Exhibit #5

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

To: Commission Members

From: Jonathan Wayne

Date: February 7, 2006

Re: Grose and Wasserott Complaints

Carol Grose and Susan Wasserott ran against each other for the Maine House of Representatives in District 65. The Grose campaign filed a letter by e-mail alleging that the Wasserott campaign received unreported contributions that violated the Maine Clean Election Act: free advertising in a local newspaper, uncompensated website services, and wood from a former candidate that was used for signs. Attorney Dan Billings has responded on behalf of the Wasserott campaign.

Allegations against Wasserott Campaign

Newspaper Articles

The Commission staff easily understands why the Grose campaign might regard the Coastal Journal's publication of eight commentaries written by Susan Wasserott as an in-kind contribution to her campaign. Apparently, there was a generous amount of space devoted to explaining Ms. Wasserott's views on public policy issues, along with her picture. Newspaper space costs money. This donation of this space certainly could fall within the definition of contribution: something of value provided to Ms. Wasserott for the purpose of influencing her election. (21-A M.R.S.A. §1012(A)(1))

The Election Law contains, however, a generous exception to the definition of the term "expenditure" that applies to broadcasting stations and newspapers that are not controlled by a political party, political committee, or candidate:

> The term "expenditure" ...
>
> B. [d]oes not include:
>
> (1) Any news story, commentary or editorial distributed through the facilities of any broadcasting station, newspaper, magazine or other periodical publication, unless the facilities are owned or controlled by any political party, political committee or candidate;

21-A M.R.S.A. §1012(3)(B)(1) This exception seems intended to provide media with a wide degree of latitude to publish news stories or editorials dealing with elections or candidates without being accused of making an expenditure to benefit a candidate.

This is the first complaint raising this issue before the Commission since my employment began. Presumably, this is because most news outlets make an effort to be balanced. The exception for newspapers and broadcasters does seem quite broad, and could allow the owner of a politically-minded newspaper or broadcast station to unfairly tilt an election in a significant way. In applying the law, I do not want to ignore the potential unfairness to candidates such as Rep. Grose. Nevertheless, it is the job of the Commission to apply the law as it is written. Because of the language in the current law, I am reluctant to recommend the view that Ms. Wasserott received a contribution.

Rep. Grose or others may wish to propose to the Legislature that this exception in the Election Law be revisited because of its potential to disadvantage candidates.

Campaign Website

The Grose campaign complained that the Wasserott campaign received a very slick, professional-looking website for little compensation. The Wasserott campaign responded that the website was designed by Mark Stephenson of Stephenson Design Group, and that the donated services fall within the volunteerism exception to the term "contribution":

> The term "contribution"
>
> B. [d]oes not include:
>
> (1) The value of services provided without compensation by individuals who volunteer a portion or all of their time on behalf of a candidate or political committee;

21-A M.R.S.A. §1012(2)(B)(1)

The campaign later compensated Mr. Stephenson $250 for his services. The Commission staff regularly advises candidates that because of the volunteerism exception their supporters can donate specialized skills to a campaign (design, database, legal) without making a contribution. As long as Mr. Stephenson was donating his own labor only – and not the labor of his employees – I recommend the view that his services did not amount to a contribution to the Wasserott campaign.

Three Wooden Signs Contributed by Richard Tetrev

The Grose campaign alleges that Susan Wasserott received three large wooden signs that appear to be painted-over signs from the district's previous Republican nominee, Richard Tetrev. It has been the experience of the Commission staff that when individuals give wood to candidates to use for signs, some individuals are aware that they could be making a contribution that has value, and other donors do not think of it.

To set a clearer standard, the Legislature adopted the following exception from the definition of contribution which was proposed by the Commission:

> (8-A) Wood or other materials used for political signs that are found or contributed if not originally obtained by the candidate or contributor for campaign purposes ...

21-A M.R.S.A. §1012(2)(B)(8-A) Mr. Billings argues that the wood donated by Mr. Tetrev was not a contribution because Mr. Tetrev did "not originally obtain[] [the wood] for campaign purposes."

The Commission staff originally drafted this language, and our intention was that it would cover spare wood lying around a candidate or supporter's property that was obtained for some non-political purpose. We did not mean the exception to cover wood contributed by a previous candidate for political signs.

Nevertheless, what the agency staff had in mind when the law was drafted may not be particularly relevant. If the wood was, indeed, not obtained by Mr. Tetrev for campaign purposes, you may conclude that the donated wood was not a contribution.

If you determine that the wood is not covered by the exception, the staff recommends that you find the Wasserott campaign in violation of accepting a nominal contribution and assess no monetary penalty.

Allegations against the Grose Campaign

Attorney Daniel I. Billings submitted a complaint alleging that the Suscom (now Comcast) cable television network in Brundwick showed advertising paid for by the Grose campaign that incorrectly stated that it was paid for by the Sagadahoc County Democratic Committee.

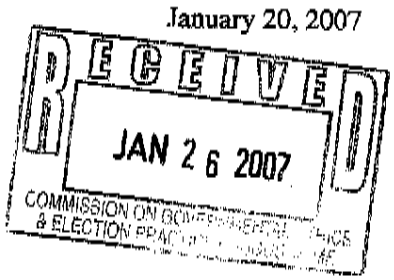
Jennifer Geiger of Briggs Advertising has submitted a letter explaining that the inaccurate "paid for" information was inadvertent and that it was quickly corrected.

Both the Grose campaign (as the party financing the ad) and the television station were under a statutory obligation to verify that the ad contained correct disclosure of what organization paid for the ad. In order to encourage accurate disclosure generally, the staff recommends that the Commission find the Grose campaign and Briggs Advertising in

violation of 21-A M.R.S.A. §1014(1) and (3), respectively, for including the wrong information in the advertisement. Because of the inadvertent nature of the violation and the prompt correction, the staff recommends against the assessment of any penalty.

Jonathan Wayne
Executive Director
Commission on Governmental Ethics
And Election Practices
135 State House Station
Augusta, Maine 04333-0135

January 20, 2007



Dear Sir,
I am writing in response to your letter of January 18, 2007 regarding the complaint filed against Briggs Advertising and the Carol Grose campaign by Daniel Billings.

Briggs Advertising operated as the outsourced advertising sales office for the Brunswick cable television system for 19 years through December of 2006. We also have an in-house video production facility and offer production of TV spots as one of our services. With these services we provided access to affordable television advertising to local political candidates (regardless of party affiliation) for a number of election cycles.

For the 2002 Maine election, Briggs Advertising produced a :30 TV spot for Carol Grose's campaign. That ad was paid for by the Sagadahoc Democratic Committee.

For her 2004 re-election campaign, Carol Grose hired Briggs Advertising to produce a new spot, which consisted of a repetition of the beginning and ending footage from the 2002 spot, replacing only a section of the ad in which Representative Grose spoke on-camera. This spot was paid for by the Grose for Representative campaign. In production of this spot, the disclosure information was updated on the end page.

In 2006, I explored ideas with Representative Grose for creation of a new campaign commercial, and in this process we reviewed her previous ads. The most recent ad from 2004 was out-of-date, as it referred to what she had done in her "first term" in the Legislature. The original ad, however, was fairly generic, and we determined the spot could be updated without re-shooting, with a simple change of the election date in the voiceover for a retagging fee of $65. Carol said she would prefer this option to producing a new spot for $450 and "spending the taxpayers money".

In retagging the 2002 spot, we overlooked the fact that four years earlier the original ad had been paid for by the Sagadahoc Democratic Committee, and that the disclosure information, which had been revised for the 2004 ad, was different on the 2002 ad. It was an oversight made in the crunch of a very busy time; with only 2 salespeople and 2 cameramen/editors, in the two short weeks before the election we held creative meetings, wrote scripts, shot and edited ads, and wrote contracts for air time for more than 15 candidates, both Democrats and Republicans.

We do our best to be accurate, although we rely on our clients to give final approval to the content of their commercials. The spot aired for only a couple of days before we were contacted about our mistake, which we corrected immediately. I trust that no one was harmed by this error.

Sincerely,

Jennifer Geiger
Account Executive
Briggs Advertising

Wayne, Jonathan

From: Dib9@aol.com

Sent: Wednesday, November 29, 2006 1:42 PM

To: Wayne, Jonathan

Cc: Lavin, Paul

Subject: Re: Sag Dems/Grose TV Ad

Jonathan:

Please consider this e-mail my formal complaint concerning TV ads for Carol Grose which ran on Comcast before the election. I believe the law was violated because the ads contained a disclosure stating that they were paid for by the Sagadahoc County Democratic Committee, when Ethics Commission staff has determined that the ads were actually paid for by the Grose campaign.

While I understand that disclosure violations are common, and the mistake here unintentional and was corrected when it was brought to attention, I believe the violation is worthy of consideration by the Commission because it made it appear that there were much more serious violations of the Clean Elections Act. If the ad had actually been paid for by the Sagadahoc County Democratic Committee that would have been an unreported independent expenditure which would have denied Ms. Grose's opponent matching funds. Due to what appeared to be a serious violation, both Assistant Director Lavin and I spent time looking into this matter. As it turned out, the violation was only a disclosure violation but the violation illustrates why the disclosure requirements are important. Ultimately, I believe the campaign had a responsibility to review the final ad before it aired to ensure that the proper disclosure is made and should be held accountable for not doing so.

Thank you.

Dan Billings

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RECEIVED NOV 30 2006 COMMISSION ON GOVERNMENTAL ETHICS & ELECTION PRACTICES AUGUSTA, ME

November 29, 2006

Paul Lavin, Assistant Director
State of Maine Commission on Governmental Ethics & Election Practices
135 State House Station
Augusta, Maine 04333-0135

RE: Grose Complaint

Dear Paul:

I am writing on behalf of Susan Wasserott in response to your letter of November 17th. Your letter raises three specific issues which are addressed below:

1. The website for the Wasserott campaign was initially designed by Mark Stephenson of Stephenson Design Group as a volunteer for the campaign. The value of services provided without compensation by individuals who volunteer a portion or all of their time on behalf of a candidate or political committee are not contributions to a campaign as defined by 21-A M.R.S.A. §1012(2). The $70.67 expenditure reported on the 6-day Pre-General Election Report was to cover the domain registration and hosting of the site. The 42-day Post General Election Report for the Wasserott campaign will show a payment of $250.00 to the Stephenson Design Group for web design. Susan Wasserott talked with Sandy Thompson of the Ethics Commission staff on November 8th and was told that it would be proper to pay Mark Stephenson to partially compensate him for services that had been provided to the campaign on a volunteer basis.

2. The articles published in the Coastal Journal are not campaign expenditures under Maine law. 21-M.R.S.A. §1012(3)(B)(1) (The definition of expenditure does not include "[a]ny news story, commentary or editorial distributed through the facilities of any broadcasting station, newspaper, magazine or other periodical publication, unless the facilities are owned or controlled by any political party, political committee or candidate"). The Coastal Journal is a newspaper owned by Blethen Maine Newspapers, Inc. and is not controlled by any political party, political committee or candidate. Its policies regarding what articles it chooses to publish are not within the

jurisdiction of the Commission. It should be noted that the paper also published articles by Rep. Grose before the election.

3. The signs in question were produced with wood provided by Rick Tetrev and paint that Susan and her husband had left over from a family project. The wood and the paint are not contributions to the campaign under the provisions of 21-A M.R.S.A. §1012(2)(B)(8-B) (The term contribution does not include "[w]ood or other materials used for political signs that are found or contributed if not originally obtained by the candidate or contributor for campaign purposes"). The wooden signs were produced by volunteer labor on contributed wood and paint that was not originally obtained for campaign purposes. The Pre-General Election Report filed by the Wasserott campaign includes an expenditure for the cost of the letters that were purchased for the production of the signs.

As illustrated above, the issues raised by the Grose complaint are specifically addressed by provisions of Maine law. The complaint fails to allege any facts which constitute a violation of Maine law or Commission rules. No action by the Commission is warranted.

Very truly yours,

Daniel I. Billings
e-mail: dbillings@gwi.net

Lavin, Paul

From: thebus [thebus@gwi.net]
Sent: Monday, November 06, 2006 9:54 AM
To: Lavin, Paul
Subject: Wasserott Ethic Complaint

Dear Ethics Commission:

I write you to report apparent non-compliance with provisions of campaign reporting laws by Susan Wasserott, the Republican candidate for House of Representatives District 65. Ms. Wasserott appears to have received valuable in-kind contributions which she has failed to report as required by law. In particular, she appears to have received free advertising space in The Coastal Journal on numerous occasions, she appears to have received below-cost website design services, and she appears to have received valuable wooden campaign signs from someone associated with Richard Tetrev, a Republican candidate in the past. None of these contributions appear on her financial disclosure reports.

Copies of the Coastal Journal are located on her website www.wasserottrep65.com. The advertisements are in the form of "advertorials" headed by a large color picture of candidate Wasserott and including not only a statement that she is a candidate for House of Representatives District 65, and a description of the towns in District 65, but Ms. Wasserott's campaign website address, www.wasserottrep65.com. This elaborate campaign website, which is incorporated by reference in Ms. Wasserott's free advertorial, explicitly asks people to vote for Ms. Wasserott. Indeed, the name of the website alone, following the description of her candidacy, appears to be an explicit appeal for votes. None of Ms. Wasserott's advertorial advertisements in The Coastal Journal include the required disclosures of candidate approval or funding.

I complained to the editor of The Coastal Journal, Fred Kahrl, about these free advertisements for Ms. Wasserott's candidacy. He reluctantly offered to publish two articles by me, to partially counterbalance the eight advertorials he published for for Ms. Wasserott. By way of background on the partisanship involved, you may want to know that Mr. Kahrl was the unsuccessful Republican candidate I defeated when I was first elected to the House of Representatives in 2002, and he recently declared his personal support of Ms. Wasserott and opposition to me in his " West of Woolwich" column in the Coastal Journal on Nov. 2 2006, www.COASTALjOURNAL.com Mr. Kahrl was a MCEC and should be aware that providing free space to one canidate without offering the same to their opponent is at the very least unethical.

I have not included printouts from Ms. Wasserott's campaign website at www.wasserottrep65.com, as the site is readily accessible to you through the internet, but I can print out copies if you request. It is a very slick, professional-looking website with many photos and at least 18 different interlinked web pages. Ms. Wasserott's finance reports list only one website-related expense - $70.67 paid to Stephenson Design Group. This appears to be far less than the market-value cost of designing and implementing such an elaborate website.

Ms. Wasserott's campaign has erected three large wooden signs that appear to be painted-

over signs from Richard Tetrev's campaign. I believe they were the property of Richard Tetrev and they constitute an in-kind contribution to Ms. Wasserott's campaign that does not appear in Ms. Wasserott's financial reports.

I feel that these items taken together indicate a pattern of circumvention of the MCEA regulations, and I hope you will investigate them. Please let me know if you need any more information from me in this connection.

Sincerely,

Karl D. Grose
Treasurer, People to Elect Carol Grose.

Title 21-A, §1014, Publication or distribution of political statements

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§1014. Publication or distribution of political statements

1. Authorized by candidate. Whenever a person makes an expenditure to finance a communication expressly advocating the election or defeat of a clearly identified candidate through broadcasting stations, newspapers, magazines, outdoor advertising facilities, publicly accessible sites on the Internet, direct mails or other similar types of general public political advertising or through flyers, handbills, bumper stickers and other nonperiodical publications, the communication, if authorized by a candidate, a candidate's authorized political committee or their agents, must clearly and conspicuously state that the communication has been so authorized and must clearly state the name and address of the person who made or financed the expenditure for the communication. The following forms of political communication do not require the name and address of the person who made or authorized the expenditure for the communication because the name or address would be so small as to be illegible or infeasible: ashtrays, badges and badge holders, balloons, campaign buttons, clothing, coasters, combs, emery boards, envelopes, erasers, glasses, key rings, letter openers, matchbooks, nail files, noisemakers, paper and plastic cups, pencils, pens, plastic tableware, 12-inch or shorter rulers, swizzle sticks, tickets to fund-raisers and similar items determined by the commission to be too small and unnecessary for the disclosures required by this section.
[2005, c. 301, §10 (amd).]

2. Not authorized by candidate. If the communication described in subsection 1 is not authorized by a candidate, a candidate's authorized political committee or their agents, the communication must clearly and conspicuously state that the communication is not authorized by any candidate and state the name and address of the person who made or financed the expenditure for the communication. If the communication is in written form, the communication must contain at the bottom of the communication in print that is no smaller in size than 10-point bold print, Times New Roman font, the words "NOT PAID FOR OR AUTHORIZED BY ANY CANDIDATE."
[2003, c. 510, Pt. F, §1 (amd); c. 599, §15 (aff).]

2-A. Communication. If a communication that names or depicts a clearly identified candidate is disseminated during the 21 days before an election through the media described in subsection 1, the communication must state the name and address of the person who made or financed the communication and a statement that the communication was or was not authorized by the candidate.
[2005, c. 301, §11 (new).]

3. Broadcasting prohibited without disclosure. No person operating a broadcasting station within this State may broadcast any communication, as described in subsections 1 and 2, without an oral or written visual announcement of the name of the person who made or financed the expenditure for the communication.
[1985, c. 161, §6 (new).]

3-A. In-kind contributions of printed materials. A candidate, political committee or political action committee shall report on the campaign finance report as a contribution to the candidate, political committee or political action committee any contributions of in-kind printed materials to be used in the support of a candidate or in the support or defeat of a cause to be voted upon at referendum. Any in-kind contributions of printed materials used or distributed by a candidate, political committee or political action committee must include the name or title of that candidate, political committee or political action committee as the authorizing agent for the printing and distribution of the in-kind contribution.

The use or distribution of in-kind printed materials contributed to a candidate, political committee or political action committee must be reported as an expenditure on the campaign finance report of that candidate, political committee or political action committee.
[1991, c. 839, §9 (new).]

Title 21-A, §1014, Publication or distribution of political statements

3-B. Newspapers. A newspaper may not publish a communication described in subsection 1 or 2 without including the disclosure required by this section. For purposes of this subsection, "newspaper" includes any printed material intended for general circulation or to be read by the general public. When necessary, a newspaper may seek the advice of the commission regarding whether or not the communication requires the disclosure.
[2005, c. 308, §1 (new).]

4. Enforcement. An expenditure, communication or broadcast made within 10 days before the election to which it relates that results in a violation of this section may result in a civil fine of no more than $200. An expenditure, communication or broadcast made more than 10 days before the election that results in a violation of this section may result in a civil fine of no more than $100 if the violation is not corrected within 10 days after the candidate or other person who committed the violation receives notification of the violation from the commission. If the commission determines that a person violated this section with the intent to misrepresent the name or address of the person who made or financed the communication or whether the communication was or was not authorized by the candidate, the commission may impose a fine of no more than $5,000 against the person responsible for the communication. Enforcement and collection procedures must be in accordance with section 1020-A.
[2005, c. 542, §1 (amd).]

5. Automated telephone calls. Automated telephone calls that name a clearly identified candidate must clearly state the name of the person who made or financed the expenditure for the communication, except for automated telephone calls paid for by the candidate that use the candidate's voice in the telephone call.
[2005, c. 301, §12 (new).]

PL 1985, Ch. 161, §6 (NEW).
PL 1987, Ch. 188, §17 (AMD).
PL 1989, Ch. 504, §5,6,31 (AMD).
PL 1991, Ch. 466, §37 (AMD).
PL 1991, Ch. 839, §8-10 (AMD).
PL 1995, Ch. 483, §6 (AMD).
PL 2003, Ch. 302, §1 (AMD).
PL 2003, Ch. 510, §F1 (AMD).
PL 2003, Ch. 510, §F2 (AFF).
PL 2003, Ch. 599, §15 (AFF).
PL 2005, Ch. 301, §10-12 (AMD).
PL 2005, Ch. 308, §1 (AMD).
PL 2005, Ch. 542, §1 (AMD).

Title 21-A, §1012, Definitions

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§1012. Definitions

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

1. **Clearly identified.** "Clearly identified," with respect to a candidate, means that:

A. The name of the candidate appears; [1985, c. 161, §6 (new).]

B. A photograph or drawing of the candidate appears; or [1985, c. 161, §6 (new).]

C. The identity of the candidate is apparent by unambiguous reference. [1985, c. 161, §6 (new).]
[1985, c. 161, §6 (new).]

2. **Contribution.** The term "contribution:"

A. Includes:

(1) A gift, subscription, loan, advance or deposit of money or anything of value made for the purpose of influencing the nomination or election of any person to state, county or municipal office or for the purpose of liquidating any campaign deficit of a candidate, except that a loan of money to a candidate by a financial institution in this State made in accordance with applicable banking laws and regulations and in the ordinary course of business is not included;

(2) A contract, promise or agreement, express or implied, whether or not legally enforceable, to make a contribution for such purposes;

(3) Funds received by a candidate or a political committee that are transferred to the candidate or committee from another political committee or other source; and

(4) The payment, by any person other than a candidate or a political committee, of compensation for the personal services of other persons that are provided to the candidate or political committee without charge for any such purpose; and

[1995, c. 483, §3 (amd).]

B. Does not include:

(1) The value of services provided without compensation by individuals who volunteer a portion or all of their time on behalf of a candidate or political committee;

(2) The use of real or personal property and the cost of invitations, food and beverages, voluntarily provided by an individual to a candidate in rendering voluntary personal services for candidate-related activities, if the cumulative value of these activities by the individual on behalf of any candidate does not exceed $100 with respect to any election;

(3) The sale of any food or beverage by a vendor for use in a candidate's campaign at a charge less than the normal comparable charge, if the charge to the candidate is at least equal to the cost of the food or beverages to the vendor and if the cumulative value of the food or beverages does not exceed $100 with respect to any election;

(4) Any unreimbursed travel expenses incurred and paid for by an individual who volunteers personal services to a candidate, if the cumulative amount of these expenses does not exceed $100 with respect to any election;

Title 21-A, §1012, Definitions

(4-A) Any unreimbursed travel expenses incurred and paid for by the candidate or the candidate's spouse;

(5) The payment by a party's state, district, county or municipal committee of the costs of preparation, display or mailing or other distribution of a party candidate listing;

(6) Documents, in printed or electronic form, including party platforms, single copies of issue papers, information pertaining to the requirements of this Title, lists of registered voters and voter identification information, created or maintained by a political party for the general purpose of party building and provided to a candidate who is a member of that party;

(7) Compensation paid by a political party to an employee of that party for the following purposes:

(a) Providing advice to any one candidate for a period of no more than 20 hours in any election;

(b) Recruiting and overseeing volunteers for campaign activities involving 3 or more candidates; or

(c) Coordinating campaign events involving 3 or more candidates;

(8) Campaign training sessions provided to 3 or more candidates;

(8-A) Costs paid for by a party committee in connection with a campaign event at which 3 or more candidates are present;

(8-B) Wood or other materials used for political signs that are found or contributed if not originally obtained by the candidate or contributor for campaign purposes;

(8-C) The use or distribution of any communication, as described in section 1014, obtained by the candidate for a previous election and fully paid for during that election;

(9) The use of offices, telephones, computers and similar equipment when that use does not result in additional cost to the provider; or

(10) Activity or communication designed to encourage individuals to register to vote or to vote if that activity or communication does not mention a clearly identified candidate.

[2005, c. 301, §7 (amd).]

[2005, c. 301, §7 (amd).]

3. 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 influencing the nomination or election of any person to political office, except that a loan of money to a candidate by a financial institution in this State made in accordance with applicable banking laws and regulations and in the ordinary course of business is not included;

(2) A contract, promise or agreement, expressed or implied, whether or not legally enforceable, to make any expenditure;

(3) The transfer of funds by a candidate or a political committee to another candidate or political committee; and

(4) A payment or promise of payment to a person contracted with for the purpose of supporting or opposing any candidate, campaign, political committee, political action committee, political party, referendum or initiated petition or circulating an initiated petition; and

[2005, c. 575, §2 (amd).]

B. Does not include:

(1) Any news story, commentary or editorial distributed through the facilities of any broadcasting station, newspaper, magazine or other periodical publication, unless the facilities are owned or controlled by any political party, political committee or candidate;

(1-A) Any communication distributed through a public access television station if the communication complies with the laws and rules governing the station and all candidates in the race have an equal opportunity to promote their candidacies through the station;

(2) Activity or communication designed to encourage individuals to register to vote or to vote if that activity or communication does not mention a clearly identified candidate;

Title 21-A, §1012, Definitions

(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 an individual to a candidate in rendering voluntary personal services for candidate-related activities, if the cumulative value of these activities does not exceed $100 with respect to any election;

(5) Any unreimbursed travel expenses incurred and paid for by an individual who volunteers personal services to a candidate, if the cumulative amount of these expenses does not exceed $100 with respect to any election;

(5-A) Any unreimbursed travel expenses incurred and paid for by the candidate or the candidate's spouse;

(6) Any communication by any person that is not made for the purpose of influencing the nomination for election, or election, of any person to state or county office;

(7) The payment by a party's state, district, county or municipal committee of the costs of preparation, display or mailing or other distribution of a party candidate listing;

(8) The use or distribution of any communication, as described in section 1014, obtained by the candidate for a previous election and fully paid for during that election campaign;

(9) Documents, in printed or electronic form, including party platforms, single copies of issue papers, information pertaining to the requirements of this Title, lists of registered voters and voter identification information, created or maintained by a political party for the general purpose of party building and provided to a candidate who is a member of that party;

(10) Compensation paid by a political party to an employee of that party for the following purposes:

(a) Providing advice to any one candidate for a period of no more than 20 hours in any election;

(b) Recruiting and overseeing volunteers for campaign activities involving 3 or more candidates; or

(c) Coordinating campaign events involving 3 or more candidates;

(10-A) Costs paid for by a party committee in connection with a campaign event at which 3 or more candidates are present;

(11) Campaign training sessions provided to 3 or more candidates;

(11-A) Wood or other materials used for political signs that are found or contributed if not originally obtained by the candidate or contributor for campaign purposes; or

(12) The use of offices, telephones, computers and similar equipment when that use does not result in additional cost to the provider.

[2005, c. 301, §8 (amd).]
[2005, c. 575, §2 (amd).]

4. Exploratory committee.
[1991, c. 839, §3 (rp); §34 (aff).]

5. **Party candidate listing.** "Party candidate listing" means any communication that meets the following criteria.

A. The communication lists the names of at least 3 candidates for election to public office. [2005, c. 301, §9 (new).]

B. The communication is distributed through public advertising such as broadcast stations, cable television, newspapers and similar media, and through direct mail, telephone, electronic mail, publicly accessible sites on the Internet or personal delivery. [2005, c. 301, §9 (new).]

C. The treatment of all candidates in the communication is substantially similar. [2005, c. 301, §9 (new).]

D. The content of the communication is limited to:

(1) The identification of each candidate, with which pictures may be used;

(2) The offices sought;

(3) The offices currently held by the candidates;

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(4) The party affiliation of the candidates and a brief statement about the party or the candidates' positions, philosophy, goals, accomplishments or biographies;

(5) Encouragement to vote for the candidates identified; and

(6) Information about voting, such as voting hours and locations.

If the communication contains language outside the categories of this paragraph, it does not qualify as a party candidate listing.

[2005, c. 301, §9 (new).]

[2005, c. 301, §9 (new).]

PL 1985, Ch. 161, §6 (NEW).
PL 1987, Ch. 160, §1 (AMD).
PL 1991, Ch. 839, §3 (AMD).
PL 1991, Ch. 839, §34 (AFF).
PL 1995, Ch. 483, §3 (AMD).
PL 1999, Ch. 432, §1,2 (AMD).
PL 2003, Ch. 615, §1 (AMD).
PL 2005, Ch. 301, §7-9 (AMD).
PL 2005, Ch. 575, §2 (AMD).