

2014 Municipal Candidate Getting Started Packet JUNE ELECTION

FORMS,
INSTRUCTIONS AND
FILING REQUIREMENTS



(For Clerk's Office contact information)

2014 REGISTRATION MATERIALS For Municipal Candidates

This packet contains the forms you will need to register with the municipal clerk as a candidate for municipal office. Please call the Clerk's office if you have any questions regarding registration and campaign finance reporting.

The Commission on Governmental Ethics and Election Practices is another source of information. The Commission's phone number is: 207-287-4179.

Registration with the Municipal Clerk

Every candidate must register with the Clerk: (1) before raising or spending any money on their campaign (even their own funds); and/or (2) upon filing of their nomination papers. Please complete and sign the enclosed registration form and return it to the Clerk's office.

Campaign Bank Account

You must keep your campaign funds separate from your personal and/or business funds. Setting up a separate bank account for your campaign avoids commingling campaign funds with your personal or business funds, which is prohibited under Maine Election Law.

Filing of Campaign Finance Reports and Filing Schedule

Candidates are required to file campaign finance reports. Report forms are included in this packet. The required reports, reporting deadlines and reporting periods are found on the Filing Schedule also included in this packet.

Campaign Surplus from Previous Elections

If you have cash remaining from a previous election that you wish to carry forward to the current election, please contact the Clerk for information on how to terminate your previous campaign and report the transfer of the surplus to your current campaign.

Records and Record Keeping

Campaign records such as receipts, invoices, bank statements, etc. must be kept for at least two years following the filing of the last report for your campaign, which is usually the 42-Day Post-Election Report.

Other record keeping requirements include recording the name and address of every contributor giving you more than \$10. For contributor's giving more than \$50, the name, address, occupation and employer must be reported in the campaign finance report. Please see the *Candidate Guide* for more information on records and record keeping.

Closing Out Your Campaign

As long as you continue to carry a campaign cash balance, outstanding debts and obligations (including unpaid loans) greater than \$100, you will have to file post-election semiannual reports. However, you must dispose of any campaign cash surplus within four years after the election. Please see "Disposition of Surplus Campaign Funds" and "Closing Out Your Campaign" included in this packet.

Questions

Many questions can be answered by referring to the *Candidate Guide*. You can also call the Clerk's Office or the Ethics Commission at 287-4179. Thank you.

CANDIDATE REGISTRATION

Notice: Changes to registration information must be filed the Clerk's Office within 10 days of the change. Changes may be filed: on this form by checking "Yes" below, by writing to the Clerk's Office or by e-mail to the Clerk's Office.

Is this an amendment? Yes No

1. CANDIDATE INFORMATION		
Title <input type="checkbox"/> Ms. <input type="checkbox"/> Mrs. <input type="checkbox"/> Mr. <input type="checkbox"/> Dr. <input type="checkbox"/> Honorable	Party affiliation (if any)	Office sought
Name		District (if any)
Mailing address		Phone (home)
City, zip code		Phone (work)
E-mail	Fax	Phone (mobile)

2. TREASURER INFORMATION		
Name		Phone (home)
Mailing address		Phone (work)
City, zip code	E-mail	Fax

DESIGNATION OF TREASURER: A candidate for municipal office in towns and cities with a population of greater than 15,000 must appoint a treasurer no later than 10 days after becoming a candidate, and before accepting contributions, making expenditures or incurring obligations. No later than 10 days after appointing a treasurer, the candidate must register with the Clerk the name and address of the candidate and treasurer. The treasurer is responsible for maintaining campaign records and for filing reports. (21-A MRSA §§ 1013-A)

3. DEPUTY TREASURER INFORMATION		
Name		Phone (home)
Mailing address		Phone (work)
City, zip code		E-mail

DESIGNATION OF DEPUTY TREASURER (optional): The candidate may appoint a deputy treasurer, who must be reported to the Clerk no later than 10 days after the appointment. The deputy, when acting in the absence of the treasurer, has the same powers and responsibilities as the treasurer. (21-A MRSA § 1013-A (1)(A)(1))

4. POLITICAL COMMITTEE INFORMATION	
Name	Phone
Address of campaign headquarters	City, zip code

DESIGNATION OF POLITICAL COMMITTEE (optional): A candidate may authorize one political committee to promote the candidate's election. The committee treasurer is the treasurer appointed in Section 2 of the registration. No later than 10 days after appointing a political committee, the candidate must register the name of the committee and the committee officers, if appointed. (21-A MRSA § 1013-A (1) (B))

Committee Officers (use additional pages, if necessary):

Name	Title	Phone
Mailing address	City, zip code	E-mail

Name	Title	Phone
Mailing address	City, zip code	E-mail

5. CERTIFICATION (Must be signed even if exemption below is claimed)	
I, _____, certify that the information in this registration is true, <small>(Print Candidate's Full Name)</small> accurate and complete.	
Signature of Candidate _____	Date _____

6. EXEMPTION FROM REPORTING REQUIREMENTS	
<p>A reporting exemption relieves the candidate of the obligation to appoint a treasurer and file campaign finance reports. To obtain an exemption, the candidate must notify the Clerk in a sworn and notarized statement (below) that he/she will not accept contributions (including in-kind), make expenditures or incur financial obligations associated with the candidate's candidacy. PLEASE NOTE: personal funds of the candidate used for campaign purposes are considered campaign contributions/expenditures under Maine law. Hence, a candidate who uses such funds to support his/her candidacy is not eligible for a reporting exemption.</p> <p>NOTICE OF ELIGIBILITY FOR A REPORTING EXEMPTION: I, the undersigned, swear or affirm that I will not accept contributions, make expenditures or incur obligations associated with my candidacy.</p> <p>Signature of candidate _____ Date _____</p> <p>Subscribed and sworn (affirmed) to before me this _____ day of _____, 20____.</p> <p style="text-align: right;">Signature _____ Notary Public/Attorney-at-law</p> <p>Seal (optional)</p> <p style="text-align: right;">My commission expires (date) _____</p> <p>REVOCATION NOTICE: The foregoing statement may be revoked. Prior to revocation, the candidate must appoint a treasurer. A revocation notice must be in the form of an amended registration which must be filed with the Clerk no later than 10 days after the date the treasurer is appointed. The notice must be filed before contributions are accepted or expenditures made. A late revocation notice is subject to the same penalties applicable to late campaign finance reports.</p>	

Sworn Falsification is a Class D crime. (17-A MRSA § 453)

2014 FILING SCHEDULE

For Municipal Candidates in the June Election

MUNICIPAL ELECTION: JUNE 10, 2014

REQUIRED REPORT	FILING DEADLINE (BY CLOSE OF BUSINESS)	REPORT PERIOD
11-Day Pre-Election	May 30, 2014	Beginning of campaign – May 27, 2014
42-Day Post-Election	July 22, 2014	May 28, 2014 – July 15, 2014

ADDITIONAL REPORTS THAT MAY BE REQUIRED:

Pre-Election Semiannual Reports	Any candidate collecting or spending <u>more than \$500</u> in the calendar year proceeding the year of the election must file one or two pre-election semiannual reports. Please check with the Clerk’s Office to determine if and when semiannual reports are required.
Post-Election Semiannual Reports	Any candidate reporting a cash balance, outstanding loan balance, and/or unpaid debt/obligation of more than \$100 on the 42-Day Post-Election Report are required to file Post-Election Semiannual Reports every six months until the cash, loan and/or debt balances are \$100 or less. Once these balances are \$100 or less, the campaign is considered “closed out” and no additional reports are required. Please check with the Clerk’s Office to obtain semiannual report forms, the filing schedule, and information on how to close out your campaign.

REQUIRED REPORT: 24-HOUR REPORT	WHAT TO REPORT	WHEN TO FILE THE REPORT
May 28, 2014 Through June 9, 2014	Any single <u>contribution</u> of \$1,000 or more. Loans are considered contributions under Maine Election Law. Any single <u>expenditure</u> of \$1,000 or more. Orders placed with or obligations made to vendors for goods or services are considered expenditures at the time an order is placed or obligation are made.	Within 24 hours, including Saturdays and Sundays, of receiving the contribution or making the expenditure, incurring the obligation, or placing the order.

FILING PROCEDURES

Filing Campaign Finance Reports on Paper. Each original campaign finance report signed by the candidate and/or treasurer must be properly filed with the Clerk’s Office by the filing deadline, except in two circumstances. A properly signed report may be faxed to the Clerk’s Office at the number above by the close of business on the deadline, provided that the Clerk’s Office receives the original report within five calendar days. A report mailed to the Clerk’s Office by certified or registered mail and postmarked at least 2 days before the filing deadline will not be considered late, even if it is received after the deadline.

Staff in the Clerk’s Office will be available until the close of business on the filing deadlines to offer assistance to candidates and treasurers.

2014 CAMPAIGN FINANCE REPORT - JUNE ELECTION

For Municipal Candidates

Please complete ALL entries.

NAME OF CANDIDATE		<input type="checkbox"/> CHECK IF ANY INFORMATION HAS CHANGED FROM PREVIOUS REPORT
STREET		
CITY AND ZIP CODE		TELEPHONE NUMBER
E-MAIL		
OFFICE SOUGHT		DISTRICT NUMBER (if applicable)

NAME OF TREASURER		<input type="checkbox"/> CHECK IF ANY INFORMATION HAS CHANGED FROM PREVIOUS REPORT
MAILING ADDRESS:		
CITY AND ZIP CODE		TELEPHONE NUMBER
E-MAIL		

TYPE OF REPORT	DUE DATE	DATES OF REPORTING PERIOD
<input type="checkbox"/> 11-Day Pre-Election	May 30, 2014	Beginning of campaign – May 27, 2014
<input type="checkbox"/> 42-Day Post-Election	July 22, 2014	May 28, 2014 – July 15, 2014
<input type="checkbox"/> Amendment to:		
<input type="checkbox"/> Other (specify):		
<input type="checkbox"/> Check if campaign had no activity for the reporting period (no other pages are required).		

I CERTIFY THAT I HAVE EXAMINED THIS REPORT AND TO THE BEST OF MY KNOWLEDGE IT IS TRUE, CORRECT, AND COMPLETE.			
Treasurer's Signature	Date	Candidate's Signature	Date

**SCHEDULE A-1
IN-KIND CONTRIBUTIONS**

In-kind contributions are goods and services (including use of facilities) that you received at no cost or at a cost less than the fair market value. They include all goods and services purchased for the campaign by the candidate or supporters if the campaign does not expect to reimburse the candidate or supporter. These contributions may come from the candidate, candidate's family, supporters, PACs, party committees, or other entities. Goods that you have retained from an earlier election such as signs are not in-kind contributions to your current campaign.

- Itemize all in-kind contributions from contributors who have given you contributions totaling more than \$50 in this report period. Both cash and in-kind contributions count toward the \$50 threshold.
- Report the occupation and employer for every contributor who is an individual and who contributed more than \$50 in this report period.
- If you have requested employment information from the contributor and the contributor has not provided it, indicate "information requested" for the occupation and employer.
- For in-kind contributions totaling \$50 or less, please enter "total of contributions \$50 or less" and the total amount on a line on this page. When a contributor has given you more than \$50 in total (sum of all of their contributions), you must list that contributor separately.
- If you received goods and services at a discount, report the amount of the difference between the fair market value and the cost you paid as an in-kind contribution.

Total contributions (cash and in-kind) from the same source (except candidate and candidate's spouse/domestic partner) may NOT exceed \$750 in any election for municipal office.

DATE RECEIVED	CONTRIBUTOR'S NAME, ADDRESS, ZIP	OCCUPATION	EMPLOYER	TYPE (use key code)	AMOUNT

DESCRIPTION OF GOODS/SERVICES:

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DESCRIPTION OF GOODS/SERVICES:

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DESCRIPTION OF GOODS/SERVICES:

Total in-kind contributions (this page only) ⇒
(combined totals from all Schedule A-1 pages must be listed on Schedule F, line 8)

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Key Codes:

- 1 = Candidate and Candidate's Spouse/Domestic Partner
- 2 = Other Individuals
- 3 = Commercial Sources (corporations, etc.)
- 4 = Political Action Committees

- 5 = Political Party Committees
- 6 = Other Candidates and Committees
- 7 = (This type not applicable to traditionally financed candidates.)
- 8 = Contributors Giving \$50 or Less
- 9 = Transfer from Previous Campaign

**SCHEDULE B
EXPENDITURES**

- Enter the date, payee, expenditure type, and amount for each expenditure made during the report period.
- All expenditures require a remark. Enter a description of the goods and services purchased.
- For expenditures made with the candidate's or authorized individual's personal funds and that are reimbursed within the same report period, enter them as reimbursed expenditures (Payee Name is the vendor and the person who was reimbursed is named in the Remark field). If expenditures made by others are not reimbursed by the end of the report period, they are either reported as in-kind contributions or unpaid debts and obligations.

Only enter expenditures that have actually been paid. Enter unpaid debts and obligations on Schedule D.

Expenditure Types		Expenditure Types	
CNS	Campaign consultants	POS	Postage for U.S. Mail and mail box fees
CON	Contribution to other candidate, party, committee	PRO	Other professional services
EQP	Equipment (office machines, furniture, cell phones, etc.)	PRT	Print media ads only (newspapers, magazines, etc.)
FND	Fundraising events	RAD	Radio ads, production costs
FOD	Food for campaign events, volunteers	SAL	Campaign workers' salaries and personnel costs
LIT	Printing and graphics (flyers, signs, palmcards, t-shirts, etc.)	TRV	Travel (fuel, mileage, lodging, etc.)
MHS	Mail house (all services purchased)	TVN	TV or cable ads, production costs
OFF	Office supplies, utilities, phone/internet services, rent, etc.	WEB	Web advertising
OTH	Other (bank fees, entrance fees, small tools, wood, etc.)	NEW - For payments and reimbursements made to the candidate's family and household members, the relationship to the candidate must be reported in the Remark section (e.g., spouse, brother, roommate, etc.).	
PHO	Phone banks, automated telephone calls		
POL	Polling and survey research		

DATE (of expenditure)	NAME OF EACH PAYEE	TYPE (use code from above)	REMARK (All expenditure types requires a remark describing all goods and services purchased)	AMOUNT

Total expenditures (this page only) ⇒
(combined totals from all Schedule B pages must be listed on Schedule F, line 5)

**SCHEDULE C
LOANS AND LOAN REPAYMENTS**

- List all new and continuing loans that were unpaid at any time during this reporting period.
- If a loan amount is forgiven, the amount forgiven must also be entered as a contribution on Schedule A.
- Loans cannot exceed \$750 in any election for municipal candidates, except loans made by the candidate, the candidate's spouse or domestic partner, or a financial institution in the State of Maine

	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
LENDER	LOAN BALANCE AT BEGINNING OF PERIOD	ACTIVITY THIS PERIOD (report amount and date)			LOAN BALANCE AT END OF PERIOD (1+2) - 3 - 4
		AMOUNT LOANED THIS PERIOD	AMOUNT REPAYD THIS PERIOD	AMOUNT FORGIVEN THIS PERIOD	
		DATE AMOUNT	DATE AMOUNT	DATE AMOUNT	
		DATE AMOUNT	DATE AMOUNT	DATE AMOUNT	
		DATE AMOUNT	DATE AMOUNT	DATE AMOUNT	
		DATE AMOUNT	DATE AMOUNT	DATE AMOUNT	
		DATE AMOUNT	DATE AMOUNT	DATE AMOUNT	
Totals for each column		Enter on Schedule F, line 2	Enter on Schedule F, line 6	Enter on Schedule A and Schedule F, line 2.a	Enter on Schedule F, line 10

**SCHEDULE D
UNPAID DEBTS AND OBLIGATIONS**

- You have incurred a debt or obligation if you have placed an order for a good or service without making a payment; made a promise or agreement to pay for a good or service; signed a contract for a good or service; and received delivery of a good or service for which you have not paid.
- If the campaign has not received a bill for goods or services, contact the vendor to obtain the amount owed. If it is impossible to verify the amount of the debt, enter an estimated amount and indicate that the amount is estimated in the purpose section.
- Report actual payments to vendors on Schedule B.

DATE OF OBLIGATION	CREDITOR'S NAME AND ADDRESS	PURPOSE	AMOUNT
Total unpaid debts and obligations (this page only) ⇒ <i>(combined totals from all Schedule D pages must be listed on Schedule F, line 9)</i>			

**SCHEDULE F
SUMMARY SCHEDULE
(MUNICIPAL CANDIDATES)**

This page is required for all candidates except those checking the no activity box on the cover page of the report.
The cash balance on line 14 must match the campaign's reconciled bank account balance as of the last day of the report period.

CASH ACTIVITY	
RECEIPTS	
1. CASH CONTRIBUTIONS THIS PERIOD (total of all Schedule A pages)	
2. LOANS THIS PERIOD (Schedule C, column 2)	
2.a. Adjustment for forgiven loan amount this period (Schedule C, column 4)	-
3. OTHER CASH RECEIPTS THIS PERIOD (interest, etc.)	
4. TOTAL RECEIPTS THIS PERIOD [(lines 1 + 2 + 3) – line 2.a.]	
EXPENDITURES	
5. EXPENDITURES THIS PERIOD (total of all Schedule B pages)	
6. LOAN REPAYMENTS THIS PERIOD (Schedule C, column 3)	
7. TOTAL PAYMENTS THIS PERIOD (lines 5 + 6)	
OTHER ACTIVITY THIS REPORTING PERIOD	
8. IN-KIND CONTRIBUTIONS THIS PERIOD (total of all Schedule A-1 pages)	
9. TOTAL UNPAID DEBTS AT CLOSE OF PERIOD (total all Schedule D pages)	
10. TOTAL LOAN BALANCE AT CLOSE OF PERIOD (Schedule C, column 5)	
CASH SUMMARY FOR PERIOD	
11. CASH BALANCE AT BEGINNING OF PERIOD (Schedule F, line 14 from last report)	
12. PLUS TOTAL RECEIPTS THIS PERIOD (line 4 above)	+
13. MINUS TOTAL PAYMENTS THIS PERIOD (line 7 above)	-
14. CASH BALANCE AT END OF PERIOD (must match reconciled bank account balance)	=

* If you forgave a loan or part of a loan during the report period, you need to enter the forgiven amount on line 2.a. and subtract it from the sum of lines 1,2 &3. This adjustment is needed so that the forgiven amount is not double-counted as a receipt.

24-HOUR REPORT

For Municipal Candidates

Report Period: May 28 – June 9, 2014

CANDIDATE INFORMATION

NAME OF CANDIDATE	TELEPHONE NUMBER
MAILING ADDRESS	OFFICE SOUGHT
CITY, ZIP CODE	DISTRICT NUMBER (IF ANY)
NAME OF AUTHORIZED COMMITTEE, IF ANY	

TREASURER INFORMATION

NAME OF TREASURER	TELEPHONE NUMBER
MAILING ADDRESS	CITY, ZIP CODE

CONTRIBUTOR INFORMATION

NAME OF CONTRIBUTOR	OCCUPATION
NUMBER AND STREET	EMPLOYER
CITY, STATE, ZIP CODE	<i>For in-kind contributions received, describe the goods or services received:</i>
DATE OF CONTRIBUTION	
CONTRIBUTION AMOUNT: \$	
IF IN-KIND, REPORT FAIR MARKET VALUE: \$	

EXPENDITURE INFORMATION

NAME OF PAYEE	DATE OF EXPENDITURE
NUMBER AND STREET	EXPENDITURE AMOUNT
CITY, STATE, ZIP CODE	
PURPOSE OF EXPENDITURE	

I, _____ certify that the information in this report is true, correct and complete.

Signature of Treasurer

Date

Signature of Candidate

Date

INSTRUCTIONS FOR FILING 24 HOUR REPORTS

If between May 28, 2013 through June 9, 2014, a candidate for state, county or municipal office makes a single expenditure of \$1,000 or more, receives a contribution of \$1,000 or more, or receives a loan from the candidate or candidate's spouse/domestic partner of \$1,000 or more, a 24 Hour Report must be filed.

The report must be filed within 24 hours of making the expenditure or receiving the contribution.

FACSIMILE TRANSMISSION

A properly signed report may be faxed to the municipal clerk, provided the original is received by the municipal clerk within 5 calendar days.

IMPORTANT

The information contained in this report must be included on the appropriate schedule of the 42-Day Post Election Report.

QUESTIONS

Please contact either the Clerk's Office or the Ethics Commission: (207)287-4179.



DISPOSING OF LOANS AND DEBTS

HOW TO DISPOSE OF OUTSTANDING LOAN BALANCES

If you have questions, please contact the Commission at:

207-287-4179.



If you have an outstanding loan balance of more than \$100 and want to close out your campaign with the filing of your 42-Day Post-Election Report, you may:

- forgive the outstanding loan balance. You must enter a contribution on Schedule A for the forgiven loan amount. The name of the contributor is you, your spouse or domestic partner (for loans made by these entities) or the name of the individual who made a loan to you (individuals may only loan up to \$750—if they did not make a cash contribution to your campaign); and/or
- make a payment with campaign funds to reduce the outstanding loan balance to \$100 or less.

Most candidates with outstanding loan balances decide to forgive these balances because they do not want to be responsible for filing Post-Election Semiannual Reports.

If you have an outstanding loan balance of more than \$100, you must file Post-Election Semiannual Reports. Chapter 1 of Commission Rules states that “the Commission may consider any reported loan to be a cash contribution if it remains unpaid four years after the election in which it was incurred.”

HOW TO DISPOSE OF UNPAID DEBTS

If the unpaid debt or obligation is with a vendor, you may dispose of or reduce the unpaid debt to an amount of \$100 or less by:

- using campaign funds to pay the debt. You are permitted to fundraise after the election for the purpose of paying off debts;
- using your personal funds to pay the vendor. There is no limit in Maine Election Law on the amount of funds that you, your spouse or domestic partner may contribute to your campaign. Report the payment as an in-kind contribution on Schedule A-1 or report a contribution on Schedule A from you and report a corresponding expenditure on Schedule B for the payment; or
- having the vendor make an in-kind contribution of up to \$750 for the services/goods provided. Remember that contributors may give up to \$750 in aggregate for the election which means that any prior contribution from that vendor is counted towards the \$750 limit.

A commercial vendor that has extended credit to a candidate has not made a contribution if the credit is extended in the ordinary course of the vendor’s business and the terms are substantially similar to the extension of credit made to nonpolitical customers that are of similar risk and size of obligation.

The Commission shall presume any debt that remains unpaid more than six months after the election to be a contribution the candidate unless the candidate provides evidence that they intend to pay off the debt.

If an unpaid debt is to you, your spouse or domestic partner (e.g., an expenditure was made with personal funds and has not been reimbursed with campaign funds), you can report the unpaid debt as an in-kind contribution on Schedule A-1 or report it as a contribution on Schedule A from you and report a corresponding expenditure on Schedule B for the payment.

If an unpaid debt is to a volunteer or supporter (e.g., they made an expenditure with their personal funds and have not yet been reimbursed with campaign funds), you can report the unpaid debt as an in-kind contribution from them on Schedule A-1 as long as the amount does not exceed \$750. Remember that contributors may give up to \$750 in aggregate for the election which means that any prior contribution from that person is counted towards the \$750 limit.



DISPOSITION OF SURPLUS CAMPAIGN FUNDS

21-A M.R.S.A. Section 1017(8)

Disposition of surplus. A treasurer of a candidate registered under section 1013-A or qualified under sections 335 and 336 or sections 354 and 355 must dispose of a surplus exceeding \$100 within 4 years of the election for which the contributions were received by:

- A. Returning contributions to the candidate's or candidate's authorized political committee's contributors, as long as no contributor receives more than the amount contributed;
- B. A gift to a qualified political party within the State, including any county or municipal subdivision of such a party;
- C. An unrestricted gift to the State. A candidate for municipal office may dispose of a surplus by making a restricted or unrestricted gift to the municipality;
- D. Carrying forward the surplus balance to a political committee established to promote the same candidate for a subsequent election;
- D-1. Carrying forward the surplus balance for use by the candidate for a subsequent election;
- E. Transferring the surplus balance to one or more other candidates registered under section 1013-A or qualified under sections 335 and 336 or sections 354 and 355, or to political committees established to promote the election of those candidates, provided that the amount transferred does not exceed the contribution limits established by section 1015;
- F. Repaying any loans or retiring any other debts incurred to defray campaign expenses of the candidate;
- G. Paying for any expense incurred in the proper performance of the office to which the candidate is elected, as long as each expenditure is itemized on expenditure reports; and
- H. A gift to a charitable or educational organization that is not prohibited, for tax reasons, from receiving such a gift.

The choice must be made by the candidate for whose benefit the contributions were made.