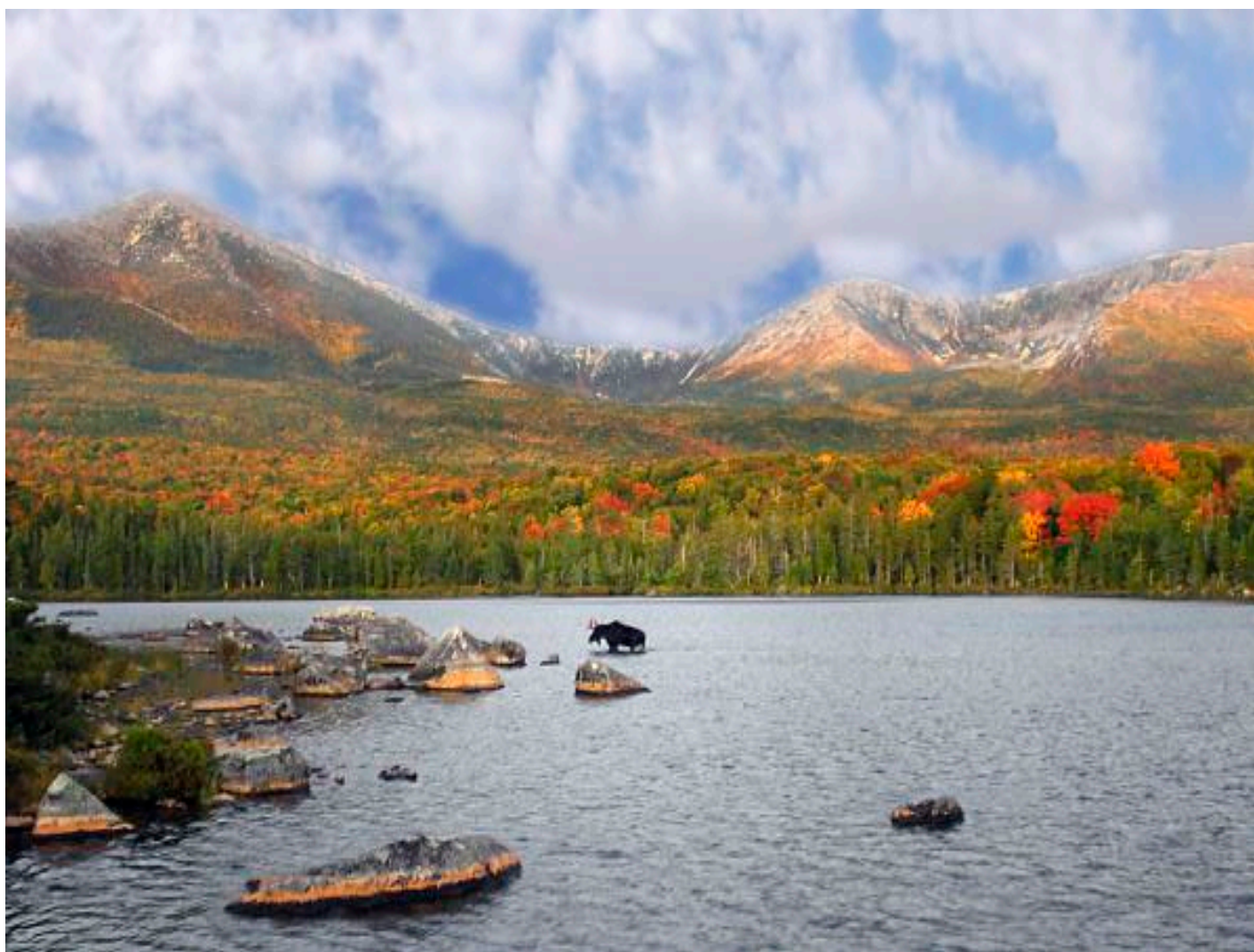


Commission on Governmental Ethics & Election Practices
135 State House Station
Augusta, ME 04333
(207) 287-4179
www.maine.gov/ethics
ethics@maine.gov

Updated Spring 2026

Political Action 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
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

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
www.fcc.gov/rules-political-campaign-calls-and-texts

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INTRODUCTION

Organizations or groups that raise contributions or make expenditures totaling more than \$2,500 in a year to influence state or county candidate elections may be required to register as a political action committee (PAC) and file campaign finance reports.

What is a Political Action Committee?

- (1) Any separate or segregated fund established by any corporation, membership organization, cooperative or labor or other organization that receives contributions or makes expenditures aggregating more than \$2,500 in a calendar year for the purpose of influencing the nomination or election of a candidate to political office.

 - (2) Any person, including any corporation or association, other than an individual, that receives contributions or makes expenditures aggregating more than \$2,500 in a calendar year for the purpose of influencing the nomination or election of any candidate to political office.
-



CHAPTER 1 – REGISTRATION

Any person that raises or spends more than \$2,500 in a year to influence a state or local candidate election must register with the Commission or local municipality within seven (7) calendar days of meeting the threshold for registration. It is critically important to keep track of your finances from the beginning of your campaign-related activities to know if and when you must register and so your financial activities can be accurately reported. You do not have to wait until you reach the \$2,500 threshold to register and may do so beforehand. As part of the registration process, you must also file an initial campaign finance report within seven (7) days after registering as a PAC. There is no registration fee.

Registering with the Ethics Commission or Local Municipality

Influencing State and County Candidate Elections: the PAC must register with the Ethics Commission. All filings are made through the Commission’s online campaign finance disclosure system.

Influencing Local Candidate Elections: the PAC must register with municipal clerk if the population is 15,000 or more.

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 jurisdiction is with the municipality, contact the town clerk for the paper forms to register and file reports. There are no registration or reporting requirements for municipal elections in towns and cities with a population of less than 15,000.

Registration Requirements

The following information must be disclosed in the PAC’s registration form:

1. Required officers: A PAC must appoint a treasurer and a principal officer; the same individual cannot serve in both positions. The treasurer is responsible for: filing complete and accurate reports; maintaining the PAC’s records for four years following the election to which they pertain; and is legally responsible for these tasks, regardless of whether they are delegated to someone else, such as an authorized agent. Additionally, the treasurer is jointly responsible with the principal officer for: the PAC’s compliance with election law and rules; responding to notices and correspondence from the Commission on behalf of the committee; ensuring all required records are kept; and is jointly and severally liable for all penalties assessed for violations of the PAC.
2. Optional officers: Identify any other individuals who are primarily responsible for making decisions or fundraising for the PAC.
3. Identify the candidates or categories of candidates the PAC expects to support or oppose: e.g., “Conservatives for office in Maine”; or “Candidates who support higher education.”
4. Indicate whether an officer, decision maker, or fundraiser of the PAC is a legislator or a candidate for elected office.
5. The form or structure of the committee, such as voluntary association, membership organization, corporation, and the date the committee was formed.



6. If the PAC is formed by a “parent” corporation or other organization(s), the name(s) and address(es) of the founding organization(s).
7. The name on the bank account the PAC will use to deposit contributions and make expenditures from and the name and address of the financial institution where it is established.

Exceptions to PAC Registration

Donor Exception. Many businesses and nonprofits that make contributions are exempt from registering and filing campaign finance reports as PACs. A donor is exempt from the PAC registration requirements if they have not received contributions for the purpose of influencing a Maine campaign in the prior two (2) years and their *only* payments of money to influence a campaign in the prior two (2) years are cash contributions, or in-kind contributions of no more than \$100,000, to candidates, party committees, PACs, or ballot question committees (BQCs).

Other political committees. Party committees and candidates authorized political committees are not required to register and file campaign finance reports as a PAC.

Prohibitions on Constitutional Officers

The Secretary of State, State Treasurer, State Auditor, and Attorney General and any individual running for these offices, may not form a PAC or be involved in the decision-making or fundraising for a PAC.

Prohibitions on Maine Clean Election Act (MCEA) Candidates

MCEA candidates may not serve as a treasurer, principal officer, fundraiser, or decision-maker for a PAC (other than a Caucus PAC). This prohibition begins in April 1st of a general election year and lasts through the date the candidate withdraws from the race; the date of the primary or general election (for a candidate who loses either election); or the January 1st immediately preceding the next general election (for a candidate who wins the general election).

Initial Campaign Finance Report

The PAC must file an initial campaign finance report within seven (7) days of registering. The initial report discloses all contributions received by and expenditures made by the PAC from the beginning of the campaign through the date of registration. *See Chapter 3.*

Separate Bank Account

Before accepting any money, the PAC must open a separate bank account that the PAC will use to influence candidate elections in Maine. The Commission refers to this as the campaign account. PACs must report as a contribution all money that is deposited in the campaign account and report as expenditures all payments made from the campaign account. The leaders of the PAC may not commingle their personal funds with money in the campaign account. If the PAC believes it can demonstrate to the Commission that opening a separate campaign account would be administratively burdensome, it may ask the Commission for a waiver.



Amendments and Updates to the PAC Registration

When any information on the registration form changes, the PAC must file an amended registration within 10 calendar days.

Biennial Re-Registration

All PACs must file an updated registration every election (even-numbered) year, between January 1st and March 1st, to ensure the Commission has current information for the committee.

Out-of-State Political Committees

A political committee organized outside of Maine may be required to register as a PAC if it becomes involved in Maine elections. If an out-of-state committee has received contributions or made expenditures greater than \$2,500 for the purpose of influencing candidate elections in Maine, it must register as a PAC and file campaign finance reports.

Influencing a Ballot Question

PACs are associations of people or organizations formed to influence candidate elections. A registered PAC may spend up to \$10,000 to initiate or influence a ballot question, including by making contributions to ballot question committees. If the PAC receives more than \$10,000 in contributions or spends more than \$10,000 to influence a ballot question, it must register with the Commission as a BQC within seven (7) days of exceeding this threshold. Meaning, the founding organization/association must file both PAC and BQC reports, unless it chooses to terminate one of the committees.

Types of PACs

Due to public interest in PACs led by elected officials, the Commission administratively designates some PACs as leadership PACs or caucus PACs in the Commission's electronic filing system. Each of the four party caucuses in the Legislature may choose one PAC to serve as its caucus PAC. If a current legislator is the treasurer, principal officer or one of the people who is primarily responsible for making decisions or raising funds for a PAC, the Commission designates the PAC as a leadership PAC.



CHAPTER 2 – CONTRIBUTIONS & EXPENDITURES

All contributions to and expenditures by the PAC must be reported to the Commission by entering them into the Commission’s eFiling system or on paper forms submitted to the municipal clerk in towns and cities with a population of 15,000 or more for local candidate races.

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 to or received by a committee for the purpose of initiating or influencing a campaign...”

21-A M.R.S. § 1052(3)(A)

The definition of contribution also includes all other funds deposited or transferred into the PAC’s campaign bank account. For example, if the PAC’s founding organization transfers some of the organization’s general funds (its treasury) into its PAC’s campaign account, that transfer is a contribution. All contributions and loans received by the committee must be reported to the Commission or the municipal clerk.

Contributions Up to \$50. All contributions of \$50 or less may be combined and reported in one unitemized lump sum on campaign finance reports.

Contributions of More than \$50. When the committee receives a contribution of more than \$50 it must report the name and address of the contributor, and the amount and date of the contribution.

If a contribution of more than \$50 is made by an individual, the PAC 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 PAC 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 \$50, the PAC 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 \$50, the occupation and employer information of the contributor is required. If another organization donates paid staff time, the PAC should include a description of those activities with the number of hours contributed. Contributed staff time and coordinated expenditures are itemized as separate in-kind contributions.

In-kind contributions of \$50 or less do not have to be itemized and may be reported in one unitemized lump sum on campaign finance reports.



Commonly Overlooked Contributions

- Contributions from the general treasury of the PAC's founding organization.
- Contributions of paid staff time received by the PAC from the founding organization or other organizations.
- In-kind contributions of goods and services.
- Bank account interest.

Identifying Whether Money Received is a Maine-related Contribution

Some organizations with a PAC receive money for different purposes. It is the organization's responsibility to determine if the money was a contribution (a gift of money made or received for the purpose of influencing a Maine candidate election). The definition of contribution includes, but is not limited to, the following sub-categories:

- (1) funds that the contributor specified were given, in whole or in part, in connection with a state candidate election in Maine,
- (2) funds provided in response to a solicitation that would lead the contributor to believe that the funds would be used specifically, in whole or in part, for the purpose of initiating or influencing a Maine candidate election, and
- (3) funds that can reasonably be determined to have been provided by the contributor for the purpose of initiating or influencing a Maine candidate election when viewed in the context of the contribution and the recipient committee's activities regarding a campaign.

If an organization accepts a contribution, the organization must deposit the money in its PAC's campaign account and identify the source as the contributor in the PAC's campaign finance reports. The organization should not deposit the money in the organization's general treasury.

Reporting a General Treasury Transfer

If the PAC's founding organization transfers some of the organization's general funds (its treasury) into its PAC's campaign account, that transfer should be reported as a General Treasury Transfer, which is a kind of contribution.

The term "General Treasury" refers to money received by an organization that was not given to or received by the PAC to influence a Maine election and is not in the subcategories in the preceding section.

Examples of an organization's General Treasury include: business income from selling goods or services, donations received by a national party-based organization formed to help Republican or Democratic candidates generally without any specification by the donor or the recipient group that the funds would be used to influence Maine candidate election, or donations solicited and given to promote certain public policy goals (e.g., rights of gun owners, or reproductive freedom) without any reference to a candidate election in Maine.

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.

Contributions from Lobbyists, Lobbying Firms, and Lobbyist Clients During Legislative Session

When the legislature is in session, a lobbyist, lobbyist associate, lobbying client, or lobbying firm may not contribute to a Leadership or Caucus PAC.

Receiving Contributions to Influence a Ballot Question

If a PAC receives contributions or makes expenditures totaling more than \$10,000 for the purpose of influencing a ballot question, the PAC's leaders must register a separate BQC with the Commission and deposit contributions received to influence the ballot question in the campaign account of the BQC. If the BQC receives contributions from a source totaling more than \$100,000, the BQC must provide a notice to the contributor that it is required to file a Major Contributor Report with the Commission, which is discussed in the Commission's guidebook for BQCs.

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 initiating or influencing a campaign..."

21-A M.R.S. § 1052(4)(A)(1)

All payments made from the campaign account must be reported as expenditures, regardless of their purpose. The law requires the date, amount, payee, and purpose of the expenditure be disclosed. The "payee" refers to the vendor that provided the goods and services. The PAC should not report "cash" or "disbursement" as the payee. If PAC has reimbursed someone for an expenditure, the PAC must report the name of the vendor as the payee and to whom the reimbursement was made with a 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.

Expenditures made to support or oppose a ballot question or candidate must state whether the expenditure was in support or opposition to that ballot question or candidate.

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 PAC must provide as much information as possible



to describe the expenditure entered. For instance, if the expenditure is for professional services, the PAC 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 PAC hires a consultant, and they make expenditures on behalf of the PAC, those expenditures must be reported as though the PAC 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 PAC 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 PAC 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 PAC 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 PAC.

VOTER TURNOUT CONSULTING						
1536 Chickadee Ave Madawaska, ME 04756						
		Third Party – NOT the Payee				
		<table border="1" style="width: 100%;"> <tr> <th style="width: 50%;">Date</th> <th style="width: 50%;">Invoice #</th> </tr> <tr> <td>04/28/2026</td> <td>26-01426</td> </tr> </table>	Date	Invoice #	04/28/2026	26-01426
Date	Invoice #					
04/28/2026	26-01426					
Bill To						
Municipal Voters for Change PAC 134 Lighthouse Rd Kittery, ME 03904						
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				
	Sub-vendors – Report as Payees					
Prints for U (report as paid to Prints for U , 95 Main Street, Big City, ME 00000) Graphic Design Postage for 200 mailers	\$645.45 \$0.60	\$765.45 \$645.45 \$120.00				
Balance Due		\$1,330.45				

Expenditures Made by Others for the Committee

Sometimes a committee staffer or volunteer makes purchases for the campaign 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.

Expenditure Limitations: Payments to Legislators

If a legislator is a principal officer, treasurer, fundraiser, or decision maker for a PAC, the PAC may reimburse them for:

- travel expenses incurred during their duties for the PAC, including mileage;
- other expenses incurred in the performance of their duties; and
- purchases made on behalf of the PAC.

The PAC cannot:

- compensate the legislator for services the legislator has provided to the PAC;
- reimburse them for the costs of repairing or maintaining their vehicle;
- reimburse them for expenses that have been reimbursed by any other source;
- pay or reimburse them for expenses for their personal financial enrichment;
- compensate their immediate family members for services provided to it;
- reimburse their immediate family members for any expenses for their personal financial enrichment;
- make payments to persons closely affiliated to them, such as immediate family members or a business owned or operated by them or their immediate family;
- make any payments to a business owned or operated by them or a member of their immediate family; or
- commingle its funds with their personal funds or the funds of a person closely affiliated with them.

A person who violates these prohibitions may be assessed a penalty of not more than \$500 or the amount of the impermissible payment or reimbursement, whichever is greater.

Expenditures to MCEA Candidates Prohibited

A PAC may not contribute in any amount or form to MCEA candidates.



CHAPTER 3 – REPORTING, RECORDS, & TERMINATION

Filing Schedule

Every year, the Commission publishes a filing schedule for PACs, which is available on www.maine.gov/ethics. To find out the deadlines for most required reports, PACs should consult the filing schedule. PACs should not rely exclusively on the list of reports assigned to the PAC in the Commission's eFiling system. If a PAC is receiving contributions or making expenditures for purposes of influencing a special candidate election or a ballot question, the PAC is required to file additional reports. PACs are always encouraged to email or call the Commission if they are confused about which reports are due. PACs influencing a municipal election should consult with the local clerk's office.

Electronic Filing

PACs filing with the Ethics Commission 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 PAC's responsibility to make sure it has successfully filed the report. PACs should make sure the report is labeled as "filed" in the eFiling system or the treasurer and principal officer have received a confirmation email. PACs filing with their municipalities will report on paper forms provided by the town clerk.

Initial Campaign Finance Reports

The initial campaign finance report is due seven (7) days after registration, or within 14 days after the PAC exceeded \$2,500 in contributions or expenditures, whichever comes first, and must include all contributions and expenditures made since the start of the campaign.

Regular Campaign Finance Reports

A PAC must file reports until it terminates, even if it has no financial activity during the reporting period. Depending on the year and the PAC's election-related activity, PACs file between four and eight campaign finance reports annually. 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

24-Hour Reports provide disclosure of campaign activity immediately before an election. If a PAC is required to file an 11-Day Pre-Election Report, it must file a 24-Hour Report for any contribution received of \$10,000 or more, and any expenditure made of \$2,500 or more, during the last 13 days before the election. 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 the 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.



The best practice is for committees to enter all new transactions *daily* during the 24-Hour Report Period.

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

Amendments

If a PAC unintentionally makes an omission or includes incomplete or inaccurate information, they must promptly file an amended report.

Record Retention

The treasurer must retain all relevant records for a minimum of four (4) years. Committees are required to have bank statements that reflect all financial activity of the committee, not just deposits into the account in addition to all other supporting documentation for the campaign.

Terminating a PAC

When a PAC determines it will no longer be financially active, it can file a final report and a termination statement. The final report covers the time from the close of the last reporting period to the date of termination. Prior to terminating, the PAC must dispose of all surplus funds and report them in the final report. The PAC can do this by making contributions to other PACs, party committees, candidates, non-profits, or by making a transfer back to the founding organization’s general treasury, if appropriate. The PAC must also dispose of any loans, debts, or other obligations that are unpaid and outstanding at the time of its termination in the manner prescribed by the Commission. Until the termination statement is filed, the PAC must continue to file reports.



CHAPTER 4 – SUPPORTING CANDIDATES

Direct Contributions

Contribution Limits. Generally, there are no restrictions on the types of entities a PAC may contribute to, except that they may not contribute to participating MCEA candidates. PACs may contribute to other PACs, BQCs, local and state party committees and other organizations. Contributions can be in cash or in-kind. Traditionally financed candidates are limited in how much they can accept from a single contributor, including PACs. 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 PAC may provide goods and services of value to a candidate, but if the candidate does not reimburse the PAC for the full value the PAC 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 PAC. In-kind contributions are subject to the same contribution limits and are aggregated with cash contributions for limitation calculation purposes.

Independent Expenditures

Independent expenditures (IEs) are payments made for communications to voters to influence a candidate election. IEs are payments or obligations made by a person(s), acting independently of candidate campaigns, for communications expressly advocating for the election or defeat of a candidate. See *Chapter 5 – Political Communications* for guidance about IEs.

Membership Communications

The costs of communications by membership organizations and corporations expressly advocating for or against a clearly identified candidate are not considered expenditures, and those costs do not count toward the \$2,500 threshold for registering a PAC. The spender must file a report with the Commission if the cost of the communication in any one race exceeds \$100. The report is available on the Commission’s website.

A “membership organization” is one whose members satisfy any membership requirements, accept the organization’s invitation to become a member, and:

- Pay membership dues, at least annually, of an amount set by the organization;
- Have significant financial attachment to the organization; or
- Have significant professional attachment to the organization, including direct participatory rights in its governance, such as the right to vote on the organization’s board, budget or policies.



Members of a local union are considered members of any national or international union of which the local union is a part, federation with which the local, national, or international union is affiliated, and other unions which are members of affiliates of the federation.

If a communication by a membership organization is disseminated to a larger audience than members or shareholders, the communication forfeits its status as a membership communication and will be considered an independent expenditure, or an in-kind contribution to the candidate(s) mentioned in it. Additionally, the costs will count toward the threshold amount for registering a PAC with the Commission.



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 Lobstermen for Maine PAC, 1 Landing Wharf, Oceanside, ME. Not paid for or authorized by any candidate.

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 Lobstermen for Maine PAC.

Websites. Websites established by PACs that expressly advocate for or against a candidate must state the name and address of the person who made or financed the expenditure regardless of its cost.

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.



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.* PACs are encouraged to contact Commission staff with questions.
- **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)

Independent Expenditures (IEs) are payments for communications to voters made to influence a candidate election. IEs are payments or obligations made by a person(s), acting independently of candidate campaigns, for communications expressly advocating for the election or defeat of a candidate. If a communication costs more than \$1,000 per candidate, an IE report is required.

Communications include, but are not limited to print media, online or radio and television advertisements; robocalls; direct mail pieces; paid-for email communications; campaign signs; palm cards; and other campaign literature.

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.

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.

IEs must be 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 of their opponent(s), and the expenditure is made in cooperation, consultation or concert with, or at least at the suggestion of the candidate, the expenditure is considered to be a contribution from the spender to the candidate.

For example, if a PAC 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

In addition, the 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. This is in addition to the "paid for" disclosure requirements described above. 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 Organization 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 the Committee for a Better Maine, 2 Oak Street, Bangor, Maine. The top 3 funders of Committee for a Better Maine are Americans for a Fair Workplace, the National Business-Labor Council, and Get America Moving. **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 the communication is paid for by a PAC that is a separate or segregated fund established by the organization to engage in political activity, the top 3 funders of the organization that established the PAC must be named on the disclosure statement.
- If the communication is paid for by a PAC fully funded or controlled by another PAC or organization, the disclosure statement must contain the top 3 funders of the PAC or organization funding or controlling the PAC making the expenditure.
- 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, 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 can be shown to have been used for purposes other than the communication because the funds were already 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 organization)..." or "The top 2 funders of (the organization)..."



- 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

IE reports are filed electronically through the Commission’s eFiling website.

Whether an expenditure for a communication must be reported in an IE report depends on:

- (1) if more than \$1,000 was spent on the communication per candidate; and
- (2) when the expenditure was made.

Reporting Period	Report and Due Date
On or before the 61 st day before an election	60-Day Pre-Election IE Report due on the 60 th day before an election
From the 60 th day to the 14 th day before an election	2-Day Pre-Election IE Report due within 2 calendar days of making the expenditure
From the 13 th 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) 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 Moosehead Area PAC”), 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 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. See *Placement of Political Signs Letter from MDOT* on page 22.

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 PACs on its website. The required reports and due dates are also listed on PAC’s filing dashboard in the eFiling system.

Penalties for Late Registration

A PAC that does not register on time with the Commission or their municipal clerk may be subject to a \$2,500 fine and assessed additional penalties for a late-filed initial campaign finance report.

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 PAC during a two (2) year period, and the amount of financial activity during the reporting period. The two (2) year period begins on January 1st 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. Therefore, \$2,000 is used in the calculation.
Percent Used	2%	This is the first time the PAC was late filing a report, so the percentage used is 2%.	
Penalty Amount/Day	\$40	\$2,000 x 2% = \$40 per day	
Number of Days Late	5	\$40 x 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 PAC for a late-filed or substantially non-conforming campaign finance report is \$10,000. If the amount of the financial activity reported late exceeds \$50,000, the maximum penalty is the dollar amount of that financial activity. A PAC 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 PAC 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 PAC files a report late, the Commission sends a letter informing the treasurer of the preliminary amount of the penalty and advises the PAC may 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 PAC'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 PAC.

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 PAC 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 PACs for completeness and accuracy. Also, the Commission is authorized to undertake investigations and audits of the financial reporting of PACs. 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. § 1059(2)(E)
Acknowledgement of Responsibilities	21-A M.R.S. § 1052-A(4)
Alcohol	21-A M.R.S. § 1056
Amendments	21-A M.R.S. § 1052-A(1)(B)
Ballot Question, Defined	21-A M.R.S. § 1052(2-A)
Bank Accounts	21-A M.R.S. § 1054
Candidates, Supporting	21-A M.R.S. § 1052-A(1-A)
Communications, Public	21-A M.R.S. § 1014, 1055-A
Contribution, Defined	21-A M.R.S. § 1052(3)
Contribution, Straw Donor	21-A M.R.S. § 1004-A(3)
Cooperation, Consultation, in Concert with	Rules, Chapter 1 § 6(9)
Disclaimers on Communications	21-A M.R.S. § 1055-A
Electronic Filing	21-A M.R.S. § 1059(5)
Exempt Donor	21-A M.R.S. § 1052(3-A)
Expenditure Limitations	21-A M.R.S. § 1056(1)
Expenditure, Cross-Purpose	21-A M.R.S. § 1052-A(1-A)
Expenditure, Defined	21-A M.R.S. § 1052(4)
Expenditure, Made by Consultant	Rules, Chapter 1, § 7(1)
Express Advocacy	Rules, Chapter 1 § 10(2)(B)
Financial Liability	21-A M.R.S. § 1054-A
Initiate Campaign, Defined	21-A M.R.S. § 1052(4-B)
Independent Expenditures	21-A M.R.S. § 1019-B
Investigations	21-A M.R.S. § 1003, Rules Chapter 1, § 5
Legislator and Family Compensation	21-A M.R.S. § 1054-B
Loans	21-A M.R.S. §§ 1052(3)(A), 1060
Major Contributors	21-A M.R.S. § 1060-A
Membership Communications	21-A M.R.S. § 1019-A, Rules Ch. 1 § 13
Municipal PACs	21-A M.R.S. § 1053-A
Officer Responsibilities	21-A M.R.S. § 1054-A
Out-of-State Political Committees	21-A M.R.S. § 1053-B
Penalty, Appeal	21-A M.R.S. § 1062-A(5)
Penalty, Late Registration	21-A M.R.S. § 1062-A(1)
Penalty, Late Report	21-A M.R.S. § 1062-A(2)
Penalty, Waiver Request	21-A M.R.S. § 1062-A(5)
Records	21-A M.R.S. §§ 1057, 1062-B
Registration, Initial	21-A M.R.S. § 1052-A
Report, Initial	21-A M.R.S. § 1059
Reports, Commission Compliance Review	Rules, Chapter 1, § 5(1)
Reports, Content	21-A M.R.S. § 1060
Reports, Failure to File	21-A M.R.S. § 1062-A(2)
Reports, Schedule	21-A M.R.S. § 1059
Sign Placement	23 M.R.S. § 1913-A
Termination	21-A M.R.S. § 1061
Top 3 Funders for Independent Expenditures	21-A M.R.S. § 1014(2-B), Rules Ch. 1 § 7(12)



PLACEMENT OF POLITICAL SIGNS & LETTER FROM DOT

UPDATED AUGUST 2025



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 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

