirement may be subject to a civil penalty up to 100% of the cost of the expenditure. The penalty amount depends on several factors, including how widely the communication was distributed, whether the omission was intentional, and whether the communication conceals or misrepresents the identity of the person who paid for it.

PLACEMENT OF POLITICAL SIGNS

The Maine Department of Transportation (MDOT) and local ordinances, if any, regulate the timing, placement, and removal of signs. MDOT has requirements for labeling signs that are in addition to the disclosure statement. Please see Appendix, page A-9.

Unauthorized Removal of Political Signs from Public Roadways.

The unauthorized removal or destruction of political signs in the public right of way is a civil violation under Maine law (23 M.R.S. § 1917-B) and may carry a fine of up to \$250. The law does not apply to a person authorized to remove the sign. A candidate may file a complaint with the local police and/or the District Attorney's office if a sign has been removed in an unauthorized manner.



Legal References	
Required Disclosure on Candidate Communications	21-A M.R.S. § 1014(1), (2-A)
Expressly Advocate	Rules, Chapter 1, Section 10(2)(B)
Clearly Identified	21-A M.R.S. § 1012(1)
Exempted Communications	21-A M.R.S. § 1014(6)
Handmade Signs	21-A M.R.S. § 1014(6-E)
Automated Telephone Calls	21-A M.R.S. § 1014(5)
Broadcasters and Newspapers	21-A M.R.S. § 1014(3), (3-B)
Enforcement	21-A M.R.S. § 1014(4)
Sign Placement	23 M.R.S. § 1917-B



CHAPTER 7 – POST-ELECTION RESPONSIBILITIES

After the election, win or lose, the candidate's campaign finance responsibilities are not over. The campaign must prepare the 42-Day Post-Election Report and continue to **maintain all campaign records for 2 years** following the filing of the final report. The candidate is also required, until the campaign is closed out completely, to notify the Commission when their contact information changes, so that they can continue receiving all notices and reminders.

CLOSING OUT THE CAMPAIGN

Online Fundraising: If the campaign used an online fundraising service, remember to turn it off! Candidates may not accept any new contributions after the election *unless* they are paying off debts and/or loans **or** they register for the next election cycle.

Loans: If a candidate has an outstanding loan balance of more than \$100 and wants to close out their campaign with the filing of the 42-Day Post- Election Report, they may:

- use campaign funds to reduce the outstanding loan balance to \$100 or less. The candidate is permitted to raise funds after the election for the purpose of paying the loan; or
- ask the lender to forgive the outstanding loan balance.

A contributor who forgives a loan cannot exceed the contribution limit when the forgiven amount is added to all cash and in-kind contributions made by that contributor for the election. The contribution limit applies to all contributors, except the candidate and the candidate's spouse/domestic partner.

Debts: If a candidate has an unpaid debt of more than \$100 and wants to close out their campaign with the filing of the 42-Day Post-Election Report, they may:

- use campaign funds to pay the debt. The candidate is permitted to raise funds after the election for the purpose of paying off debts;
- use their personal funds to pay the person to whom the debt is owed ("the creditor"). Report the payment of personal funds to the creditor as a monetary contribution from the candidate and report the subsequent debt payment;
- if the debt is owed to an entity who has not already made the maximum contribution to the campaign, ask the creditor to forgive the unpaid debt or obligation (up to the contribution limit);
 - If the creditor forgives the unpaid debt, report the receipt of the goods or services without payment as an in-kind contribution from the creditor.
 - If the campaign's debt is owed to the candidate, or their spouse/domestic partner, an unlimited amount may be forgiven.



Any debt that remains unpaid more than 6 months after the election in which the debt was incurred may be considered a contribution to the candidate unless the candidate provides clear and convincing evidence that they intend to raise funds or take other measures to satisfy the debt.

If a candidate who lost the Primary election or withdrew after the Primary received contributions for the General election, they must return those contributions to their contributors.

DISPOSITION OF SURPLUS FUNDS

After an election, a candidate may have unspent campaign funds. Candidates must continue filing reports until their reported cash balance falls below \$100. A candidate *must* dispose of surplus cash within four years of the election for which the funds were received.

Under 21-A M.R.S. § 1017(8), a candidate may dispose of surplus cash greater than \$100 by:

- ✓ Returning contributions to the contributors, as long as no contributor receives more than the amount they originally contributed;
- ✓ Making a gift to a state or local party committee;
- ✓ Making a gift to the State or the municipality;
- ✓ Carrying forward the surplus balance for use by the candidate for a subsequent election;
- ✓ Making a contribution to another registered candidate, within the applicable contribution limits;
- ✓ Paying any outstanding loans or debts of the campaign;
- ✓ Paying for any expense during the performance of the office to which the candidate is elected, as long as each expenditure is itemized on expenditure reports; and
- ✓ A gift to a charitable or educational organization that is not prohibited, for tax reasons, from receiving such a gift.

SEMIANNUAL REPORTS

Candidates with surplus cash, a loan, or an unpaid debt of more than \$100 after filing their last election report must continue to file campaign finance reports (“semiannual reports”) every January 15th and July 15th until those outstanding obligations have been paid and the surplus balance spent down.



FINANCIAL DISCLOSURE REPORTS

The gubernatorial candidate who wins the general election is required to file a Financial Disclosure Report covering the year of the election. This statement is filed online and indicates the *source* of income, not the amount, received in the prior year, including employment, retirement income, and gifts for the candidate and their immediate family who reside with them. The deadline for filing this financial statement is 30 days after the general election.

Legal References	
Change of Address or Telephone Number	21-A M.R.S. § 1013-A (5)
Disposing of Surplus Cash After an Election	21-A M.R.S. § 1017(8)
Semiannual Reports	21-A M.R.S. § 1017(3-A) (E)
Statement of Sources of Income	5 M.R.S. § 19(3)(A)





APPENDIX

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DEFINITION OF CONTRIBUTION AND EXPENDITURE (21-A M.R.S.A. § 1012(2) AND (3))

2. Contribution. The term “contribution:”

A. Includes:

- (1)** A gift, subscription, loan, advance or deposit of money or anything of value made for the purpose of influencing the nomination or election of any person to state, county or municipal office or for the purpose of liquidating any campaign deficit of a candidate, except that a loan of money to a candidate by a financial institution in this State made in accordance with applicable banking laws and regulations and in the ordinary course of business is not included;
- (2)** A contract, promise or agreement, express or implied, whether or not legally enforceable, to make a contribution for such purposes;
- (3)** Funds received by a candidate or a political committee that are transferred to the candidate or committee from another political committee or other source; and
- (4)** The payment, by any person other than a candidate or a political committee, of compensation for the personal services of other persons that are provided to the candidate or political committee without charge for any such purpose; and

B. Does not include:

- (1)** The value of services provided without compensation by individuals who volunteer a portion or all of their time on behalf of a candidate or political committee;
- (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;
- (3)** The sale of any food or beverage by a vendor for use in a candidate’s campaign at a charge less than the normal comparable charge, if the charge to the candidate is at least equal to the cost of the food or beverages to the vendor and if the cumulative value of the food or beverages does not exceed \$100 with respect to any election;
- (4)** Any unreimbursed travel expenses incurred by an individual in the course of providing voluntary personal services to a candidate and paid for by that individual, if the cumulative amount of these expenses does not exceed \$350 with respect to any election;



- (4-A)** Any unreimbursed campaign-related travel expenses incurred and paid for by the candidate or the candidate's spouse or domestic partner;
- (5)** The payment by a party's state, district, county, or municipal committee of the costs of preparation, display or mailing or other distribution of a party candidate listing;
- (6)** Documents, in printed or electronic form, including party platforms, single copies of issue papers, information pertaining to the requirements of this Title, lists of registered voters and voter identification information, created, obtained, or maintained by a political party for the general purpose of party building and provided to a candidate who is a member of that party;
- (7)** Compensation paid by a state party committee to its employees for the following purposes:
 - (a)** Providing no more than a total of 40 hours of assistance from its employees to a candidate in any election;
 - (b)** Recruiting and overseeing volunteers for campaign activities involving 3 or more candidates; or
 - (c)** Coordinating campaign events involving 3 or more candidates;
- (8)** Campaign training sessions provided to 3 or more candidates;
- (8-A)** Costs paid for by a party committee in connection with a campaign event at which 3 or more candidates are present;
- (8-B)** Wood or other materials used for political signs that are found or contributed if not originally obtained by the candidate or contributor for campaign purposes;
- (8-C)** The use or distribution of any communication, as described in section 1014, obtained by the candidate for a previous election and fully paid for during that election;
- (9)** The use of offices, telephones, computers, and similar equipment when that use does not result in additional cost to the provider;
- (10)** Activity or communication designed to encourage individuals to register to vote or to vote if that activity or communication does not mention a clearly identified candidate; or
- (11)** A purchase of apparel from a commercial vendor with a total cost of \$25 or less by an individual when the vendor has received a graphic or design from the candidate or the candidate's authorized committee.



3. Expenditure. The term “expenditure:”

A. Includes:

- (1) A purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value made for the purpose of influencing the nomination or election of any person to state, county, or municipal office, except that a loan of money to a candidate by a financial institution in this State made in accordance with applicable banking laws and regulations and in the ordinary course of business is not included;
- (2) A contract, promise or agreement, expressed or implied, whether or not legally enforceable, to make any expenditure;
- (3) The transfer of funds by a candidate or a political committee to another candidate or political committee; and
- (4) A payment or promise of payment to a person contracted with for the purpose of influencing any campaign as defined in section 1052, subsection 1; and

B. Does not include:

- (1) Any news story, commentary or editorial distributed through the facilities of any broadcasting station, cable television system, newspaper, magazine, or other periodical publication, unless the facilities are owned or controlled by any political party, political committee, candidate or spouse or domestic partner of a candidate;
- (1-A) Any communication distributed through a public access television channel on a cable television system if the communication complies with the laws and rules governing the channel and all candidates in the race have an equal opportunity to promote their candidacies through the channel;
- (2) Activity or communication designed to encourage individuals to register to vote or to vote if that activity or communication does not mention a clearly identified candidate;
- (3) Any communication by any membership organization or corporation to its members or stockholders, if that membership organization or corporation is not organized primarily for the purpose of influencing the nomination or election of any person to state or county office;
- (4) 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 does not exceed \$250 with respect to any election;

(5) Any unreimbursed travel expenses incurred by an individual in the course of providing voluntary personal services to a candidate and paid for by that individual, if the cumulative amount of these expenses does not exceed \$350 with respect to any election;

(5-A) Any unreimbursed campaign-related travel expenses incurred and paid for by the candidate or the candidate's spouse or domestic partner;

(6) Any communication by any person that is not made for the purpose of influencing the nomination for election, or election, of any person to state, county, or municipal office;

(7) The payment by a party's state, district, county, or municipal committee of the costs of preparation, display or mailing or other distribution of a party candidate listing;

(8) The use or distribution of any communication, as described in section 1014, obtained by the candidate for a previous election and fully paid for during that election campaign;

(9) Documents, in printed or electronic form, including party platforms, single copies of issue papers, information pertaining to the requirements of this Title, lists of registered voters and voter identification information, created, or maintained by a political party for the general purpose of party building and provided to a candidate who is a member of that party;

(10) Compensation paid by a state party committee to its employees or the following purposes:

(a) Providing no more than a total of 40 hours of assistance from its employees to a candidate in any election;

(b) Recruiting and overseeing volunteers for campaign activities involving 3 or more candidates; or

(c) Coordinating campaign events involving 3 or more candidates;

(10-A) Costs paid for by a party committee in connection with a campaign event at which 3 or more candidates are present;

(11) Campaign training sessions provided to 3 or more candidates;



(11-A) Wood or other materials used for political signs that are found or contributed if not originally obtained by the candidate or contributor for campaign purposes;

(12) The use of offices, telephones, computers, and similar equipment when that use does not result in additional cost to the provider; or

(13) A purchase of apparel from a commercial vendor with a total cost of \$25 or less by an individual when the vendor has received a graphic or design from the candidate or the candidate's authorized committee.





LETTER FROM DOT ON PLACEMENT OF POLITICAL SIGNS



Janet T. Mills
GOVERNOR

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0016

Dale F. Doughty
ACTING COMMISSIONER

To Whom It May Concern:

As we approach another campaign season, the Maine Department of Transportation would like to take this opportunity to offer some information regarding the placement of temporary signs in the right-of-way on state and state aid highways.

Maine's Temporary Sign Law allows temporary signs, which include campaign signs, to be placed in the right-of-way for up to 6 weeks from January 1st to June 30th and another 6 weeks between July 1st and December 31st. The law further states that individual signs bearing substantially the same message must be placed at least 30 feet from one another and requires that each sign be labeled with the owner's name, address and the date on which the sign was erected. This will help MaineDOT discern whether a sign is in compliance and also allows the Department to contact an entity if a sign needs to be removed for any reason.

There are areas within the state's roadway system that are off-limits to temporary signs. These areas include the Maine interstate system, the Maine Turnpike Authority system, and Route 1 between Bath and Brunswick including all connecting interchanges and ramps. Along with the interstate system, some sections of state highways have been designated as "control of access" (C.O.A) roadways where ingress and egress to and from the highway is prohibited/limited. **No temporary signs of any kind can be placed along these control of access areas.** These areas have been officially designated with signage indicating the beginning and ending of a C.O.A. A sample of these signs has been provided below for your reference:



Note: The interstate, including the Maine Turnpike and all its ramps and the portion of Route 1 between Bath and Brunswick are not signed. The signage denoted here is for those other roadways that have C.O.A.

Temporary signs are also prohibited on traffic control devices (stop signs, yield signs, warning signs, guide signs, regulatory signs, etc.), on all utility poles and trees, on islands within a rotary/roundabout, and in medians/islands in the center of the road that are

fewer than six feet wide.

Here are some questions that campaign personnel may ask regarding the placement of political signs:

How do I recognize a "control of access" area?

- *Aside from the interstate system, MaineDOT officials have marked C.O.A areas across the state. These areas will have signs indicating the beginning and ending of a C.O.A.*



What will happen to my sign if it has been placed within a C.O.A. section?

- *MaineDOT personnel have been advised to remove temporary signs from within the C.O.A. areas. Maintenance crews have also been instructed to safely store the signs until the owner of the sign can be contacted or for 60 days, whichever comes first.*

Does MaineDOT enforce these sign placement restrictions statewide?

- *MaineDOT is committed to providing the equitable enforcement of these sign restrictions upon notification of a violation.*
- *Per a recent statute change, temporary signs within urban compact areas may be enforced by the municipality they are within.*

What do I need to know about placing my sign along the roadway?

- *The first thing to consider in placement is the safety of the traveling public. Please do not install your signs where they will limit the sight line of anyone trying to pull out of a side road or driveway. Signs that block a driver's sight line will be removed and held at the closest MaineDOT maintenance lot to be picked up by the owner.*

In summary, when placing political signs, the important areas to avoid are the interstate system with the connecting interchanges, including the MTA system, and control of access areas across the state. Also, individual signs bearing the same message can be no closer than 30 feet from one another and must contain appropriate contact information and the date on which the sign was placed in the ROW. Candidates/referendums/special interest signage may want to work with sign making companies to have the contact information printed on their signs. MaineDOT will continue to provide the necessary information to help Maine's candidates.

For more information regarding the appropriate placement of political signs, please contact Meghan Russo, MaineDOT's Director of Government Relations and Constituent Services at meghan.russo@maine.gov.

MaineDOT appreciates your cooperation in this effort.

Sincerely,

Stephen Landry, P.E.
State Traffic Engineer
MaineDOT

COMMISSION ON GOVERNMENTAL ETHICS & ELECTION PRACTICES

135 State House Station
Augusta, ME 04333-0135

