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October 29, 2012

Jonathan Wayne, Executive Director
Maine Commission on Governmental Ethics and Election Practices
135 State House Station
Augusta, ME 04333

Re: Response of Maine Senate Republican Majority PAC

Dear Jonathan:

Please accept this letter and attachment as the response of Maine Senate Republican Majority PAC (the "PAC") to the staff's proposal that the Commission determine that the PAC violated 21-A M.R.S.A. §1053 by not amending its registration form in a timely manner.

The PAC acknowledges that it failed to timely update its registration form and does not dispute the staff's conclusion that this violated §1053. However, the PAC submits that there are factors the Commission should consider when deciding whether to assess a penalty for this oversight.

First, as the staff notes, there is no reinforcement of the duty to amend the registration. Unlike other reporting deadlines where the staff provides a commendable service by sending e-mail or telephonic reminders, there are no reminders of the need to amend a registration form except for the annual registration reminder.

Secondly, the Commission should consider that the PAC had recently appointed a new treasurer. Sara Vanderwood had only been treasurer for a few months at this time. While she had previously served as a treasurer for a leadership PAC, there is a crucial difference between a caucus PAC and a leadership PAC. Leadership PACs do not usually experience changes in their principals during an election cycle. Leadership PACs are generally personal to the legislator and typically cease to exist when the legislator decides to no longer run the PAC or, if they are transferred to another legislator, this change would likely happen outside of an election cycle.

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Thirdly, the failure to update the registration form should be considered in light of the events of the day. As the Commissioners are undoubtedly aware, the sudden and unexpected decision of Senator Olympia Snowe to discontinue her re-election campaign caused a period of great tumult and uncertainty in Maine's political landscape. Numerous persons from both political parties decided, in the extremely short time available to "throw their hats in the ring" and seek the now open U.S. Senate seat. At this time, both former principals of the PAC decided to seek federal office. Accordingly, the veteran leadership of the PAC resigned in quick succession. As such, within a relatively short period of time the PAC experienced a complete turnover in its principals and its treasurer. Additionally, the principals of the PAC were also dealing with several contentious bills remaining at the close of the legislative session.

In summation, the failure to update the PAC's annual registration form was an administrative oversight. In light of the factors detailed, the PAC agrees with the staff's inclination and requests that the Commission decline to assess a civil penalty. I will be happy to address any questions that the Commission may have at its October 31, 2012 meeting. Additionally, Sen. Saviello will also be present at the meeting and available to answer questions, if necessary, posed the Commissioners.

Sincerely,

A handwritten signature in black ink, appearing to read "Will P. Logan", with a long horizontal flourish extending to the right.

William P. Logan, Esq.

cc: Maine State Republican Majority PAC