



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

To: Commissioners
From: Jonathan Wayne, Executive Director
Date: July 11, 2016
Re: Request for Investigation of Working Families PAC

INTRODUCTION

In Maine, political action committees (PACs) are organizations which raise and spend money to influence campaigns. PACs are required to register with the Commission when they surpass certain expenditure thresholds. When a PAC registers with the Commission, it is required to disclose certain basic information about the PAC, including a statement concerning which candidates or ballot questions the PAC expects to support or oppose.

On June 3, 2016, a resident of Portland submitted a letter to the Commission questioning the past activities of the Working Families PAC, which is a leadership PAC formed by Rep. Diane Russell in 2013. The letter was filed by Michael Hiltz, who was supporting Rep. Ben Chipman in the June 14, 2016 Democratic primary election for State Senate, District 27. Relying on a March 2016 news story about the Working Families PAC by reporter/editor Naomi Schalit, Mr. Hiltz characterized the PAC as an “unregulated money mill” for Rep. Russell because the PAC had paid Rep. Russell for her political organizing, and for food, travel, and technology purchases.¹ He questioned whether the Working Families PAC should be registered as a PAC at all and whether its “Statement of Support or Opposition” was accurate.

¹ These expenditures were legal, because there currently are no restrictions on how PACs may spend their funds. Later this year, the Commission staff intends to bring up a proposed restriction that PACs controlled by a Legislator could not compensate the Legislator for labor provided to the PAC. This restriction was included in a 2015 agency bill of the Commission that was enacted by the Legislature and subsequently vetoed by the Governor.

The Commission staff examined the contentions in Mr. Hiltz's request. After conferring with counsel, we concluded that Mr. Hiltz's letter raised minor reporting issues that were unrelated to the June 14, 2016 primary election. Accordingly, we determined it was not necessary to schedule a Commission meeting within two business days under 21-A M.R.S.A. § 1002(1). I preliminarily scheduled this complaint for a meeting in late June to allow for more thorough consideration by you.

One week later, Mr. Hiltz filed his second request for investigation, concerning Rep. Russell's email list. You initially considered that request at a special meeting held on June 14. I regret that some confusion arose at the meeting because I had not provided you with notice that Mr. Hiltz had submitted this earlier complaint.

As of today, Diane Russell's attorneys have not provided a response to this complaint by Mr. Hiltz. Rep. Russell apparently is relying on her submission for agenda item #2.

LEGAL REQUIREMENTS

Definition of a political action committee. The term "political action committee" is defined in Maine Election Law as:

- (1) Any separate or segregated fund established by any corporation, membership organization, cooperative or labor or other organization whose purpose is to initiate or influence a campaign;
- (4) Any organization, including any corporation or association, that has as its major purpose initiating or influencing a campaign and that receives contributions or makes expenditures aggregating more than \$1,500 in a calendar year for that purpose; and
- (5) Any organization that does not have as its major purpose influencing candidate elections but that receives contributions or makes expenditures aggregating more than \$5,000 in a calendar year for the purpose of influencing the nomination or election of any candidate to political office

(21-A M.R.S.A. § 1052(5)(A))

Requirement to register a political action committee. An organization that falls within the definition of a political action committee must register with the Commission within seven days of spending more than \$1,500 or \$5,000 to initiate or influence an election (depending on the major purpose of the organization). (21-A M.R.S.A. § 1052-A(1)(A))

In the registration, the PAC is required to disclose basic information about the PAC, such as

- the date on which the PAC originated,
- the structure or organization of the PAC (*e.g.*, voluntary association or corporation),
- any non-profit or for-profit corporations that formed the PAC,
- the treasurer and principal officer of the PAC,
- other primary decision-makers or fundraisers for the PAC, and
- the financial institution in which PAC funds are held (along with name of account).

(21-A M.R.S.A. §§ 1052-A(2) &(3))

PACs are required to file an updated registration statement every two years in the first few months of an election year. They are also required to amend the registration within 10 days of a change in the information on the registration form. (21-A M.R.S.A. §§ 1052-A(1)(B) & (C))

Statement of support or opposition. As part of the registration, PACs are required to provide a statement indicating the specific candidates or categories of candidates or campaigns that the PAC expects to support or oppose. (21-A M.R.S.A. § 1052-A(3)(A))

Definition of contribution applicable to PACs. For political action committees, the term “contribution” is defined as:

- (A) A gift, subscription, loan, advance or deposit of money or anything of value made to a political action committee, except that a loan of money by a financial institution made in accordance with applicable banking laws and regulations and in the ordinary course of business is not included

(21-A M.R.S.A. § 1052(3)(A))

ANALYSIS BY COMMISSION STAFF

Mr. Hiltz’s request for investigation appears to be broken down into three sections, discussed in order below. Each section begins with questions highlighted in yellow. In the opinion of the Commission staff, Mr. Hiltz’s request for investigation does not show sufficient grounds for believing that a violation of the campaign finance laws has occurred.

(1) The Working Families PAC does not meet the statutory definition of a PAC and its registration should be rescinded.

Mr. Hiltz contends that the Working Families PAC made no election-related expenditures in 2015 and the first quarter of 2016. He asserts that in the history of the PAC it has contributed only \$1,550 to Democratic candidates.² He describes the PAC as an unregulated money mill for Rep. Diane Russell. He inquires whether the Commission should “rescind[]” the registration of the PAC.³

Registration and financial reporting by PACs is required by Maine Election Law in order to provide information to the public concerning who is raising and spending money to

² The Commission staff’s research found the same result.

³ The Commission’s statutes do not authorize the Commission to rescind PAC registrations or to terminate PACs.

influence Maine state elections. Organizations are required to register and file financial reports as PACs if they raise or spend more than \$1,500 or \$5,000 to influence an election (depending on the major purpose of the PAC).

In practice, most PACs are unincorporated associations of people and groups that care about issues, causes or political parties and that decide to raise and spend money to influence candidate or ballot question elections. Some PACs are alter egos of pre-existing advocacy organizations or trade associations.

The term “leadership PAC” is not defined. Typically, the term is used to refer to a political fund that is formed by a Legislator to finance the political and legislative activities of the Legislator – other than the candidate’s re-election. Sometimes, those political activities include running for leadership or maintaining a leadership position.

Some leadership PACs spend most of their money to influence candidate elections,⁴ and some do not. Leadership PACs routinely incur expenses that are *unrelated to* candidate elections and that are associated with holding legislative office, such as traveling to events or conferences or paying for the cost of communications with constituents.

Thus, it is likely that dozens of Legislators have voluntarily registered a PAC with the Commission, even though the PAC has not met the statutory criteria of raising or spending more than \$1,500 or \$5,000 to influence an election. In the opinion of the Commission staff, the public has benefitted by the regular practice of Legislators registering these political funds as PACs and filing financial reports because:

- The public has gained access to the sources of revenue for these activities.
- The public has learned about the financial activities of officeholders in performing their public responsibilities.

⁴ For example, some Legislators that are skilled at fundraising have amassed large amounts in their leadership PAC, and then have turned those funds over to the PAC organized by their legislative caucus. This presumably is a selling point in the competition to be elected leader of the caucus.

Mr. Hiltz is correct that a relatively small percentage of the Working Families PAC's expenditures have been spent on contributions to influence elections. Last month, Commission employee Ben Dyer provided me with the following summary:

Year	Total expenditures	Contributions made to influence elections	Contributions made as a percentage of total expenditures
2013	\$17,911.24	\$1,300.00	~ 7%
2014	\$13,023.27	\$250.00	~ 2%
2015	\$8,648.53	\$0.00	N/A
2016 (Jan-Mar)	\$2,250.68	\$0.00	N/A
Total	\$41,833.72	\$1,550.00	~ 3.7%

It should be noted that there was no general election in 2015 or in the first few months of 2016. It is unknown how much the Working Families PAC will spend later this year to influence the 2016 legislative elections.

In this first section of his request, Mr. Hiltz does not allege that the Working Families PAC has violated any particular provision of the requirements on PACs to register or file campaign finance reports with the Commission. Rather, he seems to be arguing that it was unnecessary or even inappropriate for the Working Families PAC to register with the Commission, since so little of its financial activity was to influence elections.

The staff recommends taking no action on this first section of Mr. Hiltz's request, because it does not show sufficient grounds for believing that a violation has occurred. Also, the Commission's statutes do not authorize the Commission to "rescind" the registration of a PAC. While some members of the public may not approve of the spending decisions of the PAC, the public is better off with this financial activity disclosed through a PAC, rather than driven underground.

(2) The PAC's "Statement of Support or Opposition" on its registration is misleading as a statement of the PAC's overall purpose.

As noted above, when PACs register, they are required to make a statement of the categories of candidates or campaigns – or the specific candidates – that the PAC expects to support or oppose. (21-A M.R.S.A. § 1052-A(3)(A)) The legal requirement is not – as Mr. Hiltz alleges – to make a “statement of purpose” of the PAC.

In practice, some PACs register months before actually making expenditures to support or oppose candidates. A PAC may not make decisions about which specific candidates to support or oppose until the summer or fall of the election year.

Once a PAC makes an expenditure to influence a candidate election, the PAC must specify by name and amount which candidate(s) were supported or opposed by the expenditure. This detailed information appears on Schedule B (Expenditures). This is the primary means by which members of the public learn that PACs are supporting or opposing specific candidates. In this context, the Commission staff typically does not actively police the statement of support or opposition, which is usually made months before actual spending begins.

When the Working Families PAC first registered in May 2013, the PAC made the following statement of support or opposition:

The Working Families PAC will support Democratic candidates and issues and policies related to working families.

When the PAC updated its registration in March 2014, it changed its statement to:

The Working Families PAC will help support Democrats in winning seats in the Maine House.

When the PAC updated its registration on January 9, 2016, it maintained this same statement of support or opposition.

Mr. Hiltz contends that the current statement of support or opposition is a deliberate misstatement by Rep. Russell, because it fails to mention the PAC's past expenditures to

compensate Rep. Russell, and to pay for her travel and food and technology expenses. Mr. Hiltz appears to misunderstand that the statement is not intended to be a comprehensive description of all activities of the PAC but rather a statement of the categories of candidates or campaigns that the expects to support or oppose. It is premature to draw any conclusions whether the current statement (that the PAC will support Democratic House candidates) will be accurate or not in this year's elections. The Commission staff believes this section of the complaint does not show grounds for believing that a violation of the registration requirements has occurred.

(3) The PAC's receipt of funds from the Beck Political Fund PAC does not meet the definition of a contribution and was incorrectly reported.

When the Working Families PAC filed its January quarterly campaign finance report on January 15, 2016, it reported receiving \$7,441.00 from the Beck Political Fund PAC (see attached page from the campaign finance report). Four days later (1/19/2016), it amended the report to indicate that this \$7,441.00 was from Democrats.com (apparently correcting a data-entry error). This \$7,441.000 in income was the proceeds from a sale of the PAC's email list, as explained by Rep. Russell's July 8 Response to agenda item 2 (page 7, third bullet point).

This cash receipt was reported properly by the PAC. Under current reporting procedures, all cash received by a PAC (regardless of purpose) is listed on Schedule A which is labeled Cash Contributions – except for loans which are shown on a separate schedule. This reporting procedure is consistent with the statutory definition of “contribution” which is a “gift ... or deposit of money or anything of value made to a political action committee” (21-A M.R.S.A. § 1052(3)(A))

In the opinion of the Commission staff, the PAC reported its receipt of \$7,441.00 correctly. It is the intention of the Commission staff that there will be an easier way for PACs to designate certain cash receipts as sales proceeds in the next version of the e-filing system that will be in place in September 2016.

STAFF RECOMMENDATION

Because this request by Mr. Hiltz does not show grounds for believing that a reporting violation has occurred, the Commission staff recommends no further investigation on this complaint. Thank you for your consideration of this memo.

June 3, 2016
Jonathan Wayne
Maine Ethics Commission

Dear Mr. Wayne,

Please consider this a formal request for investigation into the activities of the Working Families PAC, which is controlled by State Representative Diane Russell of Portland.

The specific questions I would like to see addressed as part of this investigation are bolded and highlighted throughout this document:

- **Does the Working Families PAC meet the definition of a PAC under the Maine Ethics Commission rules?**
- **If the Working Families PAC does not meet the definition of a PAC for a lengthy period of time, shouldn't its registration as a PAC be rescinded?**

According to the Ethics Commission website, the term "political action committee" includes:

- Any separate or segregated fund established by any corporation, membership organization, cooperative or labor or other organization whose purpose is to initiate or influence a campaign;
- Any organization, including any corporation or association, that has as its major purpose initiating or influencing a campaign and that receives contributions or makes expenditures aggregating more than \$1,500 in a calendar year for that purpose; and
- Any organization that does not have as its major purpose influencing candidate elections but that receives contributions or makes expenditures aggregating more than \$5,000 in a calendar year for the purpose of influencing the nomination or election of any candidate to political office.

During calendar year 2015, and the first three months of 2016, according to its own Ethics Commission financial filings, the Working Families PAC, while raising and spending significant amounts of money, did not participate in any of the above activities.

I contend that the Working Families PAC has in fact served as an unregulated money mill for its principal officer, Diane Russell, during that time.

- **If the Working Families PAC engages in activities other than it stated purpose, and spends far more money on these activities, on a far more regular basis, than on its stated purpose, does this constitute a fraudulent filing with the Maine Ethics Commission?**

- **What is the penalty for deliberately misstating the goals or purpose of a PAC, and will the Ethics Commission pursue this remedy in this case?**

- **Will you require the Working Families PAC to amend its stated purpose to something more consistent with its actual activities?**

The stated purpose of the Working Families PAC, since its inception, has been as follows:

“THE WORKING FAMILIES PAC WILL HELP SUPPORT DEMOCRATS IN WINNING SEATS IN THE MAINE HOUSE.”

According to the PAC’s own filings, in its entire history, the Working Families PAC has contributed \$1,550 to Democratic candidates and organizations in Maine, amounting to less than four percent of the total funds raised.

At the same time, according to the PAC’s own filings, the Working Families PAC has paid Diane Russell \$7,747 for “online organizing.”

Also according to the PAC’s own filings, it has spent at least \$5,754 in travel expenses to place such as Las Vegas, San Francisco, and the foreign nation of Morocco. Further, it has spent an additional \$3,507 on food, and \$1,650 at the Apple Store in the Maine Mall.

In other words, any one of these expenses is a more accurate stated purpose than the one referenced above.

Far from this being an accidental misfiling of the PAC’s purpose, Diane Russell is well aware that the PAC participates in other activities more often, and more substantially, than its stated purpose. She has said so herself, and on the public record.

In March 2015, she was confronted by reporter Naomi Schalit of the Pine Tree Watchdog newspaper. During an exchange about the misleading stated purpose of the PAC (referred to as a “mission statement” in the article), Diane Russell is quoted as follows:

“Oh, is that the mission statement of the PAC? I haven’t changed it?”

You can find the above-reference article here:

<http://pinetreewatchdog.org/portland-legislator-paid-self-from-leadership-pac-founded-to-support-other-candidates/>

This confirms Diane Russell is aware that her PAC’s stated purpose is misleading, and that she was aware of it in March of this year. In the article, she hinted of her intention to change the

“mission statement,” but to date has not done so. Considering that nearly three months have passed since the interview was conducted, Russell’s continuing use of the outdated purpose must be considered willful and deliberate.

Finally:

- A 2015 payment from the Beck Political Fund to the Working Families PAC does not meet the definition of a “contribution” under the stringent rules governing PACs in Maine. Will you investigate the purpose of this payment?

- If a PAC has received funds that do not qualify as a contribution, what remedy will the Ethics Commission pursue in regard to this activity?

In the Working Families Campaign Finance Report dated January 15, 2016 (for the period October 2015 through December 2015 inclusive), there is a payment for \$7,441.00 from the Beck Political Fund, of Waterville Maine. Later, this source was amended to the Democrats.com website, which is a pass-through payment mechanism for ActBlue.

Diane Russell herself has stated that this payment was for organizing and fundraising services she rendered to the Beck Political Fund, and was not intended as a contribution to the Working Families PAC. Her stated reasoning for asking the Beck Political Fund pay the Working Families PAC (instead of paying her directly) appears admirable on its surface. She has said, in public and on numerous occasions, in regard to the payment:

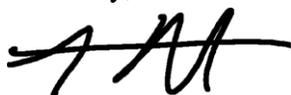
“I naively wanted to be public with my income.”

While Diane’s urge toward transparency is commendable, this payment in no way qualifies as a contribution for the purposes of initiating or influencing a campaign or candidate election, or nomination.

I hope the Maine Ethics Commission can investigate these questions, and any other relevant questions that may arise from them, thoroughly.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to be 'MH' or similar initials, written in a cursive style.

Michael Hiltz
45 Pleasant Avenue
Portland, ME 04103
(207) 615-7351



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

June 7, 2016

By Email and First-Class Mail

Katherine Knox, Esq.
Bernstein Shur
PO Box 9729
Portland, ME 04104-5029

Dear Ms. Knox:

As you are aware, the Ethics Commission received the attached request from Michael Hiltz that the Commission investigate the appropriateness and accuracy of the Working Families PAC's registration and financial reporting.

Relevant Law

Definition of contribution applicable to PACs. For political action committees, the term "contribution" is defined as:

- (A) A gift, subscription, loan, advance or deposit of money or anything of value made to a political action committee, except that a loan of money by a financial institution made in accordance with applicable banking laws and regulations and in the ordinary course of business is not included

(21-A M.R.S.A. § 1052(3)(A))

Definition of a political action committee. The term "political action committee" includes:

- (4) Any organization, including any corporation or association, that has as its major purpose initiating or influencing a campaign and that receives contributions or makes expenditures aggregating more than \$1,500 in a calendar year for that purpose

(21-A M.R.S.A. § 1052(5)(A)(4))

Ms. Katherine Knox, Esq.
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Requirement to register a political action committee. An organization that falls within the definition of a political action committee must register with the Commission upon meeting the following criteria:

- A. A political action committee as defined under section 1052, subsection 5, paragraph A, subparagraph (1) or (4) that makes expenditures in the aggregate in excess of \$1,500 . . . shall register with the commission within 7 days of exceeding the applicable amount.

(21-A M.R.S.A. § 1052-A(1)(A))

Statement of support or opposition. As part of the registration, PACs are required to provide a statement indicating the candidates or campaigns the PAC expects to support or oppose.

- A. A statement indicating the specific candidates, categories of candidates or campaigns that the committee expects to support or oppose;

(21-A M.R.S.A. § 1052-A(3)(A))

Request for Response

I am scheduling initial consideration of Mr. Hiltz's complaint by the Commissioners at their next monthly meeting on June 29, 2016 at the Commission's office at 45 Memorial Circle in Augusta, Maine. At that meeting, I expect that the Commissioners will consider whether or not to conduct further investigation.

The Commission staff suggests that you and Rep. Russell attend the meeting to respond to the allegations in the request. The Commission staff is not in a position to anticipate all of the factual questions that the Commissioners may have, so we recommend that Rep. Russell be present to respond.

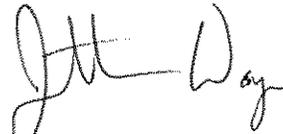
Please submit a written response by Thursday, June 17, 2016. The PAC is welcome to submit any response that it believes is appropriate, but the Commission staff suggests including the following points which we believe would be helpful for the Commissioners:

Ms. Katherine Knox, Esq.
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- a description of the purpose and activities of the PAC,
- a response to the allegation that the PAC's statement of support or opposition is inaccurate,
- the reason for the PAC's 10/17/2015 receipt of \$7,441.00 in cash from Democrats.com or the Beck Political Fund PAC, and
- a clarification of whether Rep. Russell was compensated for work that she provided to the Beck Political Fund PAC, and whether the compensation flowed through the PAC's bank account.

Thank you for responding to Mr. Hiltz's request in a short time period. Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Wayne". The signature is written in a cursive, flowing style.

Jonathan Wayne
Executive Director

cc: Representative Diane Russell, PAC Principal Officer (by email only)
Michael Hiltz (by email only)



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

2016 REGISTRATION: POLITICAL ACTION COMMITTEE

COMMITTEE INFORMATION	
WORKING FAMILIES PAC 128R NORTH ST PORTLAND, ME 04101 PAC TYPE: Leadership	Phone: (207) 272-9182 Fax: Email: DIANERUSSELL207@GMAIL.COM Web:
TREASURER INFORMATION	
MRS. EIRANNE CHRISTY 468 WEBBS MILL RD RAYMOND, ME 04071	Public: (207) 478-1268 Fax: Email: EIRANNE.HART@YAHOO.COM
PRINCIPAL OFFICER INFORMATION	
DIANE RUSSELL	Public: (207) 272-9182 Email: DIANERUSSELL207@GMAIL.COM
DECISION MAKERS AND FUNDRAISERS	
LEGISLATORS AND CANDIDATES WITH A SIGNIFICANT ROLE IN THIS PAC	
FORM OF ORGANIZATION	
VOLUNTARY ASSOCIATION	Date of origin / incorporation 05/22/2013
FOUNDING ORGANIZATIONS	
STATEMENT OF SUPPORT OR OPPOSITION	
SUPPORT	THE WORKING FAMILIES PAC WILL HELP SUPPORT DEMOCRATS IN WINNING SEATS IN THE MAINE HOUSE.
CERTIFICATION	
I, MRS. EIRANNE CHRISTY, certify that the information in this registration is true, accurate, and complete.	
SIGNATURE	Date: January 09, 2016

Filed: 1/9/2016
Last Modified: 1/9/2016
Printed: 7/13/2016

PAC Registration



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

2015 CAMPAIGN FINANCE REPORT

FOR POLITICAL ACTION COMMITTEES

COMMITTEE		TREASURER	
WORKING FAMILIES PAC 128R NORTH ST PORTLAND, ME 04101 PHONE: (207) 272-9182 EMAIL: DIANERUSSELL207@GMAIL.COM		MRS. EIRANNE CHRISTY 468 WEBBS MILL RD RAYMOND, ME 04071 PHONE: (207) 478-1268 EMAIL: EIRANNE.HART@YAHOO.COM	
REPORT	DUE DATE	REPORTING PERIOD	
JANUARY QUARTERLY	01/15/2016	10/01/2015 - 12/31/2015	

FINANCIAL ACTIVITY SUMMARY

RECEIPTS	TOTAL FOR PERIOD	TOTAL FOR YEAR
1. CASH CONTRIBUTIONS (SCHEDULE A)	\$8,667.00	\$10,244.05
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)	\$8,667.00	\$10,244.05
EXPENDITURES		
5. EXPENDITURES TO SUPPORT OR OPPOSE (SCHEDULE B)	\$0.00	\$0.00
6. OPERATING EXPENDITURES (SCHEDULE B-1)	\$8,302.99	\$8,648.53
7. LOAN REPAYMENTS (SCHEDULE C)	\$0.00	\$0.00
8. TOTAL PAYMENTS (LINE 5 + 6 + 7)	\$8,302.99	\$8,648.53
CASH SUMMARY		
9. CASH BALANCE AT BEGINNING OF PERIOD	\$10,133.01	
10. PLUS TOTAL RECEIPTS THIS PERIOD (LINE 4)	\$8,667.00	
11. MINUS TOTAL PAYMENTS THIS PERIOD (LINE 8)	\$8,302.99	
12. CASH BALANCE AT END OF PERIOD	\$10,497.02	
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)	\$5,500.00	

I, MRS. EIRANNE CHRISTY, CERTIFY THAT THE INFORMATION CONTAINED IN THIS REPORT IS TRUE, ACCURATE, AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

REPORT FILED BY: MRS. EIRANNE CHRISTY
REPORT FILED ON: 01/15/2016
LAST MODIFIED: 01/19/2016
PRINTED: 07/12/2016
COMMITTEE ID: 6537

SCHEDULE A CASH CONTRIBUTIONS

- For contributors who gave more than \$50, the names, address, occupation, and employer must be reported. If "information requested" is listed instead of occupation and employer, the candidate is waiting to receive that information.
- Cash contributions of \$50 or less can be added together and reported as a lump sum.
- Contributor Types

- | | |
|--|--|
| 1 = Individual | 9 = Candidate / Candidate Committee |
| 2 = Candidate/ Spouse/ Domestic Partner | 10 = General Treasury Transfer |
| 3 = Commercial Source | 11 = Transfer from Previous Campaign |
| 4 = Nonprofit Organization | 12 = Contributors giving \$50 or less |
| 5 = Political Action Committee | 13 = Contributors giving \$100 or less |
| 6 = Political Party Committee | 14 = Contributors giving \$200 or less |
| 7 = Ballot Question Committee | 15 = MCEA Payment |
| 8 = Other Candidate/ Candidate Committee | 16 = Financial Institution |



DATE RECEIVED	CONTRIBUTOR	OCCUPATION AND EMPLOYER	TYPE	AMOUNT
10/17/2015	BECK POLITICAL FUND 25 CLEARVIEW AVENUE WATERVILLE, ME 04901		5	\$7,441.00
10/17/2015	BECK POLITICAL FUND 25 CLEARVIEW AVENUE WATERVILLE, ME 04901		5	(\$7,441.00)
10/17/2015	DEMOCRATS.COM REQUESTED REQUESTED, ME 04101		5	\$7,441.00
12/7/2015	VERRILL DANA ONE PORTLAND SQUARE PORTLAND, ME 04112		3	\$250.00
12/15/2015	UNUM 1 FOUNTAIN SQUARE CHATTANOOGA, TN 37402		5	\$250.00
12/16/2015	LINWOOD HIGGINS 63 PAYNE ROAD SCARBOROUGH, ME 04074	HARNESS RACING ASSOCIATION DESCRIPTION: Lobbyist	1	\$100.00
12/17/2015	N.A.S.W. PACE MAINE CHAPTER PO BOX 5065 AUGUSTA, ME 04330		4	\$100.00
12/24/2015	BECK POLITICAL FUND 25 CLEARVIEW AVENUE WATERVILLE, ME 04901		16	\$250.00
12/24/2015	NEW DIMENSIONS FEDERAL CREDIT UNION 64 GROVE STREET WATERVILLE, ME 04901		16	\$250.00
12/24/2015	NEW DIMENSIONS FEDERAL CREDIT UNION 64 GROVE STREET WATERVILLE, ME 04901		16	(\$250.00)
12/30/2015	PIERCE ATWOOD 254 COMMERCIAL STREET PORTLAND, ME 04101		3	\$100.00

Maine Revised Statutes
Title 21-A: ELECTIONS
Chapter 13: CAMPAIGN REPORTS AND FINANCES

§1052. DEFINITIONS

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings. [1985, c. 161, §6 (NEW).]

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; [2011, c. 389, §26 (AMD).]

B. A direct initiative of legislation under the Constitution of Maine, Article IV, Part Third, Section 18; [2011, c. 389, §26 (AMD).]

C. An amendment to the Constitution of Maine under Article X, Section 4; [1985, c. 161, §6 (NEW).]

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; [2011, c. 389, §26 (AMD).]

E. The ratification of the issue of bonds by the State or any agency thereof; and [1989, c. 504, §§21, 31 (AMD).]

F. Any county or municipal referendum. [1995, c. 483, §17 (AMD).]

[2011, c. 389, §26 (AMD) .]

2. Committee. "Committee" means any political action committee, as defined in this subchapter, and includes any agent of a political action committee.

[2007, c. 443, Pt. A, §27 (AMD) .]

3. Contribution. "Contribution" includes:



A. A gift, subscription, loan, advance or deposit of money or anything of value made to a political action committee, except that a loan of money by a financial institution made in accordance with applicable banking laws and regulations and in the ordinary course of business is not included; [1985, c. 161, §6 (NEW).]

B. A contract, promise or agreement, expressed or implied whether or not legally enforceable, to make a contribution to a political action committee; [1985, c. 161, §6 (NEW).]

C. Any funds received by a political action committee that are to be transferred to any candidate, committee, campaign or organization for the purpose of initiating or influencing a campaign; or [2011, c. 389, §27 (AMD).]

D. The payment, by any person or organization, of compensation for the personal services of other persons provided to a political action committee that is used by the political action committee to initiate or influence a campaign. [2011, c. 389, §28 (AMD).]

[2011, c. 389, §§27, 28 (AMD) .]

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;
- (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 [2011, c. 389, §29 (AMD).]

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; and
- (6) Any communication by any political action committee member that is not made for the purpose of influencing the nomination or election of any person to state or county office. [2013, c. 334, §18 (AMD).]

[2013, c. 334, §18 (AMD) .]

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

[2011, c. 389, §30 (NEW) .]

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

[2011, c. 389, §31 (NEW) .]

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 whose purpose is to initiate or influence a campaign;
- (4) Any organization, including any corporation or association, that has as its major purpose initiating or influencing a campaign and that receives contributions or makes expenditures aggregating more than \$1,500 in a calendar year for that purpose; and
- (5) Any organization that does not have as its major purpose influencing candidate elections but that receives contributions or makes expenditures aggregating more than \$5,000 in a calendar year for the purpose of influencing the nomination or election of any candidate to political office; and [2011, c. 389, §32 (AMD).]

Maine Revised Statutes
Title 21-A: ELECTIONS
Chapter 13: CAMPAIGN REPORTS AND FINANCES

§1052-A. REGISTRATION

A political action committee shall register with the commission and amend its registration as required by this section. A registration is not timely filed unless it contains all the information required in this section. [2013, c. 334, §19 (NEW).]



1. Deadlines to file and amend registrations. A political action committee shall register and file amendments with the commission according to the following schedule.

A. A political action committee as defined under section 1052, subsection 5, paragraph A, subparagraph (1) or (4) that makes expenditures in the aggregate in excess of \$1,500 and a political action committee as defined under section 1052, subsection 5, paragraph A, subparagraph (5) that makes expenditures in the aggregate in excess of \$5,000 shall register with the commission within 7 days of exceeding the applicable amount. [2013, c. 588, Pt. A, §23 (AMD).]

B. A committee shall amend the registration within 10 days of a change in the information that committees are required to disclose under this section. [2013, c. 334, §19 (NEW).]

C. A committee shall file an updated registration form between January 1st and March 1st of each year in which a general election is held. The commission may waive the updated registration requirement for a newly registered political action committee or other registered political action committee if the commission determines that the requirement would cause an administrative burden disproportionate to the public benefit of the updated information. [2013, c. 334, §19 (NEW).]

[2013, c. 588, Pt. A, §23 (AMD) .]

2. Disclosure of treasurer and officers. A committee must have a treasurer and a principal officer. The same individual may not serve in both positions. The committee's registration must contain the names and addresses of the following individuals:

A. The treasurer of the committee; [2013, c. 334, §19 (NEW).]

B. A principal officer of the committee; [2013, c. 334, §19 (NEW).]

C. Any other individuals who are primarily responsible for making decisions for the committee; [2013, c. 334, §19 (NEW).]

D. The individuals who are primarily responsible for raising contributions for the committee; and [2013, c. 334, §19 (NEW).]

E. The names of any other candidates or Legislators who have a significant role in fund-raising or decision-making for the committee. [2013, c. 334, §19 (NEW).]

[2013, c. 334, §19 (NEW) .]

3. Other disclosure requirements. A committee's registration must also include the following information:



A. A statement indicating the specific candidates, categories of candidates or campaigns that the committee expects to support or oppose; [2013, c. 334, §19 (NEW).]

B. If the committee is formed to influence the election of a single candidate, the name of that candidate; [2013, c. 334, §19 (NEW).]

C. The form or structure of the organization, such as a voluntary association, membership organization, corporation or any other structure by which the committee functions, and the date of origin or incorporation of the organization; [2013, c. 334, §19 (NEW).]

D. If the committee has been formed by one or more for-profit or nonprofit corporations or other organizations for the purpose of initiating or influencing a campaign, the names and addresses of the corporations or organizations; [2013, c. 334, §19 (NEW).]

E. The name of the account that the committee will use to deposit contributions and make expenditures pursuant to section 1054, and the name and address of the financial institution at which the account is established; and [2013, c. 334, §19 (NEW).]

F. Any additional information reasonably required by the commission to monitor the activities of political action committees in this State under this subchapter. [2013, c. 334, §19 (NEW).]

[2013, c. 334, §19 (NEW) .]

4. Acknowledgment of responsibilities. The treasurer, principal officer and any other individuals who are primarily responsible for making decisions for the committee shall submit a signed statement acknowledging their responsibilities on a form prescribed by the commission within 10 days of registering the committee. The signed acknowledgment statement serves as notification of the responsibilities of the committee to comply with the financial reporting, record-keeping and other requirements of this chapter and the potential personal liability of the treasurer and principal officer for civil penalties assessed against the committee. The commission shall notify the committee of any individual who has failed to submit the acknowledgment statement. Failure to return the acknowledgment statement is a violation of this subchapter for which a fine of \$100 may be assessed against the committee. This section also applies to individuals named in an updated or amended registration required by this subsection who have not previously submitted an acknowledgment statement for the committee with the commission.

[2013, c. 334, §19 (NEW) .]

5. Resignation and removal. An individual who resigns as the treasurer, principal officer or primary decision-maker of a committee shall submit a written resignation statement to the commission. An individual's resignation is not effective until the commission receives the written resignation statement from the individual. If an individual is involuntarily removed from the position of treasurer, principal officer or primary decision-maker by the committee, the committee shall notify the commission in writing that the individual has been removed from the position. The commission may prescribe forms for these purposes.

[2013, c. 334, §19 (NEW) .]

SECTION HISTORY

2013, c. 334, §19 (NEW). 2013, c. 588, Pt. A, §23 (AMD).

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