



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: September 17, 2025

Re: Legislation to Implement Proposal of Working Group on Campaign Reporting Deadlines

As directed by the Commission at its July meeting, I drafted the attached legislation to implement the proposals of the working group organized by the Commission to simplify campaign finance deadlines. The proposals are described in this cover memo. If the Commission approves, the staff would submit the bill by September 26 for consideration in the 2026 legislative session. The Revisor of Statutes would review the bill for any drafting issues.

Changing 24-Hour Reports to 48-Hour Reports

Under current law, the Commission's regular filers (candidates, PACs, ballot question committees, and party committees) must file a 24-Hour report during the last 13 days before an election if the filer receives large contributions or makes large expenditures during that period. To provide filers with a little more breathing room to file these reports, the working group proposes amending the deadline to within 48 hours of the transaction.

Higher Threshold Amounts for 24-Hour Reports

The contribution/expenditure thresholds that require our filers to submit a 24-Hour Report are \$1,000 or \$5,000. During the last 13 days before an election, contributions and expenditures equal to or greater than these thresholds are disclosed within 24 hours (before the election). Contributions and expenditures below these thresholds are disclosed in the regular campaign finance report due 42 days after the election. Because the \$1,000 and \$5,000 thresholds have remained the same for decades, the working group proposes higher thresholds as shown in this chart:

	Current Threshold	Working Group Proposal
PACs and ballot question committees		
Receiving a contribution	\$5,000 or more	\$10,000 or more
Making an expenditure or incurring an unpaid debt	\$1,000 or more	\$2,500 or more
Party committees (state and local)		
Receiving a contribution	\$5,000 or more	\$10,000 or more
Making an expenditure or incurring an unpaid debt	\$1,000 or more	\$2,500 or more
Candidates (gubernatorial, legislative, county, and municipal)		
Receiving a contribution	\$1,000 or more	\$10,000 Gov \$5,000 Senate \$2,500 County \$2,000 House
Making an expenditure or incurring an unpaid debt	\$1,000 or more	\$10,000 Gov \$5,000 Senate \$2,500 County \$2,000 House

Independent Expenditure Reporting (usually filed by PACs and parties for mailings, ads, etc.)

Current requirement: an independent expenditure report is required by the following deadlines if more than \$250 per candidate is spent on a communication to voters advocating for or against candidates:

Through the 61 st day before election	60 th day before election
60 th - 14 th day before election	within 2 calendar days
13 th - 1 st day before election	within 1 calendar day

Working group proposal: the group agreed to propose an increase in the independent expenditure reporting threshold from spending \$250 per candidate to spending \$1,000 per candidate.

All members at the group's second meeting agreed to propose that the report would be due within 48 hours of the expenditure during the entire 60 days before the election. Hopefully, this would simplify the deadlines. Two members who were unable to attend the second meeting had previously expressed some support for keeping the IE deadline at 24 hours during the last six days before the election. They are okay with the submission of the proposal in this memo, provided that both alternatives for the last six days before the election are aired before the Joint Standing Committee on Veterans and Legal Affairs.

21-A M.R.S. § 1017. Reports by candidates

1. Federal candidates. [Repealed]

2. Gubernatorial candidates. A treasurer of a candidate for the office of Governor shall file reports with the commission as follows. Once the first required report has been filed, each subsequent report must cover the period from the end date of the prior report filed.

A. In any calendar year, other than a gubernatorial election year, in which the candidate or the candidate's political committee has received contributions in excess of \$1,000 or made or authorized expenditures in excess of \$1,000, reports must be filed no later than 11:59 p.m. on July 15th of that year and January 15th of the following calendar year. These reports must include all contributions made to and all expenditures made or authorized by or on behalf of the candidate or the candidate's treasurer as of the end of the preceding month, except those covered by a previous report.

B. Reports must be filed no later than 11:59 p.m. on the 42nd day before the date on which an election is held and must be complete as of the 49th day before that date. If a report was not filed under paragraph A, the report required under this paragraph must cover all contributions and expenditures through the 49th day before the election.

C. Reports must be filed no later than 11:59 p.m. on the 11th day before the date on which an election is held and must be complete as of the 14th day before that date.

D. If the candidate has an opponent who is on the ballot or who is a declared write-in candidate, any single contribution of ~~\$1,000~~ \$10,000 or more received or any single expenditure of ~~\$1,000~~ \$10,000 or more made after the 14th day before the election and more than ~~24~~ 48 hours before 11:59 p.m. on the day of the election must be reported within ~~24~~ 48 hours of that contribution or expenditure. The candidate or 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-A. Other candidates. A treasurer of a candidate for state or county office other than the office of Governor shall file reports with the commission and municipal candidates shall file reports with the municipal clerk as follows. Once the first required report has been filed, each subsequent report must cover the period from the end date of the prior report filed.

A. In any calendar year in which an election for the candidate's particular office is not scheduled, when any candidate or candidate's political committee has received contributions in excess of \$500 or made or authorized expenditures in excess of \$500, reports must be filed no later than 11:59 p.m. on July 15th of that year and January 15th of the following calendar year. These reports must include all contributions made to and all expenditures made or authorized by or on behalf of the candidate or the treasurer of the candidate as of the end of the preceding month, except those covered by a previous report.

B. Reports must be filed no later than 11:59 p.m. on the 11th day before the date on which an election is held and must be complete as of the 14th day before that date. If a report was not filed under paragraph A, the report required under this paragraph must cover all contributions and expenditures through the 14th day before the election.

C. If the candidate has an opponent who is on the ballot or who is a declared write-in candidate, any single contribution of ~~\$1,000 or more~~ received or any single expenditure of ~~\$1,000 or more~~ made after the 14th day before any election and more than ~~24~~ 48 hours before 11:59 p.m. on the day of any election that is equal to or greater than the following thresholds must be reported within ~~24~~ 48 hours of that contribution or expenditure.:

(1) for a candidate for Governor, \$10,000;

(2) for a candidate for State Senator, \$5,000;

(3) for a candidate for county office, \$2,500; and

(4) for a candidate for State Representative, \$2,000.

The candidate or 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 expense. ...

21-A M.R.S. § 1017-A. Reports of contributions and expenditures by party committees

...

4-A. Filing schedule. A state party committee shall file its reports according to the following schedule. All reports required under paragraphs A, B and C must be filed by 11:59 p.m. on the day of the filing deadline.

A. A state party committee shall file quarterly reports:

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

B. During any year in which primary and general elections are held, a state party 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 up to 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 up to the 35th day after that date.

C. In an election year other than a year described in paragraph B, if a state party 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 up to 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 up to the 35th day after that date.

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

E. If a state party 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~~ \$10,000 or more received or any single expenditure of ~~\$1,000~~ \$2,500 or more made after the 14th day before the election and more than ~~24~~ 48 hours before 5:00 p.m. on the day of the election within ~~24~~ 48 hours of that contribution or expenditure. The committee 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.

4-B. Filing schedule for municipal, district and county party committees. Municipal, district and county party committees shall file reports according to the following schedule.

A. Reports filed during an election year must be filed with the commission by 11:59 p.m. on:

- (1) July 15th and be complete as of June 30th;
- (2) The 11th day before the date on which the general election is held and must be complete up to the 14th day before that date; and
- (3) January 15th and be complete as of December 31st.

B. Reports filed during a nonelection year must be filed by 11:59 p. m. on:

- (1) July 15th and be complete as of June 30th; and
- (2) January 15th and be complete as of December 31st.

C. A committee shall report any single contribution of ~~\$5,000~~ \$10,000 or more received or any expenditure of ~~\$1,000~~ \$2,500 or more made after the 14th day before a general or special election and more than ~~24~~ 48 hours before 11:59 p.m. on the day of the election within ~~24~~ 48 hours of that contribution or expenditure. The committee 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. ...

21-A M.R.S. § 1019-B. Reports of independent expenditures

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

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

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

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

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

4. Report required; content; rules. A person, party committee or political action committee that makes any independent expenditure in excess of ~~\$250~~ \$1,000 during any one candidate's election shall file a report with the commission. In the case of a municipal election, the report must be filed with the municipal clerk.

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

B. A report required by this subsection must contain an itemized account of the total contributions from each contributor, each expenditure in excess of ~~\$250~~ \$1,000 in any one candidate's election, the date and purpose of each expenditure and the name of each payee or creditor. The report must state whether the expenditure is in support of or in opposition to the candidate and must include, under penalty of unsworn falsification, as provided in Title 17-A, section 453, a statement whether the expenditure is made in cooperation, consultation or concert with, or at the request or suggestion of, the candidate or an authorized committee or agent of the candidate.

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

5. Exclusions. An independent expenditure does not include:

A. [Repealed]

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

C. A telephone call naming a clearly identified candidate that identifies an individual's position on a candidate, ballot question or political party for the purpose of encouraging the individual to vote, as long as the call contains no advocacy for or against any candidate; and

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

6. Segregated contributions required. A political action committee may use only funds received in compliance with section 1015, subsection 2-C or 2-D when making independent expenditures. A political action committee that makes independent expenditures shall keep an account of any contributions received for the purpose of making those expenditures.

21-A M.R.S. § 1059. Report; filing requirements [*for PACs and ballot question committees*]

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. [Repealed]

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~~ \$10,000 or more received or single expenditure of ~~\$1,000~~ \$2,500 or more made after the 14th day before the election and more than ~~24~~ 48 hours before 5:00 p.m. on the day of the election within ~~24~~ 48 hours of that contribution or expenditure. The 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.

Unallocated Language

Sec. ____. **Rules.** The Commission on Governmental Ethics and Election Practices shall amend its rule Chapter 1: Procedures in section 10, subsection 3, paragraph B so that independent expenditures made during the 60 days before an election must be disclosed in a report within two calendar days of the expenditure.