

# Local Party Committee Guidebook



## IMPORTANT NOTICE

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 rule requirements are controlling in the event of any error in this publication. This guide's contents are subject to statutory changes enacted by the Legislature and rule changes adopted under the Maine Administrative Procedure Act.

The Commission staff's main priority is helping you. Maine's campaign finance laws are complicated, and they cannot all be summarized in a guidebook, so please contact us if you have any questions. We want you to get compliance right so you can focus on spreading your committee's message with Maine voters.

## HELPFUL CONTACTS

### *Ballot Access and Voting Information*

Maine Secretary of State  
Bureau of Corporations, Elections & Commissions  
*Office:* 111 Sewall Street, 4th Floor, Augusta  
*Mail:* 101 State House Station, Augusta, ME 04333  
(207) 624-7736  
[cec.elections@maine.gov](mailto:cec.elections@maine.gov)  
[www.maine.gov/sos/elections-voting](http://www.maine.gov/sos/elections-voting)

### *Posting Signs on Public Roadways*

Maine Department of Transportation  
16 State House Station  
Augusta, ME 04333  
(207) 624-3332  
[meghan.russo@maine.gov](mailto:meghan.russo@maine.gov)

### *Federal Laws Regarding Calls and Text Messages*

Federal Communications Commission  
Office of Political Programming  
45 L Street, NE  
Washington, DC 20554  
(888)225-5322  
[campaignlaw@fcc.gov](mailto:campaignlaw@fcc.gov)  
[www.fcc.gov/rules-political-campaign-calls-and-texts](http://www.fcc.gov/rules-political-campaign-calls-and-texts)

# **TABLE OF CONTENTS**

	<b>PAGE</b>
<b>CHAPTER 1: GETTING STARTED</b>	<b>1</b>
<b>CHAPTER 2: CONTRIBUTIONS &amp; EXPENDITURES</b>	<b>2</b>
<b>CHAPTER 3: REPORTING &amp; RECORDS</b>	<b>7</b>
<b>CHAPTER 4: SUPPORTING CANDIDATES</b>	<b>9</b>
<b>CHAPTER 5: POLITICAL COMMUNICATIONS</b>	<b>11</b>
<b>CHAPTER 6: PENALTIES &amp; WAIVER REQUESTS</b>	<b>16</b>
<b>LEGAL REFERENCES</b>	<b>18</b>
<b>PLACEMENT OF POLITICAL SIGNS – LETTER FROM DOT</b>	<b>19</b>



## CHAPTER 1 – GETTING STARTED

---

Political parties are a valuable resource for both the electorate and candidates running for office. This guidebook is for Maine’s local political party committees organized at the municipal and county level. If a local party committee raises or spends more than \$1,500 in a calendar year, it must file campaign finance reports with the Commission. Most committees that exceed the \$1,500 threshold file one to three reports per year, but additional reports may be required (see Chapter 3). The threshold to trigger reporting is reset every January 1st. It is important for local party committees to keep track of the committee’s finances to confirm whether the committee has raised or spent more than \$1,500.

Influencing State and County Candidate Elections: local party committees file their campaign finance reports with the Ethics Commission using its online electronic filing disclosure system.

Influencing Local Candidate Elections: if a local party committee makes a contribution or expenditure on behalf of a candidate who is running for municipal office (for example, select board or school board) in a town or city with a population of 15,000 or more, it must provide to the local clerk a copy of the campaign finance report that was filed with the Commission. Municipalities with at least 15,000 people include Auburn, Augusta, Bangor, Biddeford, Brunswick, Gorham, Lewiston, Portland, Saco, Sanford, Scarborough, South Portland, Waterville, Westbrook and Windham. If a local party committee spends more than \$1,500 to influence only municipal candidate elections, the party may file paper reports with the town clerk and bypass reporting to the Commission. Local party committees do not need to file any reports with local clerks in towns and cities with a population of less than 15,000.

### **Notifying the Ethics Commission of Committee Treasurer or Other Officers**

If a local party committee expects to raise or spend more than \$1,500 in a year, the committee should call the Commission to make sure it has an active account in the Commission’s eFiling system. The party committee should be prepared to share contact information for the committee treasurer and any other officers or agents that should be listed with the Commission. This is important because the Commission’s eFiling system will send automated deadline reminders to all officers.

1. Treasurer: The local party committee must appoint a treasurer who is responsible for keeping track of contributions received and expenditures made by the committee, filing complete and accurate campaign finance reports, maintaining the committee’s records for two years, and responding to emails and correspondence from the Commission.
2. Optional officers and authorized agents: Identify any other individuals who are primarily responsible for making decisions or fundraising for the local party committee. These may be the chair, co-chair, secretary or others whom the committee would like to formally identify to the public. The committee may appoint someone to be an authorized agent for purposes of entering transactions and filing reports in the Commission’s eFiling system.

### **Best Practice: Opening a Committee Bank Account**

The Commission recommends opening a bank account for the committee, depositing all contributions received into the account, and making all expenditures from the account. The treasurer should have access to the account for purposes of filing complete campaign finance reports.



## CHAPTER 2 – CONTRIBUTIONS & EXPENDITURES

---

All contributions to and expenditures by a local party committee must be reported to the Commission by entering them into the Commission’s eFiling system.

### **CONTRIBUTIONS**

Maine’s legal definition of a “contribution” includes, in part:

*“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 ...”*

21-A M.R.S. § 1012(2)(A)(1)

*Contributions Up to \$200.* All contributions of \$200 or less may be combined and reported in one unitemized lump sum on campaign finance reports.

*Contributions of More than \$200.* When the committee receives a contribution of more than \$200, it must report the name and address of the contributor, and the amount and date of the contribution.

If a contribution of more than \$200 is made by an individual, the committee must request the contributor’s occupation and employer and report that information. That request may be made by providing the contributor with a paper or online form. If the contributor declines to provide the information when asked, the committee should enter “information requested” in the occupation and employer fields when reporting the contribution.

*In-Kind Contributions.* In-kind contributions are non-monetary contributions of goods or services. If the goods or services have a value of more than \$200, the committee must report the contributor’s name and address and the date, description, and fair market value of the goods or services. Similar to monetary contributions from individuals of more than \$200, the occupation and employer information of the contributor is required.

In-kind contributions of \$200 or less do not have to be itemized and may be reported in one unitemized lump sum on campaign finance reports.

### **Commonly Overlooked Contributions**

- Bank account interest.
- In-kind contributions of goods and services.

### **Foreign National Contributions Prohibited**

Under federal law, foreign nationals are prohibited from making any contributions or expenditures in connection with any election in the U.S. for a federal, state, or local political office.



## Straw Donor Contributions Prohibited

A straw donor contribution is made when a donor gives money to an intermediary to be donated to a candidate or committee with the intent that their identity as the original source will be hidden. Knowingly accepting such a contribution is a violation of campaign finance law and subject to penalty, up to 500% of the amount of the contribution.

## EXPENDITURES

Maine law defines expenditure, in part, as:

*“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)

All payments made for the purpose of influencing a candidate election must be reported as an expenditure. The law requires the date, amount, payee, and purpose of the expenditure be disclosed. Expenditures made to support or oppose a candidate must specify the candidate supported or opposed. The committee must also report operational expenses and other expenditures that are not made to influence a campaign (for example, rent or fundraising expenses).

The “payee” refers to the vendor that provided the goods and services. The committee should not report “cash” or “disbursement” as the payee. If committee has reimbursed someone for an expenditure, it must report the name of the vendor as the payee and the person who was reimbursed in the description of the expenditure.

“Expenditure” refers to both paid expenses (e.g., a purchase made in a store with the committee’s 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 committee 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 is placed in one reporting period but not paid until a later reporting period.

The general purpose of each expenditure must be disclosed by entering an expenditure type (see chart). In addition, in the explanation of purpose field, the committee must provide as much information as possible to describe the expenditure entered. For instance, if the expenditure is for professional services, the committee should identify the specific type of service performed.



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.)

**Commonly Overlooked Expenditures**

- Paid staff time, consultants, pollsters, or other personal services costs.
- Travel reimbursements.
- Fundraising expenses.
- Website set-up, design, and maintenance costs.

**Expenditures Made by a Consultant**

When a committee hires a consultant, and they make expenditures on behalf of the committee, those expenditures must be reported as though the committee made them directly. The report must detail the name of the third-party vendor or payee to whom the expenditure was made, the date, purpose, and amount. It is not sufficient to report only the total retainer or fee paid to the consultant if they used it to pay others for campaign-related goods or services. If the committee reported a lump sum payment to a consultant in a previously filed report, they may need to amend it to deduct from that amount any expenditures made by the consultant, to avoid double-reporting. The Commission recommends the committee note in the expenditure remarks section the payment was made by the consultant.

When paying a media buyer, advertising consultant, or similar contractor to purchase advertising time or for the production of television or radio advertising, the committee should simply report the advertising time and production costs separately, and not the individual stations for the buys.



The treasurer should obtain receipts or paid invoices for all sub-vendor purchases by the consultant on behalf of the committee.

**VOTER TURNOUT CONSULTING**

**1536 Chickadee Ave  
Madawaska, ME 04756**

Third Party –  
**NOT the Payee**

Date	Invoice #
04/28/2026	26-01426

**Bill To**  
 Hometown Local Party Committee  
 123 Lighthouse Rd  
 Kittery, ME 03904

Description	Rate	Amount
Online Ads (report as paid to <u>Online Ads</u> , 1001 Advertiser Lane, Anywhere, US 00000) 2 weeks online advertising	\$565.00	<b>\$565.00</b>
Prints for U (report as paid to <u>Prints for U</u> , 95 Main Street, Big City, ME 00000) Graphic Design	\$645.45	<b>\$765.45</b>
Postage for 200 mailers	\$0.60	\$120.00
<b>Balance Due</b>		<b>\$1,330.45</b>

Sub-vendors –  
**Report as Payees**

**Expenditures Made by Others for the Committee**

Sometimes a committee staffer or volunteer makes purchases for the committee with their personal funds and seeks reimbursement. 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 will report the name of the person who made the purchase and a description of what was purchased.

*For example:*

Staff purchased food at Hannaford for a campaign event. The Payee is **Hannaford** and Purpose is **“Food for campaign event, reimbursed to Martha Mainer”**

Alternatively, the individual buys supplies but does not want reimbursement. The committee reports this as an in-kind contribution.



### **Reporting Debts and Obligations**

If a campaign makes a purchase but does not fully pay for it within the reporting cycle, it must be reported as a Debt. The Commission's eFiling system will carry forward to the next report any debts that have not been fully paid at the end of a reporting period. Payments made on the debt are entered on the Debt – not as an expenditure.

*For 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, this is reported as a Debt Payment.

### **Supporting or Opposing a Ballot Question**

If a local party committee spends money to support or oppose a ballot question, the committee discloses the expenditure in its regular campaign finance reports. The Commission must indicate the ballot question that is supported or opposed by the expenditure.

### **Contributions to MCEA Candidates Prohibited**

A party committee may not contribute in any amount or form to Maine Clean Election Act (MCEA) candidates.



## CHAPTER 3 – REPORTING & RECORDS

---

### Filing Schedule

Annually, the Commission publishes a filing schedule for local party committees, which is available on [www.maine.gov/ethics](http://www.maine.gov/ethics). To find out the deadlines for required reports, committees should consult the filing schedule and this chapter of the guidebook. Committees should not rely exclusively on the list of reports assigned to them in the Commission’s eFiling system. Depending on a committee’s financial activities, it may be required to file additional reports such as 24-Hour Reports (discussed in this chapter) or Independent Expenditure Reports (chapter 5). Committees are encouraged to contact the Commission if they are confused about which reports are due.

### Electronic Filing

The first step to filing campaign finance reports with the Commission’s eFiling system is getting set up as a user in the system. If you have run for office or been a PAC officer since 2026, you may already be a user in the system. The system is designed for people to set themselves up as users, but Commission staff are always happy to assist.

Committees must file their reports electronically using the eFiling system. Commission staff are always available to help filers become familiar with the system. After entering all their contributions and expenditures, it is the party’s responsibility to make sure it has successfully filed the report. Committees should make sure the treasurer has received a confirmation email and the report is labeled as “filed” in the eFiling system.

### Regular Campaign Finance Reports


Once a local party committee raises contributions or makes expenditures of \$1,500 or more in a calendar year, it must file reports through the end of that calendar year, even if it has no financial activity during a reporting period. Depending on the year, a local party committee will file between one and three regular campaign finance reports. All regularly scheduled reports must be filed by 11:59 p.m. on the day of the deadline. Late filings will be subject to a civil penalty.

### 24-Hour Reports in the Last 13 Days Before a General Election

A local party committee is required to file a 24-Hour Report during the last 13 days before a general election if it receives a contribution of \$10,000 or more or makes an expenditure of \$2,500 or more. The report must be filed within 24 hours of receiving the contribution or making the expenditure, even if the filing deadline falls on a weekend or a holiday. Contributions received and expenditures made on the day before an election must be reported on election day. Loans are considered contributions, and unpaid debts or obligations for goods or services are considered expenditures for purposes of 24-hour reporting.

24-Hour Reports are filed online through the Commission’s eFiling system, which automatically adds the transactions of a 24-hour report to the next regularly scheduled campaign finance report.



24-HOUR REPORTS:	24-HOUR REPORT PERIOD						
	Sun	Mon	Tue	Wed	Thu	Fri	Sat
<ul style="list-style-type: none"> <li>• Filed within 24 hours of receiving the contribution or making the expenditure or obligation.</li> <li>• Must be filed on a weekend or holiday if that is when it is due.</li> <li>• Contributions and expenditures received or made on the day before an election must be reported on election day.</li> </ul>				/	/	/	/
	/	/	/	/	/	/	/
	/	/	<b>Election Day</b>				
 Indicates 24-Hour Report period							

### Independent Expenditure Reports

If a local party committee spends \$1,000 or more on a communication to voters to support or oppose a clearly identified candidate, it is required to file an Independent Expenditure Report with the Commission. Chapter 5 contains more information about this requirement.

### Amendments

If a committee unintentionally makes an omission or includes incomplete or inaccurate information in a campaign finance report, they must promptly file an amended report.

### Record Retention

The treasurer must retain all relevant records until ten days after the next election following the election to which the records pertain. A local party committee is required to keep a vendor invoice or receipt stating the particular goods or services purchased for every expenditure in excess of \$50. The Commission recommends local party committees keep bank statements that reflect all financial activity of the committee.



## CHAPTER 4 – SUPPORTING CANDIDATES

---

### Direct Contributions

*Contribution Limits.* Generally, there are no restrictions on the types of entities a local party committee may contribute to, except they may not contribute to MCEA candidates. Traditionally financed candidates are limited in how much they can accept from a single contributor, including local party committees. The contribution limits are adjusted every even-numbered year based on the Consumer Price Index, rounded up to the nearest divisible amount by \$25. The contribution limits per election (the primary and general elections are separate elections) for traditionally financed candidates in the 2026 cycle are:

Legislative	\$500
Gubernatorial	\$2,075
County	\$1,050
Municipal	\$600

*In-Kind Contributions.* A committee may provide goods and services of value to a candidate, but if the candidate does not reimburse the committee for the full value the party has made an in-kind contribution to the candidate. The amount of the contribution is the value of the goods and services, less any reimbursement the candidate has made to the committee. In-kind contributions are subject to the same contribution limits and are aggregated with cash contributions for limitation calculation purposes.

### Expenditures Exclusive to Party Committees

Maine law provides ways for party committees to help elect their candidates that are not considered contributions to a candidate’s campaign:

- Activity or communication designed to encourage individuals to register to vote or to vote if it does not mention a clearly identified candidate;
- Costs paid by a party committee for a campaign event in which 3 or more candidates are present;
- A party candidate may pay for the costs of a “party candidate listing,” also known as a slate card communication, that promotes 3 or more candidates (see requirements on next page)
- In the course of volunteering for a candidate, a local party member may donate the use of their homes, personal property, or the cost of invitations, food and beverages, as long as the value of the donation to the candidate does not exceed \$250 with respect to any election;
- Any unreimbursed travel expenses incurred by a campaign volunteer that do not exceed \$350 per election with respect to any candidate;
- Voter lists and voter ID information maintained by a party for purposes of party building, or other documents in printed or electronic form, including party platforms, single copies of issue papers, and information about complying with campaign finance requirements; and



- Individual party members may purchase apparel from a commercial vendor with a total cost of \$25 or less that includes a graphic or design provided to the vendor by a candidate.

### Party Candidate Listings

Party candidate listings are a unique provision in the law to help elect candidates, but they have specific requirements the committee must be aware of, so they are not considered contributions to the candidate. Party candidate listings are defined as any communication that meets the following criteria:

- It lists the names of at least 3 candidates for election to public office (dog catcher to president).
- It is distributed through public advertising such as broadcast stations, cable TV, newspapers and similar print media, direct mail, telephone, email, publicly accessible internet sites, or personal delivery.
- The treatment of all candidates in the communication is substantially similar, except for any requirement under federal law applicable to federal candidates.
- The content of the communication is limited to:
  - The identification of each candidate, (including pictures);
  - The offices sought;
  - Any currently held offices;
  - The party affiliation of the candidates and a brief statement, including campaign slogans, about the party's or the candidates' positions, philosophy, goals, accomplishments or biographies;
  - Encouragement to vote for the candidates;
  - Information about voting, such as voting hours and locations; and
  - Campaign or party logos.
- If the communication contains language outside of the categories of the list above, it does not qualify as a party candidate listing.

### Independent Expenditures

Independent expenditures (IEs) are payments made for communications to voters that advocate for or against a candidate (e.g., advertising and mailings), when the spender is acting independently of the candidate. A special report is required if more than \$1,000 is spent to promote or oppose a candidate. Read more about IEs in Chapter 5 of this guidebook.



## CHAPTER 5 – POLITICAL COMMUNICATIONS

---

Paid communications to voters promoting the election or defeat of a candidate must identify its funder. This includes broadcast, cable or satellite communications; newspapers, direct mail, handbills or other printed literature, campaign signs or other outdoor advertising facilities; and prerecorded automated telephone calls or other types of public political advertising. It does not include communications over the internet, except those placed or promoted for a fee on a website, digital device, application or advertising platform. Robocalls are covered, but scripted live telephone calls are not.

Mainers are aware of the requirement for campaign disclosure statements and are on the lookout for them as it informs voters who are trying to influence 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 communication. 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.

### Required Disclosures on Political Communications

Expenditures that expressly advocate for or against a candidate require the clear and conspicuous disclosure of the name and address of the person who financed the communication. The communication must also state whether a candidate in the race authorized the communication.

*Example:* Paid for by Hometown Party Committee, 1 Landing Wharf, Oceanside, ME. Not paid for or authorized by any candidate.

*Non-express advocacy communications.* The disclosures are also required for communications that name or depict a “clearly identified candidate” made within certain times before an election:

- the 28 days, including election day, before a primary election;
- from Labor Day to the day of the general election; and
- the 35 days, including election day, before a special election.

*Telephone Calls and Text Messages.* Prerecorded automated telephone calls (robocalls) and text messages only require the name of the person who financed the communication. This includes a text message that links to a website expressly advocating for or against a candidate’s election.

*Example:* Paid for by Hometown Party Committee.

*Websites.* Websites or internet applications available to the general public by a party committee expressly advocating for the election or defeat of a candidate, or clearly identifying them launched in the 28 days before a primary election, or 35 days before a special election, or between Labor Day and election day for a general election must state the name and address of the person who made or financed the expenditure for the website, and whether it was or was not authorized by the candidate.



## Communications Exempt from Disclosure Requirements

A good practice is to put a disclosure statement on anything the campaign produces that is publicly disseminated, but there are a few specific exceptions to the law:

- **Small items:** If a disclaimer would be so small as to be illegible or infeasible, then it is not required. This includes small promotional items such as pens, balloons, campaign buttons, coasters, thumb drives, key rings, *etc.*
- **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.

## Independent Expenditures (IEs)

### What is an Independent Expenditure (IE)?

IEs are payments for public communications to voters (e.g., ads or mailings) advocating for or against a candidate that are made independently of the candidates in the race. If a communication costs more than \$1,000 per candidate, an IE report is required.

Public communications include broadcast, cable or satellite communication; newspapers, direct mail, handbills or other printed literature; campaign signs or other outdoor advertising; prerecorded automated telephone calls or other types of general public political advertising. Communications over the internet are covered only if they are placed or promoted for a fee on another person's website, digital device, application or advertising platform.

*What if a communication does not expressly advocate for or against a candidate?* Maine's IE reporting law also covers a communication naming or depicting a "clearly identified candidate" made within during certain times before an election:

- the 28 days, including election day, before a primary election;
- from Labor Day to the day of the general election; and
- the 35 days, including election day, before a special election.

The costs of these communications are IEs, unless the spender demonstrates to the Commission the expenditure did not have the purpose or effect of influencing a candidate's nomination or election.

*What is the date of the IE?* The IE expenditure is considered to be made at the **earliest** of the following events:

- the placement of an order for a good or service;
- the signing of a contract for a good or service;
- the delivery of a good or service;
- a promise or agreement to pay; or
- the payment for a good or service.

*What does independent mean?* Communications to voters qualify as an IE only if they are made completely independently of any candidate mentioned in the communication. This includes the candidate, the candidate's committee, and agents of either. If an expenditure is made to promote or support the election of a candidate, or defeat their opponent(s), and the expenditure is made in



cooperation, consultation or concert with, or at least at the request or suggestion of the candidate, the expenditure is considered to be a contribution from the spender to the candidate.

For example, if a party committee runs a newspaper ad supporting a candidate and obtains the candidate's photograph from the candidate for the ad, the entire cost of the ad is a contribution to the candidate. However, if the picture was downloaded from a publicly accessible source, like the candidate's website, it would be an IE.

### Top 3 Funders on IEs

An IE communication must state the name and address of the person who paid for the communication and must contain the language: **"Not paid for or authorized by any candidate."** In addition, IE communications made through broadcast, cable or satellite systems; Internet audio and video programming; direct mail; or newspaper or other periodical publications must also identify the top three funders of the organization making the expenditure. The only exceptions to this requirement are audio broadcasts of 60 seconds or less, or a print communication of 20 square inches or less.

The communication must conspicuously include the following statement "The top 3 funders of (Name of the Party making the IE) are: (Names of the top 3 funders). Visual communications like television ads require both an audio and visual statement, except the audible statement may be omitted for television or internet video communications that are 60 seconds or less in duration. The visual portion of the top 3 funders in a cable television or broadcast television communication must conform to federal regulations which regulate text size and duration of sponsorship information. For communications with other visual aspects (e.g., mailers, palm cards), the top 3 funders disclosure statement must appear in a font size that is 12-point or larger.

Here is a complete disclosure statement combining both the paid for and top 3 funders requirements:

Paid for Hometown Party Committee, 2 Pine Street, Bangor, Maine. The top 3 funders of Hometown Party Committee are the Get 'N' Go Gas, Penobscot County Committee, and Peter Groshan. **Not paid for or authorized by any candidate.**

### *Who are the organization's top funders?*

- A funder is any entity (a business, political committee, individual, etc.) that has given a cash or in-kind contribution to the organization since the day after the last general election.
- If two or more funders are tied, the tie is broken by naming the funders in chronological order (oldest first). If the tie cannot be broken, the organization can choose which of the tied funders to include in the disclosure statement.
- If any organization's top funders change during the period in which a communication is aired or published, the disclosure statement for any communication paid for after the change must be updated appropriately.
- An organization does not have to name funders giving less than \$1,000 or whose funds the organization can show were used for purposes other than the communication because the funds were spent in the order received or were strictly segregated in other accounts.
- If there is only one or two top funders, the disclosure statement should be "The top funder of (the party)..." or "The top 2 funders of (the party)..."



- If none of the organization’s funders meets the criteria for the disclosure statement, the disclosure statement is not required.

Communications that are Not Considered IEs

- An expenditure made by a person in cooperation, consultation or concert with, or at the request or suggestion of, a candidate, a candidate’s political committee or their agents.
- 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.
- 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.
- A voter guide that consists primarily of candidates’ responses to surveys and questionnaires and that contains no advocacy for or against any candidate.

How and When to File an IE Report

An IE report is required if more than \$1,000 is spent to support or oppose a candidate. The reports are filed electronically through the Commission’s eFiling website, according to the following deadlines:

Date of Expenditure	Report and Due Date
On or before the 61 <sup>st</sup> day before an election	60-Day Pre-Election IE Report due on the 60 <sup>th</sup> day before an election
From the 60 <sup>th</sup> day to the 14 <sup>th</sup> day before an election	2-Day Pre-Election IE Report due within 2 calendar days of making the expenditure
From the 13 <sup>th</sup> day before an election to and including election day	1-Day Pre-Election IE Report due within 1 calendar day of making the expenditure

**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 to 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. Committees 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](http://www.fcc.gov/rules-political-campaign-calls-and-texts)) to understand and comply with the federal disclosure requirements for robocalls.

**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 Moosehead Area Unenrolled Party”), so it is clear to the recipient who is trying to influence their vote.



### **Using AI and Other Manipulated Images or Sound**

A public communication must contain an additional disclosure statement if the communication includes an image, or audio or video recording, of a candidate that:

- in a manner that is likely to deceive a reasonable person, depicts the candidate saying or doing something that the candidate did not say or do, or
- has been manipulated or altered in a manner that is likely to provide a reasonable person with a materially different understanding or impression of the candidate's appearance, action or speech than a reasonable person would have from an unaltered, original version of the image, audio recording or video recording.

The communication must state: "THIS COMMUNICATION CONTAINS AUDIO, VIDEO AND/OR IMAGES THAT HAVE BEEN MANIPULATED OR ALTERED."

### **Televisions and Newspapers**

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

### **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 in addition to the disclosure statement. Please refer to the MDOT *Placement of Political Signs Letter* beginning on page 19.

### **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 committee 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.



## CHAPTER 6 – PENALTIES & WAIVER REQUESTS

The Commission publishes the filing schedule for local party committees on its website. The required reports and due dates are also listed on party’s filing dashboard in the eFiling system.

### Penalties for Late Campaign Finance Reports

Penalties are assessed for late campaign finance reports using a formula established by statute, which considers the number of days the report was filed late, any previous violations by the party during a two (2) year period, and the amount of financial activity during the reporting period. The two (2) year period begins on January 1<sup>st</sup> of each even-numbered year.

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. The committee’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 contributions for the report period is greater than the total expenditures. <b>Therefore, \$2,000 is used in the calculation.</b>
Percent Used	2%	This is the first time the party was late filing a report, <b>so the percentage used is 2%.</b>	
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.

The maximum penalty that can be assessed against a local party committee for a late-filed or substantially non-conforming campaign finance report is \$500. If the amount of the financial activity reported late exceeds \$500, the maximum penalty is the dollar amount of that financial activity. A committee failing to file the required report within 30 days of the filing deadline may also be charged with Class E crime.

### Penalties for Late Independent Expenditure Reports

If a party committee files an IE report late, the maximum penalty is \$5,000 except if the reported activity exceeds \$50,000, in which case the maximum penalty is 100% of the reported financial activity.

### Requesting a Penalty Waiver

If a committee files a report late, the Commission sends a letter informing the treasurer of the preliminary amount of the penalty and advises the committee to pay the penalty or seek a waiver. If a waiver is not requested within 14 days, the penalty becomes final.



Requests for waivers are considered by members of the Commission at a public meeting - not by the Commission staff. Although not required, the committee's treasurer or representative is encouraged to attend the Commission meeting. After the Commission meets, notice of its final determination and the penalty imposed, if any, is sent to the committee.

The Commission may waive a penalty in whole or in part if there are mitigating circumstances such as a valid emergency, an error by Commission or municipal staff, or other circumstances such as the level or experience of the committee, or the harm suffered by the public from the late disclosure. A penalty of less than \$25 is automatically waived. However, the late-filed report will still be considered a violation and will count toward the calculation of any future penalty.

The penalty must be paid in full within 30 days of the date of the Commission's final penalty notice, unless other payment arrangements are made. If not paid within 30 days, the Commission may refer the matter to the Attorney General's office for collection in a civil action.

### **Appealing a Penalty Determination**

A committee may appeal the Commission's final determination by filing a petition for review with the Superior Court within 30 days of receiving notice of the final determination. The Maine Administrative Procedures Act (5 M.R.S. § 11001 et seq.) and Rule 80C of the Maine Rules of Civil Procedure govern the process for an appeal to the Superior Court.

### **Investigations & Audits**

After each filing deadline, the Commission staff reviews a selection of campaign finance reports filed by committees for completeness and accuracy. Also, the Commission is authorized to undertake investigations and audits of the financial reporting of committees. The Commission may initiate an investigation on its own or in response to a request submitted by the public. The Commission will review the request to determine whether the allegations set forth sufficient grounds for believing that a violation may have occurred.



LEGAL REFERENCES

24-Hour Reports	21-A M.R.S. § 1017-A (4-B)(C)
Alcohol	21-A M.R.S. § 1056
Communications, Public	21-A M.R.S. § 1014
Contribution, Defined	21-A M.R.S. § 1012(2)
Contribution, Straw Donor	21-A M.R.S. § 1004-A(3)
Cooperation, Consultation, in Concert with	Rules, Chapter 1 § 6(9)
Electronic Filing	21-A M.R.S. § 1017-A(4-C)
Expenditure, Defined	21-A M.R.S. § 1012(3)
Expenditure, Made by Consultant	Rules, Chapter 1, § 7(1)
Express Advocacy	Rules, Chapter 1 § 10(2)(B)
Independent Expenditures	21-A M.R.S. § 1019-B
Investigations	21-A M.R.S. § 1003, Rules Chapter 1, § 5
Officer Responsibilities	21-A M.R.S. § 1013-A(3)
Party Candidate Listing	21-A M.R.S. § 1013 (5)
Penalty, Appeal	21-A M.R.S. § 1020-A(6)
Penalty, Late Report	21-A M.R.S. § 1020-A(5-A)(D)
Penalty, Waiver Request	21-A M.R.S. § 1020-A(6)
Records	21-A M.R.S. § 1017-B
Reports, 24 Hour	21-A M.R.S. § 1017-A(4-B)(C)
Reports, Commission Compliance Review	Rules, Chapter 1, § 5(1)
Reports, Content	21-A M.R.S. § 1017-A
Reports, Municipal Elections	21-A M.R.S. § 1017-A(8)
Reports, Schedule	21-A M.R.S. § 1017-A(4-B)
Sign Placement	23 M.R.S. § 1913-A
Top 3 Funders for Independent Expenditures	21-A M.R.S. § 1014(2-B), Rules Ch. 1 § 7(12)



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

Janet T. Mills  
GOVERNOR

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 1<sup>st</sup> to June 30<sup>th</sup> and another 6 weeks between July 1<sup>st</sup> and December 31<sup>st</sup>. 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](mailto: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

