



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

To: Commission
From: Jonathan Wayne, Executive Director
Date: October 20, 2022
Re: Preliminary Staff Comments – Maine Families First PAC

On October 17, 2022, the Maine Ethics Commission received a request for investigation from Ms. Sara Salley and others alleging that the Maine Families First PAC failed to timely report contribution(s) to finance a \$999,245 independent expenditure to oppose Governor Janet T. Mills. Because the Commission is required to give this matter expedited consideration, the Commission staff wrote a letter to the PAC yesterday requesting a response and has scheduled this item for the Commission's October 26, 2022 meeting.

In the complaint, Ms. Salley noted that in its October quarterly report, the PAC indicated that it had received and spent a total of \$100,000, leaving it with a calculated cash balance of \$0. That report should have included totals for all reportable financial activity through September 30, 2022. In an earlier campaign finance report, the PAC had reported that the \$100,000 was received from Thomas Klingenstein.

In a subsequent independent expenditure (IE) report, the PAC reported making an October 5, 2022 expenditure of \$999,245 to FP1 Strategies for television advertising. According to Ms. Salley, that IE report was for a television advertisement critical of Governor Janet Mills on cost of living issues, which can be found at

<https://bigal.media/mediaplayer.php?q=vIzZaT0%3D85c406379028c750ca2a75d59b7dc11a>.

The ad contains a disclosure "the top funder of Maine Families First is Thomas Klingenstein."

Ms. Salley questions the plausibility that the PAC had received only \$100,000 in contributions by September 30 and could finance a \$999,245 expenditure five days later. Ms. Salley asserts

that the tight timeframe suggests that the PAC received a pledge of money from Mr. Klingenstein and then relied on that pledge to create the advertisement. She asks the Commission to investigate whether the PAC's reporting should have included additional contribution(s) from Mr. Klingenstein. Ms. Salley notes that the definition of a reportable "contribution" includes not just a payment of money to a PAC for the purpose of influencing a candidate election but also a "promise or agreement, expressed or implied, whether or not legally enforceable, to make a contribution to a [PAC]. 21-A M.R.S. §§ 1052(3)(A)&(B).

The Commission staff will do our best to provide additional comments or analysis in time for your consideration at the October 26 meeting. Thank you for your consideration of this item.

October 13, 2022

Jonathan Wayne, Executive Director
Commission on Governmental Ethics and Election Practices
45 Memorial Circle
Augusta, ME 04330

Dear Director Wayne,

We ask the Commission on Governmental Ethics and Election Practices to investigate whether the Maine Families First PAC, an offshoot of the American Principles Project, has committed campaign finance violations by failing to report contributions. If it has, the Commission should assess the maximum civil penalty on Maine Families First.

According to its campaign finance report, as of Friday September 30, Maine Families First had \$0.00 cash-on-hand and had received only a single contribution for \$100,000. Three business days later, it spent \$999,245 in TV advertising against Gov. Janet Mills, according to the 2-Day Pre-General IE Report that it filed on October 7, 2022. The advertisement can be seen at:

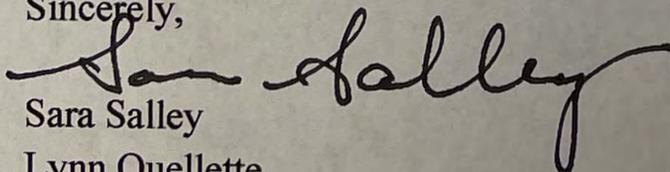
<https://bigal.media/mediaplayer.php?q=vIZzaT0%3D85c406379028c750ca2a75d59b7dc11a>.

Statute requires a PAC to report not only cash contributions but also pledges; a contribution includes "a contract, promise or agreement, expressed or implied, whether or not legally enforceable, to make a contribution to a committee." According to its reports, in the first three business days of October Maine Families First received a pledge for almost a million dollars; received the cash; planned the advertisement; secured a new vendor; and, the vendor created and placed a television advertisement.

The tight timeline suggests instead that Maine Families First received a pledge from an existing donor in September, relied on the pledge to create the advertisement, and requested that the donor not send the money until October to attempt to avoid publicly disclosing the contribution. (If the entire \$999,245 did not come from Thomas Klingenstein, Maine Families First has violated the statute that requires the disclosure of the top 3 funders in a communication.) The American Principles Project has a history in Maine and nationally of peddling false and misleading political communications. The group misrepresented itself as a Maine news organization, and Maine Families First has a practice of suspiciously close contribution and expenditure dates; on September 8, 2022, it purchased digital advertisements and text messaging for \$100,000 that it reported having received the prior day.

The Ethics Commission should investigate whether Maine Families First violated Maine campaign finance laws by receiving a contribution but delaying its reporting. Maine people deserve to know who is affecting a Gubernatorial election. The law requires it.

Sincerely,



Sara Salley

Lynn Ouellette

Shane Boyes



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

October 19, 2022

By Email

Terry Schilling
2800 Shirlington Road, Suite 901
Arlington, Virginia 22206

Re: Complaint Against Maine Families First

Dear Mr. Schilling:

Yesterday, the Maine Ethics Commission received the enclosed request for investigation from Ms. Sara Salley and others alleging that the Maine Families First PAC failed to timely report money received or promised by a contributor to finance a \$999,425 independent expenditure to oppose Governor Janet T. Mills. Ms. Salley questions the plausibility that the PAC would have a zero cash balance on September 30, 2022 (as shown in its October quarterly report) and be able to make an expenditure of \$999,425 for television advertising five days later on October 5, 2022. She asks the Commission to investigate whether the October quarterly report should have included a contribution of money received or promised from Thomas Klingenstein.

Consideration by the Commission

During the last 28 days before an election, the Commission is required to schedule complaints for consideration on an expedited basis: within two business days unless the complainant and responding party agree to a later date. 21-A M.R.S. § 1002(1). With Sara Salley's consent, the Commission staff has scheduled this matter to be discussed at the Commission's next regular meeting on October 26, 2022. The purpose of this letter to ask you or a representative to participate in the October 26 meeting by zoom and to respond in writing on behalf of Maine Families First as soon as is feasible.

Relevant Laws

Standard for Initiating an Investigation. The Commission is required to review every request to investigate an alleged violation of campaign finance law and to conduct an "investigation if the reasons stated for the request show sufficient grounds for believing that a violation may have occurred." 21-A M.R.S. § 1003(2).

Definition of Contribution. A contribution is defined in Maine's PAC reporting law as 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 includes not just the receipt of a contribution, but also a donor's *contract, promise or*

agreement (express or implied) to make a contribution to the committee, regardless whether it is legally enforceable. 21-A M.R.S. § 1052(3)(B).

Definition of Expenditure. The definition of "expenditure" includes 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). "Expenditure" also includes a "contract, promise or agreement, expressed or implied, whether or not legally enforceable, to make any expenditure for the purposes set forth in this paragraph." 21-A M.R.S. § 1052(4)(A)(2).

Filing Requirements. All registered PACs were required to file a report on October 5, 2022 that was complete as of September 30, 2022. 21-A M.R.S. § 1059(2)(A)(4).

Content of Reports. Reports must contain an itemization of each contribution of more than \$50 made to or received by the committee for the purpose of initiating or influencing a campaign and any funds deposited into or transferred into the campaign account, including but not limited to funds from the general treasury of an organization that is required to establish a committee. 21-M.R.S. §§ 1060(6)&(6-A).

Request for Response

Please submit a written response as soon as is feasible. The Commission staff will be mailing a meeting packet to the Commission members tomorrow, but we will email your response to the Commission members as soon as it is received. You are welcome to submit any information or legal argument you believe is relevant. In particular, the Commission staff recommends addressing the following points:

- Is Thomas Klingenstein the sole funder of Maine Families First?
- When did Maine Families First receive the funds used for the \$999,245 television advertising expenditure?
- Had Thomas Klingenstein, or any other person or organization, promised or pledged funds to Maine Families First prior to October 1, 2022?

If the Commission directs the staff to investigate this matter after the October 26 meeting, the scope may include the reporting of the expenditure to FP1 Strategies. Thank you for your cooperation with this request. Please let me know if you have any questions.

Sincerely,

Emma Burke - esigned

Emma Burke
Political Committee & Lobbyist Registrar

cc: Sara Salley



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

2022 CAMPAIGN FINANCE REPORT

FOR POLITICAL ACTION COMMITTEES

COMMITTEE		TREASURER	
Maine Families First 2800 Shirlington Road, Suite 901 Arlington, VA 22206 PHONE:(202) 503-2010 EMAIL: fec@langdonlaw.com		David R Langdon 2800 Shirlington Road, Suite 901 Arlington, VA 22206 PHONE: EMAIL: fec@langdonlaw.com	
REPORT	DUE DATE	REPORTING PERIOD	
Committee October Quarterly	10/05/2022	09/10/2022 - 09/30/2022	

FINANCIAL ACTIVITY SUMMARY

RECEIPTS	TOTAL FOR PERIOD	TOTAL FOR YEAR
1. CASH CONTRIBUTIONS (SCHEDULE A)	\$0.00	\$100,000.00
2. OTHER CASH RECEIPTS (INTEREST, ETC.)	\$0.00	\$0.00
3. LOANS (SCHEDULE C)	\$0.00	\$0.00
4. TOTAL RECEIPTS (LINE 1 + 2 + 3)	\$0.00	\$100,000.00
EXPENDITURES		
5. EXPENDITURES TO SUPPORT OR OPPOSE (SCHEDULE B)	\$0.00	\$100,000.00
6. OPERATING EXPENDITURES (SCHEDULE B-1)	\$0.00	\$0.00
7. LOAN REPAYMENTS (SCHEDULE C)	\$0.00	\$0.00
8. TOTAL PAYMENTS (LINE 5 + 6 + 7)	\$0.00	\$100,000.00
CASH SUMMARY		
9. CASH BALANCE AT BEGINNING OF PERIOD	\$0.00	
10. PLUS TOTAL RECEIPTS THIS PERIOD (LINE 4)	\$0.00	
11. MINUS TOTAL PAYMENTS THIS PERIOD (LINE 8)	\$0.00	
12. CASH BALANCE AT END OF PERIOD	\$0.00	
OTHER ACTIVITY		
13. IN-KIND CONTRIBUTIONS (SCHEDULE A-1)	\$0.00	\$0.00
14. TOTAL LOAN BALANCE AT END OF PERIOD (SCHEDULE C)	\$0.00	
15. TOTAL UNPAID DEBTS AT END OF PERIOD (SCHEDULE D)	\$0.00	

I, David R. Langdon, CERTIFY THAT THE INFORMATION CONTAINED IN THIS REPORT IS TRUE, ACCURATE, AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

REPORT FILED BY: David R. Langdon
REPORT FILED ON: 10/4/2022 5:18:52 PM
LAST MODIFIED:
COMMITTEE ID: 454700



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

2022 INDEPENDENT EXPENDITURE REPORT

COMMITTEE		TREASURER
Maine Families First 2800 Shirlington Road, Suite 901 Arlington, VA 22206 PHONE: (202) 503-2010 EMAIL: fec@langdonlaw.com		David R Langdon 2800 Shirlington Road, Suite 901 Arlington, VA 22206 PHONE:(202) 503-2010 EMAIL: fec@langdonlaw.com
REPORT	DUE DATE	REPORTING PERIOD
2-Day Pre-General IE Report	10/07/2022	10/05/2022-10/05/2022

FINANCIAL ACTIVITY SUMMARY

EXPENDITURES	
Total independent expenditures greater than \$250 per candidate	\$999,245.00
Total independent expenditures of \$250 or less per candidate	\$0.00
Total independent expenditures for all candidates	\$999,245.00

AFFIDAVIT

STATE OF _____

COUNTY OF _____

David R. Langdon, being duly sworn, attests that each of the expenditures listed in the attached report was made independently of, and not in cooperation, consultation, or concert with, or at the request or suggestion of, the candidate(s) named in the report, the political committee of the candidate(s), or their agents.

 (Signature of Affiant)

Sworn to before me this _____ day of _____ 2022

 (Notary Public/Attorney at Law)

Making a false statement under oath is punishable by law.

REPORT FILED BY: David R. Langdon
 REPORT FILED ON: 10/7/2022 9:47:10 AM
 LAST MODIFIED:
 COMMITTEE ID: 454700
 REPORT NUMBER: 35111

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

Expenditure Date	Support / Oppose	Candidate Name	Office	District / County	Payee	Expenditure Amount
10/5/2022	OPPOSE	Hon. Janet T Mills	Governor		FP1 Strategies	\$999,245.00
Total itemized independent expenditures greater than \$250 per candidate						\$999,245.00
Total unitemized independent expenditures of \$250 or less per candidate						\$0.00
Total independent expenditures for all candidates						\$999,245.00

**SCHEDULE B-IE-2
EXPENDITURES**

EXPENDITURE TYPES				
APP	Apparel (t-shirts, hats, embroidery, etc.)	CON	Contribution to party committee, non-profit, other candidate, etc.	
EQP	Equipment of \$50 or more (computer, tablet, phone, furniture, etc.)	EVT	Campaign and fundraising events (venue or booth rental, entertainment, supplies, etc.)	
FOD	Food for campaign events or volunteers, catering	HRD	Hardware and small tools (hammer, nails, lumber, paint, etc.)	
LIT	Printed campaign materials (palmcards, signs, stickers, flyers, etc.)	MHS	Mail house and direct mail (design, printing, mailing, and postage all included)	
NEW	Newspaper and print media ads only	OFF	Office supplies, rent, utilities, internet service, phone minutes and data	
ONL	Social media and online advertising only	OTH	Other and fees (bank, contribution, and money order fees, etc.)	
PER	Personnel and campaign staff, consulting, and independent contractor costs	PHO	Phones (phone banking, robocalls and texts)	
POL	Polling and survey research	POS	Postage for U.S. Mail and mail box fees	
PRO	Professional services (graphic design, legal services, web design, etc.)	RAD	Radio ads, production costs	
TKT	Entrance cost to event (bean suppers, fairs, party events, etc.)	TRV	Travel (fuel, mileage, lodging, etc.)	
TVN	TV/cable ads, production, and media buyer costs only	WEB	Website and internet costs (website domain and registration, etc.)	
Date of expenditure	Payee	Remark	Expenditure type	Net Amount
10/5/2022	FP1 Strategies 3001 Washington Blvd. 7th Floor Arlington, VA, 22201	TV, cable, and digital ads (production, polling, and placement)	TVN	\$999,245.00
			Total Expenditure	\$999,245.00



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

2022 REGISTRATION: POLITICAL ACTION COMMITTEE

COMMITTEE INFORMATION	
Maine Families First 2800 Shirlington Road, Suite 901 Arlington, VA 22206 PAC TYPE: Regular	Phone: (202) 503-2010 Fax: Email: fec@langdonlaw.com Web:
TREASURER INFORMATION	
David R Langdon 2800 Shirlington Road, Suite 901 Arlington, VA 22206	Public: Fax: Email: fec@langdonlaw.com
PRINCIPAL OFFICER INFORMATION	
Terry Schilling Principal Officer 2800 Shirlington Road, Suite 901 Arlington, VA 22206	Public: (202) 503-2010 Email: terry@americanprinciplesproject.org
DECISION MAKERS AND FUNDRAISERS	
Joe Proenza	Decision Maker, Decision Maker
LEGISLATORS AND CANDIDATES WITH A SIGNIFICANT ROLE IN THIS PAC	
FORM OF ORGANIZATION	
LLC	Date of origin / incorporation 08/17/2022
FOUNDING ORGANIZATIONS	
American Principles Project PAC 2800 Shirlington Road, Suite 901 Arlington, VA 22206	Public: (202) 503-2010
STATEMENT OF SUPPORT OR OPPOSITION	
SUPPORT	Supporting candidates who will put Maine Families First
CERTIFICATION	
I, David R Langdon, certify that the information in this registration is true, accurate, and complete.	
SIGNATURE	Date: September 09, 2022

Filed Date: 9/9/2022
Amended Date:

PAC Registration

21-A M.R.S. § 1052

§ 1052. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

- 1. Campaign.** “Campaign” means any course of activities to influence the nomination or election of a candidate or to initiate or influence any of the following ballot measures:
 - A. A people’s veto referendum under the Constitution of Maine, Article IV, Part Third, Section 17;
 - B. A direct initiative of legislation under the Constitution of Maine, Article IV, Part Third, Section 18;
 - C. An amendment to the Constitution of Maine under Article X, Section 4;
 - D. A referendum vote on a measure enacted by the Legislature and expressly conditioned upon ratification by a referendum vote under the Constitution of Maine, Article IV, Part Third, Section 19;
 - E. The ratification of the issue of bonds by the State or any agency thereof; and
 - F. Any county or municipal referendum.
- 2. Committee.** “Committee” means any political action committee or ballot question committee and includes any agent of a political action committee or ballot question committee.
- 2-A. Ballot question committee.** “Ballot question committee” means a person that receives contributions or makes expenditures aggregating in excess of \$5,000 for the purpose of initiating or influencing a campaign, other than a campaign for the nomination or election of a candidate. The term “ballot question committee” does not include a political action committee or an exempt donor.
- 3. Contribution.** “Contribution” includes:
 - A. 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, including but not limited to:
 - (1) Funds that the contributor specified were given, in whole or in part, in connection with a campaign;
 - (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 campaign; and
 - (3) Funds that can reasonably be determined to have been provided by the contributor for the purpose of initiating or influencing a campaign when viewed in the context of the contribution and the recipient committee’s activities regarding a campaign;
 - A-1. Any funds deposited or transferred into the campaign account described in section 1054;
 - B. A contract, promise or agreement, expressed or implied, whether or not legally enforceable, to make a contribution to a committee;
 - C. Any funds received by a committee that are to be transferred to any candidate, committee, campaign or organization for the purpose of initiating or influencing a campaign; or
 - D. The payment, by any person or organization, of compensation for the personal services of other persons provided to a committee that is used by the committee to initiate or influence a campaign.

21-A M.R.S. § 1052

"Contribution" does not include a loan of money by a financial institution made in accordance with applicable banking laws and regulations and in the ordinary course of business.

3-A. Exempt donor. "Exempt donor" means a person that has not received contributions for the purpose of influencing a campaign in the prior 2 years and whose only payments of money to influence a campaign in the prior 2 years are:

- A. Contributions of money to candidates, party committees, political action committees or ballot question committees registered with the commission or a municipality; or
- B. Payments for goods or services with an aggregate value of no more than \$100,000 contributed to candidates, party committees, political action committees or ballot question committees registered with the commission or a municipality.

4. Expenditure. The term "expenditure":

A. Includes:

- (1) A purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value, made for the purpose of initiating or influencing a campaign;
 - (1-A) Any purchase, payment, distribution, loan, advance, deposit or gift of money made from the campaign account described in section 1054;
 - (2) A contract, promise or agreement, expressed or implied, whether or not legally enforceable, to make any expenditure for the purposes set forth in this paragraph; and
 - (3) The transfer of funds by a political action committee to another candidate or political committee; and

B. Does not include:

- (1) Any news story, commentary or editorial distributed through the facilities of any broadcasting station, cable television system, newspaper, magazine or other periodical publication, unless these facilities are owned or controlled by any political party, political committee, candidate or the spouse or domestic partner of a candidate;
- (2) Activity designed to encourage individuals to register to vote or to vote, if that activity or communication does not mention a clearly identified candidate;
- (3) Any communication by any membership organization or corporation to its members or stockholders, if that membership organization or corporation is not organized primarily for the purpose of influencing the nomination or election of any person to state or county office;
- (4) The use of real or personal property and the cost of invitations, food and beverages, voluntarily provided by a political action committee in rendering voluntary personal services for candidate-related activities, if the cumulative value of these activities by the political action committee on behalf of any candidate does not exceed \$250 with respect to any election;
- (5) Any unreimbursed travel expenses incurred and paid for by a political action committee that volunteers personal services to a candidate, if the cumulative amount of these expenses does not exceed \$100 with respect to any election;
- (6) Any communication by a committee that is not made for the purpose of influencing the nomination or election of any person to state or county office; and
- (7) Any payments to initiate a people's veto referendum or the direct initiative of legislation made prior to the submission of an application to the Department of the Secretary of State as provided in section 901.

21-A M.R.S. § 1052

4-A. Influence. “Influence” means to promote, support, oppose or defeat.

4-B. Initiate. “Initiate” includes the collection of signatures and related activities to qualify a state or local initiative or referendum for the ballot.

4-C. (TEXT EFFECTIVE UNTIL 1/01/23) Leadership political action committee. “Leadership political action committee” means a political action committee, other than a caucus political action committee under section 1053-C, that was directly or indirectly established by a current member of the Legislature or that is directly or indirectly maintained or controlled by a current member of the Legislature.

4-C. (TEXT EFFECTIVE 1/01/23) Leadership political action committee. “Leadership political action committee” means a political action committee, other than a caucus political action committee under section 1053-C, that was directly or indirectly established by a current member of the Legislature or that is directly or indirectly maintained or controlled by a current member of the Legislature.

5. Political action committee. The term “political action committee”:

A. Includes:

- (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; and
- (5) 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; and

B. Does not include:

- (1) A candidate or a candidate’s treasurer under section 1013-A, subsection 1;
- (2) A candidate’s authorized political committee under section 1013-A, subsection 1, paragraph B;
- (3) A party committee under section 1013-A, subsection 3; or
- (4) An exempt donor.

6. (TEXT EFFECTIVE 1/01/23) Separate segregated fund committee. “Separate segregated fund committee” means a political action committee described in subsection 5, paragraph A, subparagraph (1).

21-A M.R.S. § 1059

§ 1059. Report; filing requirements [Effective 90 days after adjournment of session]

A committee required to register under section 1052-A or 1053-B shall file an initial campaign finance report within 7 days of registration or within 14 days of having been required to register, whichever comes first, and thereafter shall file reports in compliance with this section. All reports must be filed by 11:59 p.m. on the day of the filing deadline, except that reports submitted to a municipal clerk must be filed by the close of business on the day of the filing deadline.

1. Contents; quarterly reports and election year reports. [2007, ch. 443, § A-35 (RP).]

2. Reporting schedule. A committee shall file reports according to the following schedule.

A. A committee shall file quarterly reports:

- (1) On January 15th, and the report must be complete as of December 31st;
- (2) On April 10th, and the report must be complete as of March 31st;
- (3) On July 15th, and the report must be complete as of June 30th; and
- (4) On October 5th, and the report must be complete as of September 30th.

B. During any year in which primary and general elections are held, a committee shall file primary and general election reports in addition to the reports required under paragraph A:

- (1) On the 11th day before the date on which the election is held, which must be complete as of the 14th day before that date; and
- (2) On the 42nd day after the date on which the election is held, which must be complete as of the 35th day after that date.

A committee shall file primary and general election reports even if the committee did not engage in financial activity to influence the primary or general election.

C. In any election year other than a year described in paragraph B, if a committee has received contributions or made expenditures for the purpose of influencing a ballot question election, a special election or a municipal candidate or referendum election subject to [Title 30-A, section 2502](#), the committee shall file preelection and post-election reports:

- (1) On the 11th day before the date on which the election is held, which must be complete as of the 14th day before that date; and
- (2) On the 42nd day after the date on which the election is held, which must be complete as of the 35th day after that date.

D. A committee that files an election report under paragraph B or C is not required to file a quarterly report when the deadline for that quarterly report falls within 10 days of the filing deadline established in paragraph B or C.

E. If a committee is required to file a report 11 days before an election pursuant to paragraph B or C, the committee shall report any single contribution of \$5,000 or more received or single expenditure of \$1,000 or more made after the 14th day before the election and more than 24 hours before 5:00 p.m. on the day of the election within 24 hours of that contribution or expenditure. The

21-A M.R.S. § 1059

treasurer is not required to include in this report expenditures for overhead expenses or compensation paid to an employee or other member of the campaign staff who has received payments at regular intervals that have been disclosed in previously filed campaign finance reports. As used in this paragraph, "overhead expenses" includes, but is not limited to, rent, utility payments, taxes, insurance premiums or similar administrative expenses.

3. Report of expenditures made after the 11th day and more than 48 hours before any election.

[1989, ch. 504, §§ 28, 31 (RP).]

4. Special election reports. [1989, ch. 504, §§ 28, 31 (RP).]

5. Electronic filing. A committee shall file each report required by this section through an electronic filing system developed by the commission. Notwithstanding any provision of this chapter to the contrary, for purposes of entering and retrieving information, the electronic filing system may categorize ballot question committees as a subcategory of political action committees. The commission may make an exception to this electronic filing requirement if a committee submits a written request that states that the committee lacks access to the technology or the technological ability to file reports electronically. The request for an exception must be submitted within 30 days of the registration of the committee. The commission shall grant all reasonable requests for exceptions.

21-A M.R.S. § 1060

§ 1060. Content of reports

The reports must contain the following information and any additional information required by the commission to monitor the activities of committees:

- 1. Identification of candidates.** The names of and offices sought by all candidates whose campaigns the committee supports or intends to influence;
- 2. Identification of committees; parties.** The names of all political committees or party committees supported in any way by the committee;
- 3. Identification of ballot question campaigns.** The ballot question campaigns that the committee intends to initiate or influence;
- 4. Itemized expenditures.** An itemization of each expenditure made to initiate or influence any campaign, including the date, payee and purpose of the expenditure and the name of each candidate, and each referendum or initiated petition supported or opposed by the expenditure. If expenditures were made to a person described in section 1012, subsection 3, paragraph A, subparagraph (4), the report must contain the name of the person; the amount spent by that person on behalf of the committee, including, but not limited to, expenditures made during the signature gathering phase; the reason for the expenditure; and the date of the expenditure. The commission may specify the categories of expenditures that are to be reported to enable the commission to closely monitor the activities of committees;
- 5. Aggregate expenditures.** Repealed
- 6. Identification of contributions.** An itemization of each contribution of more than \$50 made to or received by the committee for the purpose of initiating or influencing a campaign, including the name, occupation, places of business and mailing address of each contributor and the amount and date of the contribution;
- 6-A. Funds deposited into campaign account.** Any funds deposited into or transferred into the campaign account described in section 1054, including but not limited to funds from the general treasury of an organization that is required to establish a committee; and
- 7. Other payments.** Operational expenses and any other payments made from the campaign account described in section 1054.