

Agenda

Item #2



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

October 18, 2007

Audit Report No. 2006-GV004

**Candidate: Patricia LaMarche
2006 Green Independent Party Candidate for Governor**

Background

Patricia LaMarche was the Green Independent Party candidate for governor of the State of Maine in 2006. The Commission on Governmental Ethics and Election Practices (Commission) certified Ms. LaMarche as a Maine Clean Election Act (MCEA) candidate on April 26, 2006. MCEA candidates are required under the Act to submit reports of their receipts, expenditures, outstanding campaign debt, and equipment purchases and dispositions for specified periods during the election cycle.

Audit Scope

Examination of selected candidate contribution and expenditure transactions occurring during the following campaign reporting periods:

- January, 2006 Semi-annual
- Seed Money
- 42 Day Pre-Primary
- Six Day Pre-Primary
- 42 Day Post-Primary
- 42 Day Pre-General
- Six Day Pre-General
- 42 Day Post-General

Transactions subject to review were those recorded in the candidate's accounting records and reported to the Commission. The audit's purpose was to determine if the identified receipts and payments (1) were properly approved by the candidate or her authorized representative; (2) were adequately documented as evidenced by original vendor invoices and cancelled checks or other acceptable disbursement documentation; and (3) complied in all material respects with the requirements of the Maine Clean Election Act and the Commission's rules.

The Commission disbursed \$1,076,139 to the LaMarche campaign during the primary and general election periods. The total initial distribution to the candidate for both the primary and general elections was \$599,993; in addition, the Commission paid the candidate \$476,146 in matching funds for the general election.

Audit Findings and Recommendations

Finding No. 1A – Incomplete Media Expense Documentation: The LaMarche campaign paid Message Strategy Group (MSG) \$659,935 for media placement, media relations management, and production services. The audit disclosed that \$28,735 of MSG'S total expenditures was inadequately documented (excluding Finding No. 1B below). While the actual payments to media outlets were on file, the campaign was unable to provide invoice copies for the questioned amounts (see the attached exhibit). Without the invoice documentation, the auditor was unable to determine the services purchased or the campaign purpose of such services.

Finding 1B – Improper Invoicing for Media Services by MSG: Maribeth Stuart, the LaMarche campaign's Communications Director, was an employee of MSG and was compensated for her services to the LaMarche campaign. After the Commission initiated the audit of LaMarche's 2006 campaign finance reports, the candidate notified us that she had determined that the campaign had not received an invoice for Ms. Stuart's professional services. The auditor found that MSG had included the value of Ms. Stuart's services in their master invoices, but had neglected to provide specific invoicing. Accordingly, the total charges reported by the LaMarche campaign for MSG's services was correct (excluding the errors described above), but the invoicing supporting the charges was deficient by the details of the costs associated with Ms. Stuart's services. MSG has provided an invoice dated August 15, 2007 in the amount of \$58,751.16 for the services provided by Maribeth Stuart to the campaign.

Criteria: 21-A M.R.S.A. § 1125(12-A) (B), "The treasurer shall obtain and keep: ... [a] vendor invoice stating the particular goods or services purchased for every expenditure of \$50 or more ..." 21-A M.R.S.A. § 1125 (12-A) (C), "The treasurer shall obtain and keep; ... A record proving that a vendor received payment for every expenditure of \$50 or more in the form of a cancelled check, receipt from the vendor or bank or credit card statement identifying the vendor as the payee."

Recommendations: The Commission staff recommends that the Commission find the candidate and campaign treasurer in violation of 21-A M.R.S.A. § 1125(12-A)(B) (C) and assess a penalty of \$150.

Finding No. 2A – Duplicate Billings for Media Services: The examination of the campaign's financial records indicated that a \$770 charge invoiced to MSG by a vendor (Ruth Lucas Finegold) was billed in duplicate by MSG to the LaMarche campaign. Thus, the campaign's reporting overstated the campaign's actual expenditures by \$770. The auditor believes that the error was unintentional, but duplicate charges did result. The overcharging affected the amount of unspent campaign funds returned to the state after the election.

Finding No. 2B – Erroneous Billing of an Amount Refunded by a Vendor: WPFO-TV invoiced \$850 to MSG for television advertising, which MSG paid. Subsequently, the television station refunded the payment to MSG because the ad never ran. MSG passed along the original

cost to the LaMarche campaign, but failed to credit LaMarche for the refund. The campaign's reporting overstated its actual expenditures by \$850. Again, this appears to be an unintentional error, but the fact remains that the LaMarche campaign was over-charged for the service, which affected the amount of unspent campaign funds returned to the state after the election.

Finding No. 2C – Unsupported Payments to an MSG Vendor: MSG paid television station WABI-TV \$5,057.50 on two invoices that taken together did not support the amount paid. Based on the invoice totals, it appears that MSG over-paid the television station by \$97.75.

Criteria: 21-A M.R.S.A. § 1016(3)(C): "A treasurer shall keep a detailed and exact account of: ...All expenditures made by or on behalf of the...candidate...." 21-A M.R.S.A. §1125(12), "Notwithstanding any other provision of law, participating and certified candidates shall report ... all campaign expenditures, obligations and related activities to the commission according to procedures developed by the commission."

Recommendations: The Commission staff recommends that the Commission find the candidate and campaign treasurer in violation of 21-A M.R.S.A. § 1016(3)(C) and 21-A M.R.S.A. § 1125(12) of the Maine Clean Election Act, and that a penalty of \$150 be assessed. In addition, the Commission should direct the candidate and campaign treasurer to amend the LaMarche campaign finance reports as warranted by the audit findings, and to refund the amount of over-payments and duplicate payments listed above to the Maine Clean Election Fund.

Finding No. 3 – Misreported Seed Money Expenditure; Seed Money Expenditures in Excess of the Maximum Allowable: The LaMarche campaign engaged Verisign to process campaign contributions submitted over the internet. The campaign reported a processing fee payment to Verisign on April 18, 2006 of \$257.23; the audit disclosed that the amount should have been \$456.10. The unreported portion of the expenditure caused total seed money expenditures to exceed the maximum allowable by an adjusted amount of \$192.22.

Criteria: 21-A M.R.S.A. §1125 (12), "Notwithstanding any other provision of law, participating and certified candidates shall report ... all campaign expenditures, obligations and related activities to the commission according to procedures developed by the commission." 21-A M.R.S.A. § 1016(3)(C): "A treasurer shall keep a detailed and exact account of: ...All expenditures made by or on behalf of the...candidate...."

Recommendations: The Commission staff recommends that the Commission find the candidate and the campaign treasurer in violation of 21-A M.R.S.A. § 1125(12) for not reporting the full \$456.10 expenditure. It should be noted that the staff found the LaMarche campaign's financial records to be generally well maintained, and the violation is relatively insignificant when compared to the level of MCEA funding distributed to the candidate. Nonetheless, this violation had implications for qualification as an MCEA candidate, because candidates must pay for all expenditures in the qualifying period with money that meets the seed money requirements (up to \$100 contributed from individuals) and that is disclosed in

campaign finance reports. For that reason the staff believes a penalty is appropriate. Accordingly, the staff recommends the Commission assess the LaMarche campaign with a penalty of \$100. The staff also recommends that the Commission direct the candidate to make the appropriate amendment to her Seed Money report.

Auditor's Note: The LaMarche campaign reported 124 separate expenditures for food over the course of the 2006 campaign and after qualifying as an MCEA candidate. Total reported costs for these expenditures were \$5,044. The Commission's 2006 Candidate Guidelines state that "Candidates may spend a reasonable amount of MCEA funds on food for campaign events or to feed volunteers while they are working." Using public funds to pay for food has been a concern raised by Legislators with the Commission and with the Commission's oversight committee. Nevertheless, it should be noted that the LaMarche campaign's total food expenditures represented less than one-half of one percent of the MCEA funds she received. The auditor tested the food expenditure documentation extensively, and found no deficiencies. Rather, we bring this matter to the Commission's attention as an issue for policy consideration.

The Commission's guidelines indicate that "Candidates may spend a reasonable amount of MCEA funds on food..."; in the present circumstance, we question whether 124 expenditures constitutes "reasonable" as intended by the Commission in establishing guidelines and limitations on the use of public funds for campaign purposes. In contrast, the other two publicly financed candidates in the general election reported 13 (Merrill) and 7 (Woodcock) food expenditures, respectively. In the opinion of the Commission staff, the current MCEA expenditure guidelines appropriately allow paying for food for volunteers when they are working (e.g., stuffing envelopes) or when they travel for campaign purposes and appropriately allow paying for food for campaign events for the public. For the 2010 elections which could involve publicly funded campaigns for Governor, the Commission may wish to consider whether MCEA funds should be used at meetings of volunteers for purposes of team-building or morale-boosting, or for pre-election parties primarily held to thank volunteers.

We suggest that the Commission consider this matter in terms of

- Appropriate use of MCEA funds.
- Public perception of campaign expenditures for food.
- Potential impact on support for public financing of elections.

If in the Commission's judgment food expenditures by publicly funded candidates should be more tightly controlled, they may wish to direct the Commission staff to strengthen existing guidelines.

Candidate's Comments:

Mr. Vincent Dinan
State of Maine
Commission of Governmental Ethics
and Election Practices
133 State House Station
Augusta, Maine 04333

Dear Mr. Dinan,

I have reviewed your remarks regarding the audit of my campaign for governor in 2006.

First let me thank you for the patience and assistance you rendered myself and my staff as we worked through the process to make available to you the documents you needed.

It seems most expeditious for me to mere go through your points one at a time and respond to each directly. I trust this will be satisfactory.

Finding 1A and finding 1B both involve invoices paid to Message Strategy Group. As you have indicated the criterion for payment by my campaign demanded that "The treasurer shall obtain and keep: ... [a] vendor invoice stating the particular goods or services purchased for every expenditure of \$50 or more..."

No where in the statute does it refer to a paper trail of cancelled checks and media invoices. It only states that an invoice detailing the purchases for payment is necessary. Our treasurer Theresa Savage never paid a bill without an invoice from MSG without being told that it would be for media buys or polling or public image building or other additional work necessary to create our media image; and the TV and radio parts of the invoices were accompanied by "time orders" for media that would be purchased.

Because the media outlets demanded payment in advance it was not possible to pay on their invoices. And because we hired a company to do this work, we paid on their (MSG) invoices.

Additionally when we got to the audit stage, the time orders which she did pay on were not used by the state as verification that we paid according to the requirements. We still have copies of these documents that were never required by the audit process.

During the audit process we learned of the need for this type of documentation and worked diligently to provide it. The media outlets were not forthcoming and we would make the recommendation that the legislature pass some sort of legislation requiring all media outlets which work with campaigns that use public funds to produce documentation. The statute and work book for the candidates should also be amended to indicate that invoices to the consultants and venders hired by candidate will be required above and beyond the invoices supplied by the consultant or vendor.

Maribeth Stuart, as an employee of Message Strategy Group was paid from the proceeds of the billing MSG provided to us directly. It was not until after the audit process began that we were aware of the fact that fees for her services needed to be separated out and billed separately.

When we learned of the necessity for separate billing, even though she worked for/as the vendor, we complied.

Auditor's Response: We believe that that the language of the Maine Clean Election Act is clear regarding the documentation requirements imposed by the Act on the candidate and her campaign workers and vendors who either spend or are paid with the public funds disbursed to the candidate by the Commission (the specific requirements are outlined in the *Criteria* section of Finding No. 1, but in summary, the requirement is that the candidate must obtain and keep a vendor invoice from the ultimate provider of campaign services, such as television time). In addition, the Commission staff provided written and oral guidance throughout the 2006 campaign to all candidates regarding their expenditure documentation obligations. Message Strategy Group, the LaMarche campaign's media buyer/advisor, spent more than 60 percent of the nearly \$1.1 million dollars disbursed by the Commission to the candidate. Clearly, Ms. LaMarche relied on the vendor to meet the Act's expenditure documentation requirements. Documents supporting the vendor's billings to the campaign were obtained only after the audit was initiated, and then, as we have indicated, the documentation provided was incomplete. While we commend Ms. LaMarche and her treasurer, Ms. Savage, for their committed efforts to locate and deliver the required documents, we cannot overlook the fact that some required items were missing.

Finding 2A pertains to a bill one of MSG's vendor supplied to them. Because we were unaware of the double billing, when we – after the fact – separated Maribeth Stuart's billing for her services, we neglected to include this money in her bill. This is actually not money that should have been returned to the state, but money that was part of the payment which we should have included for Ms. Stuart.

Finding 2B this is the same issue as listed above. As I explained in a prior email, we agreed to a price range for Ms. Stuart's services. This fell well within that price range.

Finding 2C same as above.

Auditor's Response: Our examination disclosed that MSG made billing errors that resulted in the LaMarche campaign being over-charged. We believe these errors were unintentional. Finding 2A involved a duplicate charge of \$770; Finding 2B concerned a refund from a television station of \$850 that was not credited to the campaign; and Finding 2C was an apparent over-payment of \$97.75 to a television station. The total amount of the identified

errors is \$1,717.75, and represents services paid for but not received by the campaign, and therefore must be repaid to the Maine Clean Election Fund.

Finding No. 3 is a case of pure human error. Mrs. Savage has scoured her records and can only determine that she wrote the wrong number. While this error is unfortunate, we have no real explanation other than, with some relief, we have determined that Mrs. Savage is not flawless.

Sincerely,

Patricia LaMarche

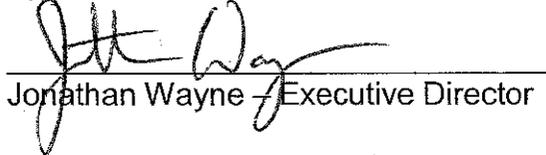
End of Candidate's Comments

Respectfully submitted,



Vincent W. Dinan - Staff Auditor

Approved:



Jonathan Wayne - Executive Director

PATRICIA LAMARCHE 2006 GUBERNATORIAL CAMPAIGN**Analysis of Payments by Message Strategy Group
Schedule of Missing and Incomplete Documents**

Message Strategy Group Invoices and Vendor Billings	Missing, Incomplete, or Questioned Doc. No.	Payment Date	Payment Amount
MSG Invoice No. 112:			
WMCM	23820	10/30/2006	\$280.00
WQHR	843090	10/31/2006	\$918.00
MSG Invoice No. 111:			
WTOS	823266	10/23/2006	\$578.00
WMCM	23268	10/23/2006	\$238.00
WVII-TV	1106-1151-1 incomplete	10/31/2006	\$2,890.00
WVII-TV	1106-1278-1 incomplete	10/22/2006	\$5,025.00
WPOR	215587	10/23/2006	\$1,105.00
WKCG	23819	10/23/2006	\$510.00
WYNZ	412095 and 115967	10/23/2006	\$510.00
WCLZ	84759	10/23/2006	\$743.75
WYNZ	115967	10/23/2006	\$510.00
MSG Invoice No. 109:			
WVII-TV	1106-1296-1	10/23/2006	\$2,422.50
WPFO	109725	10/20/2006	\$2,890.00
WPFO	109727	10/23/2006	\$3,400.00
MSG Invoice No. 105:			
Tom Pierce	No Invoice	10/27/2006	\$3,000.00
MSG Invoice No. 102:			
WABI-TV	2915	6/2/2006	\$2,312.00
Portland Radio Group	508000	6/6/2006	\$1,020.00
Time Warner	538700 (wrong invoice)	6/2/2006	\$382.50
Total MSG Incomplete Documentation			<u>\$28,734.75</u>

Title 21-A, §1125, Terms of participation

8. Amount of fund distribution. By July 1, 1999 of the effective date of this Act, and at least every 4 years after that date, the commission shall determine the amount of funds to be distributed to participating candidates based on the type of election and office as follows.

A. For contested legislative primary elections, the amount of revenues to be distributed is the average amount of campaign expenditures made by each candidate during all contested primary election races for the immediately preceding 2 primary elections, as reported in the initial filing period subsequent to the primary election, for the respective offices of State Senate and State House of Representatives. [2003, c. 453, §1 (amd).]

B. For uncontested legislative primary elections, the amount of revenues distributed is the average amount of campaign expenditures made by each candidate during all uncontested primary election races for the immediately preceding 2 primary elections, as reported in the initial filing period subsequent to the primary election, for the respective offices of State Senate and State House of Representatives. [2003, c. 453, §1 (amd).]

C. For contested legislative general elections, the amount of revenues distributed is the average amount of campaign expenditures made by each candidate during all contested general election races for the immediately preceding 2 general elections, as reported in the initial filing period subsequent to the general election, for the respective offices of State Senate and State House of Representatives. [2003, c. 688, Pt. A, §21 (amd).]

D. For uncontested legislative general elections, the amount of revenues to be distributed from the fund is 40% of the amount distributed to a participating candidate in a contested general election. [2003, c. 453, §1 (amd).]

E. For gubernatorial primary elections, the amount of revenues distributed is \$200,000 per candidate in the primary election. [2003, c. 453, §1 (new).]

F. For gubernatorial general elections, the amount of revenues distributed is \$400,000 per candidate in the general election. [2003, c. 453, §1 (new).]

If the immediately preceding election cycles do not contain sufficient electoral data, the commission shall use information from the most recent applicable elections.

[2003, c. 688, Pt. A, §21 (amd).]

9. Matching funds. When any campaign, finance or election report shows that the sum of a candidate's expenditures or obligations, or funds raised or borrowed, whichever is greater, alone or in conjunction with independent expenditures reported under section 1019-B, exceeds the distribution amount under subsection 8, the commission shall issue immediately to any opposing Maine Clean Election Act candidate an additional amount equivalent to the reported excess. Matching funds are limited to 2 times the amount originally distributed under subsection 8, paragraph A, C, E or F, whichever is applicable.

[2003, c. 688, Pt. A, §22 (rpr).]

10. Candidate not enrolled in a party. An unenrolled candidate certified by April 15th preceding the primary election is eligible for revenues from the fund in the same amounts and at the same time as an uncontested primary election candidate and a general election candidate as specified in subsections 7 and 8. For an unenrolled candidate not certified by April 15th at 5:00 p.m. the deadline for filing qualifying contributions is 5:00 p.m. on June 2nd preceding the general election. An unenrolled candidate certified after April 15th at 5:00 p.m. is eligible for revenues from the fund in the same amounts as a general election candidate, as specified in subsections 7 and 8.

[2001, c. 465, §6 (amd).]

11. Other procedures. The commission shall establish by rule procedures for qualification, certification, disbursement of fund revenues and return of unspent fund revenues for races involving special elections, recounts, vacancies, withdrawals or replacement candidates.

[IB 1995, c. 1, §17 (new).]

12. Reporting; unspent revenue. Notwithstanding any other provision of law, participating and certified candidates shall report any money collected, all campaign expenditures, obligations and related activities to the commission according to procedures developed by the commission. Upon the filing of a final report for any primary election in which the candidate was defeated and for all general elections that candidate shall return all unspent fund revenues to the commission. In developing these procedures, the commission shall utilize existing campaign reporting procedures whenever practicable. The commission shall ensure timely public access to campaign finance data and may utilize electronic means of reporting and storing information.

[IB 1995, c. 1, §17 (new).]

Title 21-A, §1125, Terms of participation

12-A. Required records. The treasurer shall obtain and keep:

A. Bank or other account statements for the campaign account covering the duration of the campaign; [2005, c. 542, §5 (new).]

B. A vendor invoice stating the particular goods or services purchased for every expenditure of \$50 or more; and [2005, c. 542, §5 (new).]

C. A record proving that a vendor received payment for every expenditure of \$50 or more in the form of a cancelled check, receipt from the vendor or bank or credit card statement identifying the vendor as the payee. [2005, c. 542, §5 (new).]

The treasurer shall preserve the records for 2 years following the candidate's final campaign finance report for the election cycle. The candidate and treasurer shall submit photocopies of the records to the commission upon its request. [2005, c. 542, §5 (new).]

13. Distributions not to exceed amount in fund. The commission may not distribute revenues to certified candidates in excess of the total amount of money deposited in the fund as set forth in section 1124. Notwithstanding any other provisions of this chapter, if the commission determines that the revenues in the fund are insufficient to meet distributions under subsections 8 or 9, the commission may permit certified candidates to accept and spend contributions, reduced by any seed money contributions, aggregating no more than \$500 per donor per election for gubernatorial candidates and \$250 per donor per election for State Senate and State House candidates, up to the applicable amounts set forth in subsections 8 and 9 according to rules adopted by the commission. [IB 1995, c. 1, §17 (new).]

14. Appeals. A candidate who has been denied certification as a Maine Clean Election Act candidate, the opponent of a candidate who has been granted certification as a Maine Clean Election Act candidate or other interested persons may challenge a certification decision by the commission as follows.

A. A challenger may appeal to the full commission within 7 days of the certification decision. The appeal must be in writing and must set forth the reasons for the appeal. [2005, c. 301, §32 (amd).]

B. Within 5 days after an appeal is properly made and after notice is given to the challenger and any opponent, the commission shall hold a hearing. The appellant has the burden of providing evidence to demonstrate that the commission decision was improper. The commission must rule on the appeal within 3 days after the completion of the hearing. [IB 1995, c. 1, §17 (new).]

C. A challenger may appeal the decision of the commission in paragraph B by commencing an action in Superior Court according to the procedure set forth in section 356, subsection 2, paragraphs D and E. [IB 1995, c. 1, §17 (new).]

D. A candidate whose certification by the commission as a Maine Clean Election Act candidate is revoked on appeal must return to the commission any unspent revenues distributed from the fund. If the commission or court find that an appeal was made frivolously or to cause delay or hardship, the commission or court may require the moving party to pay costs of the commission, court and opposing parties, if any. [IB 1995, c. 1, §17 (new).]

[2005, c. 301, §32. (amd).]

IB 1995, Ch. 1, §17 (NEW).

PL 2001, Ch. 465, §4-6 (AMD).

PL 2003, Ch. 270, §1,2 (AMD).

PL 2003, Ch. 448, §5 (AMD).

PL 2003, Ch. 453, §1,2 (AMD).

PL 2003, Ch. 688, §A21,22 (AMD).

PL 2005, Ch. 301, §29-32 (AMD).

PL 2005, Ch. 542, §3-5 (AMD).

Title 21-A, §1127, Violations

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we do require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 122nd Legislature, and is current through December 31, 2006, but is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office CANNOT perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.

§1127. Violations

1. Civil fine. In addition to any other penalties that may be applicable, a person who violates any provision of this chapter or rules of the commission adopted pursuant to section 1126 is subject to a fine not to exceed \$10,000 per violation payable to the fund. The commission may assess a fine of up to \$10,000 for a violation of the reporting requirements of sections 1017 and 1019-B if it determines that the failure to file a timely and accurate report resulted in the late payment of matching funds. This fine is recoverable in a civil action. In addition to any fine, for good cause shown, a candidate, treasurer, consultant or other agent of the candidate or the committee authorized by the candidate pursuant to section 1013-A, subsection 1 found in violation of this chapter or rules of the commission may be required to return to the fund all amounts distributed to the candidate from the fund or any funds not used for campaign-related purposes. If the commission makes a determination that a violation of this chapter or rules of the commission has occurred, the commission shall assess a fine or transmit the finding to the Attorney General for prosecution. Fines paid under this section must be deposited in the fund. In determining whether or not a candidate is in violation of the expenditure limits of this chapter, the commission may consider as a mitigating factor any circumstances out of the candidate's control.

[2005, c. 542, §6 (amd).]

2. Class E crime. A person who willfully or knowingly violates this chapter or rules of the commission or who willfully or knowingly makes a false statement in any report required by this chapter commits a Class E crime and, if certified as a Maine Clean Election Act candidate, must return to the fund all amounts distributed to the candidate.

[IB 1995, c. 1, §17 (new).]

IB 1995, Ch. 1, §17 (NEW).

PL 2003, Ch. 81, §1 (AMD).

PL 2005, Ch. 301, §33 (AMD).

PL 2005, Ch. 542, §6 (AMD).

Title 21-A, §1016, Records

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we do require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 122nd Legislature, and is current through December 31, 2006, but is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office CANNOT perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.

§1016. Records

Each treasurer shall keep detailed records of all contributions received and of each expenditure that the treasurer or candidate makes or authorizes, as provided in this section. When reporting contributions and expenditures to the commission as required by section 1017, the treasurer shall certify the completeness and accuracy of the information reported by that treasurer. [1991, c. 839, §13 (amd); §34 (aff).]

1. Segregated funds. All funds of a political committee and campaign funds of a candidate must be segregated from, and may not be commingled with, any personal funds of the candidate, treasurer or other officers, members or associates of the committee. Personal funds of the candidate used to support the candidacy must be recorded and reported to the treasurer as contributions to the political committee, or the candidate if the candidate has not authorized a political committee. [1991, c. 839, §13 (amd); §34 (aff).]

2. Report of contributions and expenditures. A person who receives a contribution or makes an expenditure for a candidate or political committee shall report the contribution or expenditure to the treasurer within 5 days of the receipt of the contribution or the making of the expenditure. A person who receives a contribution in excess of \$10 for a candidate or a political committee shall report to the treasurer the amount of the contribution, the name and address of the person making the contribution and the date on which the contribution was received. [1991, c. 839, §13 (amd); §34 (aff).]

3. Record keeping. A treasurer shall keep a detailed and exact account of:

A. All contributions made to or for the candidate or committee, including any contributions by the candidate; [1989, c. 504, §§10, 31, (amd).]

B. The name and address of every person making a contribution in excess of \$10, the date and amount of that contribution and, if a person's contributions in any report filing period aggregate more than \$50, the account must include the contributor's occupation and principal place of business, if any. If the contributor is the candidate or a member of the candidate's immediate family, the account must also state the relationship. For purposes of this paragraph, "filing period" is as provided in section 1017, subsections 2 and 3-A; [1991, c. 839, §13 (amd).]

C. All expenditures made by or on behalf of the committee or candidate; and [1985, c. 161, §6 (new).]

D. The name and address of every person to whom any expenditure is made and the date and amount of the expenditure. [1985, c. 161, §6 (new).]
[1991, c. 839, §13 (amd).]

4. Receipts preservation. A treasurer shall obtain and keep a receipted bill, stating the particulars, for every expenditure in excess of \$50 made by or on behalf of a political committee or a candidate and for any such expenditure in a lesser amount if the aggregate amount of those expenditures to the same person in any election exceeds \$50. The treasurer shall preserve all receipted bills and accounts required to be kept by this section for 2 years following the final report required to be filed for the election to which they pertain, unless otherwise ordered by the commission or a court. [1991, c. 839, §13 (amd); §34 (aff).]

PL 1985, Ch. 161, §6 (NEW).