

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

MARY ADAMS, et al.,)
)
 Plaintiffs)
) CIVIL NO. 1.10-CV-258-JAW
 v.)
)
 MAINE MUNICIPAL ASSOCIATION,)
)
 Defendant)

SUMMARY OF CAMPAIGN-RELATED MATTERS
PURSUANT TO F.R.EVID. 1006
FROM MAINE MUNICIPAL ASSOCIATION EXECUTIVE COMMITTEE MINUTES
(TABOR I 2005-2006)

November 17, 2005

Legislative Issues - Geoff Herman provided an overview of issues anticipated for consideration during the 2006 legislative session, including the Taxpayers Bill of Rights (TABOR) and the personal property tax on business equipment and machinery. He provided a brief overview of the current studies being conducted by the MMA State & Federal Relations staff, including the LDI Study, the Federal Issues Paper Study, and the TABOR Study. He provided background information on the process leading to the arrangement between the Maine Municipal Association and the Maine Chamber to work together on the LD 1 Study and noted that staff is conducting the data analyses in two phases. He shared information on data analyses done to date and noted that results have shown a strong attempt by municipalities to comply with the state law. He noted that the final report should be available by early to mid January 2006.

Geoff Herman then provided information on the TABOR Study. He noted that an in-depth review of the TABOR initiative raises some major concerns. He distributed Handouts 1, 2 and 3, which provides a Comparison of Local Government Provisions to LD 1, Colorado TABOR, and Proposed Maine TABOR, and supporting materials. A lengthy discussion was held on the comparisons as well as the process and schedule for the Secretary of State to certify the signatures of the petitions. Chris Lockwood provided information on discussions held by representatives of Citizens United, the political action committee which opposed the Palesky initiative, and their recent discussions to expand the purpose of the PAC to include opposing the TABOR initiative. The Executive Committee concurred with the direction outlined and the Maine Municipal Association's continued involvement in the political action committee.

December 12, 2005

Citizens United - Chris Lockwood provided information on a recent conference call of the Citizens United Board of Directors in which they voted to broaden the mission of the Political Action Committee to fight TABOR, if the Secretary of State certifies the Initiative. Discussion was held on outreach efforts to the business community and municipalities in general.

February 15, 2006

Executive Director Update

Citizens United PAC - Chris Lockwood noted that we are still awaiting the Secretary of State's certification of the signatures for TABOR. A meeting of the Citizens United PAC is scheduled for February 22 and the Board of Directors should have the proposal from Larry Benoit and will look to take action at that time. Dana Connors looking to identify 2-3 business members to serve on the Board.

February 22, 2006

MMA President Ryan Pelletier called the special meeting of the MMA Executive Committee to order at 2:00 p.m. Chris Lockwood noted that the purpose of the conference call was to discuss the ruling of Secretary of State Matthew Dunlap related to the TABOR citizens' initiative and to seek guidance from the Executive Committee prior to his participation in the Citizens United Political Action Committee Board of Directors meeting scheduled for later this afternoon. He noted that he anticipates the Citizens United Board will consider a possible legal challenge to the Secretary of State's ruling.

Geoff Herman stated that the Secretary of State has announced that enough valid signatures have been submitted to place the TABOR citizen initiative on the ballot. It would appear some legal questions might be raised regarding the Secretary of State's decision to accept and include all the signatures submitted because a box of 4,000 signatures was submitted three calendar days and one business day after the statutory deadline of October 21, 2005. Geoff Herman and Bill Livengood provided information on the confusion as to whether the petitioners' deadline is based on statutory standards or constitutional standards. Bill Livengood stated that the Petitioner Citizen Guide on the Secretary of State's website makes reference to the constitutional deadlines, which could help the petitioners' claim that the statutory deadline should be waived.

Discussion was held on whether there were any prior rulings such as this that have been challenged. Bill Livengood indicated that there were a couple of Superior Court decisions on the general issue, but neither of these cases were directly on point.

An in-depth discussion was held on the Maine Municipal Association's role and involvement in challenging the Secretary of State's ruling. Chris Lockwood indicated that this type of issue could create political backlash for the Association. He noted that over the past several years

MMA has clearly assumed an educational role on the various tax issues before the voters (e.g., Palesky) in order to appropriately spend what are understood to be public revenues on educating our membership rather than non-educational advocacy.

Chris Lockwood noted that his preference would be to see the ruling challenged through a unionized group such as MEA or MSEU. Discussion was also held on the timeframe for challenging the ruling. Discussion was held on what position the MMA Executive Committee would want Chris Lockwood to take with the Citizens United Political Action Committee Board of Directors if the MEA is unwilling to challenge the ruling outside of the Citizens United Political Action Committee. **It was the position of the MMA Executive Committee that the MMA Executive Director vote against the Citizen United Political Action Committee challenging the ruling of the Secretary of State.** Chris Lockwood thanked the MMA Executive Committee for participating in the conference call and providing him with direction on the Association's position.

March 23, 2006

Citizens United PAC - The Citizens United held a Press Conference/ Kick-Off rally last Wednesday, March 16, and that Geoff Herman made a presentation on behalf of MMA. He noted that the next PAC Board of Directors meeting is scheduled for next week and that meeting is planned with Tom Riley to discuss campaign funds.

April 27, 2006

Legislative Initiatives - Chris Lockwood provided an update on legislative efforts relating to TABOR, including the speculation on whether the court will overturn the Secretary of State's ruling to allow the petition signatures that were filed after the deadline. He provided information on the efforts of the Citizens United Political Action Committee to gear up to wage a campaign to defeat TABOR. He explained that Geoff Herman feels strongly that some of the supporters of the Citizens United PAC are reflecting a message that "the sky is falling," which is not consistent with the Association's message. He noted that there is a behind the scenes effort by the PAC to steer that message into "common ground" that all coalition members can agree upon. He noted that the PAC is conducting a citizen's poll to determine what the messaging should be in moving the campaign forward.

Chris Lockwood further noted that although MMA has not been approached directly, the PAC needs financial contributions to continue its efforts. He provided information on the PAC's inability to date to get the State Chamber and representatives of the business community on board with the campaign. He noted that he has stated to the PAC Board of Directors that MMA is not in a financial position to contribute as it had during the Palesky campaign, but that he believes MMA may be willing to consider in the range of \$75,000.

Chairperson Janet White noted that the MMA Strategic & Finance Committee has a conference call scheduled for Monday, May 15 and at that time, the Committee would put forth a recommendation on the amount of financial support that should be made to the Citizens United PAC for consideration by the full MMA Executive Committee at its June 1, 2006 meeting.

June 1, 2006

Legislative Update - Geoff Herman provided the MMA Executive Committee with an update on TABOR and results of the polling conducted by the Citizens United showing high support for TABOR and the fact that it will not be easy to turn around public opinion. He noted that Mary Adams' message is getting a lot of support. He indicated the importance of developing a strong ground game. Chris Lockwood provided information on the Citizens United PAC supporters and contributions anticipated to fund the campaign. He noted that staff is recommending that the MMA Executive Committee authorize him to expend up to \$85,000. **Ruth Marden MOVED that the Executive Committee of the Maine Municipal Association reaffirm MMA's participation in the Citizens United Political Action Committee and authorizes the Executive Director to contribute up to \$85,00 from the Legislative Initiatives Fund to Citizens United. The Executive Director shall obtain approval from the MMA officers with respect to the timing of MMA's financial contributions to Citizens United. The motion was seconded by John Sylvester and passed with all in favor.**

June 29, 2006

Mid-Year Status Report of MMA Organizational Priorities for 2006 – MMA President Ryan Pelletier asked Geoff Herman to provide a verbal update on the following:

TABOR - The "Taxpayers' Bill of Rights" - Geoff Herman indicated that the TABOR campaign is underway, and adequately funded, at this point. The Association is fully engaged both with membership directly and as a partner with the Citizen United coalition. He noted that the TABOR campaign would be a much greater challenge than the Palesky campaign and polling indicates that the final vote will be close, within the 55%-45% range either way. Chris Lockwood provided an update on Citizen United and noted that a steering committee has been established that is meeting on a weekly basis. He reported that MMA has engaged attorney Pat Scully of Bernstein Shur to prepare a legal analysis regarding some key issues/questions that have arisen regarding the TABOR initiative. MMA will coordinate with Citizens United in terms of circulating this analysis to other attorneys and conducting a press conference to clarify these issues.

Executive Director Update

Chris Lockwood provided updates on the following:

- Citizens United - the MMA officers gave approval to transmit \$25,000.00 as the first installment of MMA's financial pledge to the Citizens United PAC.

July 27, 2006

Executive Director Update

- Citizens United - Anti-TABOR Campaign - Chris Lockwood noted that the campaign is heating up and the Citizens United PAC has scheduled a news conference on August 1 to release Pat Scully's legal opinion on key issues pertaining to TABOR. He noted that Nick Mavodones would offer opening remarks and introduce Pat Scully. Part of this effort will be to have other attorneys throughout the state support the legal opinion.

August 15, 2006

TABOR Campaign Update - Chris Lockwood provided a brief update on the TABOR campaign, including a report on the August 1 news conference regarding key legal issues, a busy schedule of TABOR presentations and regional meetings, municipal impact analyses, and various other MMA and campaign activities. He indicated he has drafted a letter, reviewed by Ryan Pelletier and Nick Mavodones, that he will be sending on MMA letterhead to various municipal vendors to inform them of TABOR's provisions as they apply to municipal governments and to encourage their financial support of the Citizens United campaign. He indicated he is looking to Citizens United to ensure follow-up contacts.

September 5, 2006

Chris Lockwood reviewed the purpose of the conference call as outlined in the August 31 memorandum, with an indication that he would be modifying his recommended motion. He began by providing a brief update on the anti-TABOR campaign. He indicated it is encouraging that support for the proposal appears to drop off as citizens receive more information on the actual proposal and its many flaws; nonetheless, it continues to be a challenging campaign as we enter the final two months. In particular, the paid media component (television and possibly some radio) will be especially important.

As indicated in the August 31 memorandum, the MMA staff believes the anti-TABOR campaign is at a critical juncture in terms of its paid media strategy (i.e., television and radio, etc.). We are impressed with the work and recommendations of Squire Knapp, Citizens United's media consultant. In particular, we strongly support Squire Knapp's proposal for an initial kick-off TV ad. This ad, however, would require relatively high production costs (\$60,000), which are significantly in excess of the current Citizens United budget for a single shoot, which is approximately \$15,000.

Chris Lockwood indicated he would be offering a revised recommended motion, given discussions with representatives of the Maine Education Association (MEA) subsequent to the August 31 background memorandum sent to the Executive Committee. MEA remains committed to their overall anti-TABOR campaign support (through their own funds and contributions from

the National Education Association) of \$475,000, but do not believe they are in a position to make an additional financial contribution to support production of the initial TV ad.

Chris Lockwood indicated it is his understanding that Larry Benoit, campaign manager for Citizens United, believes if some additional funding were to be provided, the campaign could make some adjustments to enable the campaign to produce this initial TV ad.

Within this framework, Chris Lockwood offered the following revised motion for the consideration of the Executive Committee:

Motion:

The MMA Executive Committee authorizes an additional \$25,000 contribution to Citizens United (original pledge of \$85,000 plus \$25,000 for a total commitment of \$110,000). The Executive Committee authorizes the Executive Director, with the concurrence of the MMA officers, to release as much of the committed funding as necessary to enable Citizens United to cover the production costs of Squire Knapp's proposed initial TV ad. The Executive Committee further authorizes the transfer of \$21,000 from the Outside Legal Counsel Fund to the Legislative Initiatives Fund.

Steve Eldridge moved the adoption of this motion. The motion was seconded by John Sylvester. Ryan Pelletier invited discussion. Anne Swift-Kayatta asked how much money would be left in the Outside Legal Counsel Fund. Chris Lockwood indicated the balance would be just over \$26,000 in the Outside Legal Counsel Fund and that the Legislative Initiatives Fund would be drawn to zero after the committed funds had been given to Citizens United. Ryan Pelletier clarified his understanding of the overall \$475,000 financial commitment of MEA-NEA.

Vote: Through a roll call, the motion was passed unanimously. Since a quorum of the current Executive Committee was not able to participate in the conference call, Chris Lockwood indicated he would contact the remaining members of the Executive Committee to obtain their concurrence and report to Ryan Pelletier. The members of the Executive Committee indicated their concurrence with this approach to enable MMA to move forward on this matter.

September 21, 2006

Executive Director Update

Anti-TABOR Campaign - Chris Lockwood provided a schedule of MMA regional informational meetings being held throughout Maine on TABOR (*Handout 1*). He noted that MMA is also providing participants with a packet of in-depth information for their review and reference. The MMA website is being kept up-to-date on information pertaining to TABOR and will include the impact analyses being conducted for fifteen municipalities. Chris Lockwood noted that the campaign remains positive and polling results in August were encouraging. He thanked the Executive Committee for their financial support and noted that he received a letter from the

Political Action Committee thanking the Association. He provided information on the proposed schedule for airing advertisements.

Chris Lockwood also provided information on efforts to respond to a request from the State Chamber of Commerce regarding an alternative to TABOR. He noted that MMA is working with MEA and several other organizations to develop a possible alternative proposal. He distributed a draft document outlining ways to reduce Maine's Tax Burden Guiding Principles (*Handout 2*). He indicated that the Brookings Institute Report will be released on October 5 and may be linked to the working group's efforts.

October 5, 2006

MMA President Ryan Pelletier welcomed members to the MMA Executive Committee annual luncheon being held in conjunction with the MMA Annual Convention. He noted that there is one item of business to discuss concerning an alternative to Question 1, the Taxpayers Bill of Rights.

Chris Lockwood and Geoff Herman provided an update on efforts in response to the request from the Maine State Chamber to develop an alternative to ballot question #1, the Taxpayer Bill of Rights. Geoff Herman reviewed an outline of a draft proposal developed by a group of organizations including the Maine Municipal Association, Maine Education Association, Maine Hospital Association, Maine Service Centers Coalition, and the Maine Better Transportation Association. After discussion and questions from the Executive Committee, John Sylvester made the following motion, which was seconded by Clint Deschene:

Moved: The Maine Municipal Association Executive Committee endorses the proposal as outlined and further authorizes the issuance of a resolution, pending acceptance of this proposal by the Maine State Chamber, announcing the support of the Maine Municipal Association for this proposal.

The motion was passed unanimously.

November 16, 2006

TABOR Campaign Legislative Update - Chris Lockwood provided a wrap-up on the TABOR campaign and noted that the Board of Directors of Citizens United is taking the necessary steps to dismantle the Political Action Committee and disseminate the remaining funds. Geoff Herman noted that the proponents would undoubtedly try again during the 2008 Election, which leaves the Association with one year to be involved in solid legislative changes that would discredit another challenge. Geoff Herman distributed the Results of the LPC September 14, 2006 Vote on 2007-2008 Legislative Platform issues (*Handout 3*). He noted that the next LPC meeting is scheduled for November 30 at which time the Association will be looking for the LPC to suggest the Chamber Plan. He provided an overview of the elements of the Chamber Plan and noted that MMA staff would take the lead at drafting the legislation. Clint Deschene encouraged MMA to take the necessary steps, including budgeting funds, to effectively market and communicate tax reform efforts/issues with its membership. He suggested that staff begin with a

letter from the MMA Executive Committee to the MMA Legislative Policy Committee laying out the groundwork and asking them to support the Chamber Plan. Chris Lockwood noted that he would work with MMA President and MMA Vice President to draft a letter to the MMA Legislative Policy Committee that could be included in their packet materials for their November 30 meeting. Chris also encouraged MMA Executive Committee members to attend the LPC meeting if possible.

Geoff Herman noted that tax reform means different things to different people. He noted that many state policy makers are not on board with the Chamber Plan and that a sales tax increase aimed at tax reform needs to be held back until we can show a reduction in overall local government/state spending. An in-depth discussion was held on tax reform efforts and not losing any ground. Geoff Herman noted that the Chamber Plan is a beginning. He noted that the Coalition efforts are coming together nicely to transition concepts into legislation. Geoff noted that all parties must resolve to reduce government spending in order to gain citizen trust.

Ryan Pelletier suggested that there may be a value in having the various Boards of the organizations involved in the Coalition meet at some point in the future.

John Sylvester questioned what efforts are being made to meet with the Governor. Chris Lockwood noted that MMA has requested a meeting between the Governor and MMA Executive Committee for December 14. He noted that the Coalition is meeting with Legislative Leadership and the Governor next Tuesday, November 22. A full discussion was held on the message that will be carried forward by the Coalition and whether the Brookings Report, which promotes broad-based tax increases to pay for changes in tax reform, would be included. It was noted that a timeline for broad based taxes would need to be developed after the tax burden is reduced.



Maine Municipal Association

60 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486
(207) 623-8428
www.mamun.org

December 1, 2006

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

Dear Director Wayne,

Please accept this letter as the written comments of the Maine Municipal Association (MMA) in response to your request dated November 17, 2006. These comments focus on the general policy question raised by 22 MRSA 1056-B.

The MMA does not advocate a particular resolution to your inquiry regarding the conduct of the Maine Heritage Policy Association (MHPC) and whether it was obligated to disclose its activities in support of TABOR. However, for purposes of illustration, this letter will reference MHPC with respect to the Question 1 (TABOR) campaign.

Summary Comment

Essentially, either MHPC underreported or MMA overreported its activities during the TABOR campaign. MMA urges the Commission to clarify the applicability of 21-A MRSA 1056-B (1056-B filings) so that there is no disparity in disclosure in the future.

About MMA

MMA is a non-profit, non-partisan organization with a voluntary membership of all but one of the State's 493 cities, towns, plantations and organized townships. It is governed by a 12-member Executive Committee made up of elected and appointed municipal officials. The Committee appoints an Executive Director to manage the affairs of the Association.

Since its inception in 1937, it has always been, and continues to be our goal to provide a unified voice of Maine's municipalities to promote and strengthen local government. Members of our staff frequently appear before state agencies and legislative committees to testify on rules, regulations, and proposed legislation affecting our member municipalities and ultimately the citizens of Maine.

MMA has four registered lobbyists (the executive director and three members of its State and Federal Relations Department). MMA makes routine filings of its normal lobbying activities.

In recent years, MMA has been actively involved in three referendum/initiative campaigns (the 55% school funding question, the Palesky Tax Cap and TABOR). In

addition to the routine filings, MMA consistently made 1056-B filings in connection with its activities relative to these initiative questions.

TABOR

MMA opposed the adoption of TABOR. MMA worked to defeat TABOR through the entire process – from legislative bill to ballot question.

MMA was a principal member of the Political Action Committee known as Citizens United to Protect Our Public Safety, Schools and Communities (Citizens PAC) which was the central opposition PAC in the TABOR campaign. MMA's 1056-B filings were made through the Citizens PAC. MMA made both "cash" and "in-kind" contributions to the Citizens PAC.

Attached are three examples of the in-kind contribution portions of Citizens PAC filings. These filings demonstrate that MMA reported approximately \$50,000 of in-kind contributions. The basic issue before you is whether these in-kind contributions were required to be reported. MMA believes they were.

Generally speaking, the MMA activities that comprise the \$50,000 figure are as follows:

1. Staff time devoted to influencing public opinion:
 - a. Participation, in person or by phone, in meetings with other organizations regarding campaign strategy,
 - b. Preparation of advocacy materials (e.g., talking points),
 - c. Participation in public speaking engagements which were not exclusively to MMA members or affiliates.
2. Travel expenses related to public speaking engagements. (Please see attached document listing all of MMA's speaking engagements.)
3. Copying expenses related to information packets distributed at public speaking engagements. (Please see attached document listing all of MMA's packet information. Also please see a sample packet.)

Activities of MMA staff which were not reported included:

1. Preparation of purely research material (e.g., data).
2. Phone calls and meetings with municipal officials and affiliate groups.

Standard For Reporting

The general standard MMA employs in deciding whether an item is reportable is whether, in context, the MMA action was intended to influence public opinion on TABOR.

So, for example, MMA produced a document that explains our estimate of the town-by-town impact that TABOR would have had if had been enacted last year. There was no advocacy in the document at all – a simple presentation of what the spending restriction percentages would be for each town. This is the kind of analysis we do for our

members on any bill and that was the purpose for doing this research regarding TABOR. Thus, the staff time devoted to creating that document was not reported.

However, MMA's purpose for participating in public forums and debates was to influence public opinion by providing information and education on TABOR's impact. Therefore, to the extent that the town-by-town document was copied and distributed to the public at these forums, the cost of reproduction, the staff time in presenting the document and even the gas reimbursements associated with traveling to the forum were reported.

Education vs. Advocacy

MMA did not make a distinction between "education" and "advocacy"; we do not believe there is an exemption in 1056-B influencing or promoting through education. Furthermore, the two are not exclusive. That is, that vast majority of the documents we produced, copied and distributed were "educational" in the sense that they informed voters about different aspects of TABOR. Very few of MMA's documents actually had the "Vote No" type message.

For example, one document that we always copied and distributed to the public was the proposal itself. (Interestingly, MHPC wrote the bill and testified in favor of it before the legislature, but it did not distribute the bill at the public forums). Nevertheless, since our *motivation* in providing the wide array of documents that we did was to influence the opinion of those receiving the material, we reported our efforts.

Instead of attempting to craft rules based upon others' characterization of what MMA or MHPC did in the campaign, I would ask that you view the two enclosed videos. They are videos of two different MMA v. MHPC presentations. One occurred in Waterboro on September 18, 2006 the other occurred in Waterville on October 12. I personally engaged in the second, and I believe each are quite representative of the dozens of such forums that were held in connection with TABOR.

MMA reported its costs associated with its participation in these events, MHPC did not. Again our aim is not to participate in your deliberations regarding MHPC, only to point out the different interpretations that were applied to the same law during TABOR. Our hope is that your rules will clarify whether we over reported or MHPC underreported, so that we all have better guidance in the future.

Question Before the Commission

There appear to be two types of standards the Commission could employ.

The first standard, which is the standard I believe MHPC is promoting, is a "magic words" standard. That is, as long as one doesn't say the magic words of "Vote Yes" or "Vote No", one can say just about anything and not report the costs under an education exemption.

I would call the second standard the "motive" or "intent" standard that MMA used. That is, regardless of what words were used or what documents were distributed, if it is clear to the average, reasonable person that our message is to either promote or oppose a ballot initiative, then the costs associated with delivering that message must be reported.

MMA Recommendation

MMA believes the intent and spirit of the law are quite clear. Anyone may participate and influence an election -- the only cost is transparency. That is, do what you want, but report it. That is not too steep a price to pay for participation in a public initiative process.

It is equally clear to us that MHPC attempted to "promote" TABOR and "influence" the public vote on TABOR. However, instead of relying on MMA's description of what MHPC did or did not do (or MHPC's description or anyone else's), judge for yourselves. Watch the videos.

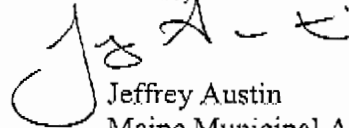
I would like to be able to say that MMA will continue to report its activities regardless of where you draw the line. However, political reality may prevent that. As you know, the amount of money spent for and against an initiative is front page news. Time and again, MHPC and other pro-TABOR groups would point to the ethics filings of MMA and claim to be "outspent" in the campaign. That may or may not be; they were, however, out-reported.

The fact of the matter is that our political opponents exploited the fact that we reported our presence at the forums and they do not; that we reported the costs associated with copying our materials which we distributed and they do not; that we reported our expenses and they did not.

It will be very difficult for MMA to continue to suffer the political disadvantage of having a higher standard for reporting our activities than do our political opponents.

The only way to have both transparency and fairness is to have a broad interpretation of 1056-B.

Yours,



Jeffrey Austin
Maine Municipal Association

Attachments (in mail)

CITIZENS UNITED TO PROTECT OUR PUBLIC SAFETY, SCHO

Name of PAC

SCHEDULE C

IN-KIND CONTRIBUTIONS/EXPENDITURES

In-kind CONTRIBUTIONS

With respect to all items and services received and expended, enter the date received, a description of the item or service, and the fair market value. Enter contributor information if the fair market value of donated item or service is more than \$50.

Date Received	Contributor's name, address, zip code	Description of goods, services, discounts or facilities received/expended	Fair market value
9/30/2006	AARP MAINE 1685 CONGRESS STREET PORTLAND ME 04102	STAFF TIME	706.50

In-kind CONTRIBUTIONS

With respect to all items and services received and expended, enter the date received, a description of the item or service, and the fair market value. Enter contributor information if the fair market value of donated item or service is more than \$50.

Date Received	Contributor's name, address, zip code	Description of goods, services, discounts or facilities received/expended	Fair market value
9/30/2006	MAINE EDUCATION ASSOCIATION 35 COMMUNITY DRIVE AUGUSTA ME 04330	STAFF TIME	1,730.00

In-kind CONTRIBUTIONS

With respect to all items and services received and expended, enter the date received, a description of the item or service, and the fair market value. Enter contributor information if the fair market value of donated item or service is more than \$50.

Date Received	Contributor's name, address, zip code	Description of goods, services, discounts or facilities received/expended	Fair market value
9/30/2006	MAINE MUNICIPAL ASSOCIATION 60 COMMUNITY DRIVE AUGUSTA ME 04355	STAFF TIME, TRAVEL EXPENSES, SUPPLIES	26,075.79

In-kind CONTRIBUTIONS

With respect to all items and services received and expended, enter the date received, a description of the item or service, and the fair market value. Enter contributor information if the fair market value of donated item or service is more than \$50.

Date Received	Contributor's name, address, zip code	Description of goods, services, discounts or facilities received/expended	Fair market value
9/30/2006	MSEA-SEIU LOCAL #1989 65 STATE STREET, P.O. BOX 1072 AUGUSTA ME 04332	STAFF TIME	1,000.00

CITIZENS UNITED TO PROTECT OUR PUBLIC SAFETY, SCHO

Name of PAC

SCHEDULE C

IN-KIND CONTRIBUTIONS/EXPENDITURES

In-kind CONTRIBUTIONS

With respect to all items and services received and expended, enter the date received, a description of the item or service, and the fair market value. Enter contributor information if the fair market value of donated item or service is more than \$50.

Date Received	Contributor's name, address, zip code	Description of goods, services, discounts or facilities received/expended	Fair market value
7/18/2006	AARP MAINE 1685 CONGRESS STREET PORTLAND ME 04102	STAFF TIME, RESEARCH REVIEW	704.00

In-kind CONTRIBUTIONS

With respect to all items and services received and expended, enter the date received, a description of the item or service, and the fair market value. Enter contributor information if the fair market value of donated item or service is more than \$50.

Date Received	Contributor's name, address, zip code	Description of goods, services, discounts or facilities received/expended	Fair market value
7/18/2006	MAINE MUNICIPAL ASSOCIATION 60 COMMUNITY DRIVE AUGUSTA ME 04355	STAFF TIME, RESEARCH, TRAVEL EXPENSES, OFFICE EXPENSES	6,635.09

In-kind CONTRIBUTIONS

With respect to all items and services received and expended, enter the date received, a description of the item or service, and the fair market value. Enter contributor information if the fair market value of donated item or service is more than \$50.

Date Received	Contributor's name, address, zip code	Description of goods, services, discounts or facilities received/expended	Fair market value
7/18/2006	MAINE EDUCATION ASSOCIATION 35 COMMUNITY DRIVE AUGUSTA ME 04330	STAFF TIME, TRAVEL EXPENSES	1,725.00

CITIZENS UNITED TO PROTECT OUR PUBLIC SAFETY, SCHO

Name of PAC

SCHEDULE C

IN-KIND CONTRIBUTIONS/EXPENDITURES

In-kind CONTRIBUTIONS

With respect to all items and services received and expended, enter the date received, a description of the item or service, and the fair market value. Enter contributor information if the fair market value of donated item or service is more than \$50.

Date Received	Contributor's name, address, zip code	Description of goods, services, discounts or facilities received/expended	Fair market value
10/26/2006	MAINE EDUCATION ASSOCIATION 35 COMMUNITY DRIVE AUGUSTA ME 04330	STAFF TIME	700.00

In-kind CONTRIBUTIONS

With respect to all items and services received and expended, enter the date received, a description of the item or service, and the fair market value. Enter contributor information if the fair market value of donated item or service is more than \$50.

Date Received	Contributor's name, address, zip code	Description of goods, services, discounts or facilities received/expended	Fair market value
10/26/2006	MSEA-SEIU LOCAL #1980 65 STATE STREET, P.O. BOX 1072 AUGUSTA ME 04332	STAFF TIME	200.00

In-kind CONTRIBUTIONS

With respect to all items and services received and expended, enter the date received, a description of the item or service, and the fair market value. Enter contributor information if the fair market value of donated item or service is more than \$50.

Date Received	Contributor's name, address, zip code	Description of goods, services, discounts or facilities received/expended	Fair market value
10/26/2006	MAINE MUNICIPAL ASSOCIATION 60 COMMUNITY DRIVE AUGUSTA ME 04355	STAFF TIME, TRAVEL EXPENSES	14,259.39

In-kind CONTRIBUTIONS

With respect to all items and services received and expended, enter the date received, a description of the item or service, and the fair market value. Enter contributor information if the fair market value of donated item or service is more than \$50.

Date Received	Contributor's name, address, zip code	Description of goods, services, discounts or facilities received/expended	Fair market value
10/26/2006	AARP MAINE 1685 CONGRESS STREET PORTLAND ME 04102	STAFF TIME	192.00



Maine Municipal Association

60 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486
(207) 623-8428
www.memun.org

February 1, 2007

Mr. Anthony T. Plante, Town Manager
Town of Windham
8 School Road
Windham, ME 04062-4899

Dear Mr. Plante:

This is in response to your request for information related to the use of member dues for MMA's advocacy efforts and the recent political campaigns in opposition to TABOR and the Palesky tax cap.

I thought it might be helpful to provide you with information on MMA's mission, funding and our policy processes. The Maine Municipal Association was created in 1936 as a voluntary membership organization of Maine's cities, towns and plantations with the mission of promoting and strengthening local government. As such, MMA's programs and services are provided to its member local governments and their officials, not to individual citizens. The Association's bylaws state:

"This Association shall be an organization dedicated to the purposes of: (a) strengthening the quality of municipal government administration through advocating favorable state and federal policy (b) providing technical assistance and information analysis to aid municipal officials in decision making (c) contributing to the understanding of municipal issues through information exchange on developments and problems of municipal government (d) improving the education and training of appointed and elected municipal officials (e) taking advantage of the savings that can be achieved through the joint purchase of goods and services (f) modernizing local government to assure the more effective delivery of public services for Maine citizens (g) providing support services to affiliated professional associations and (h) creating a greater public awareness and understanding of municipal responsibilities, governance, and administration."

MMA's opposition to TABOR was based on positions adopted by both the MMA Legislative Policy Committee (LPC) and the MMA Executive Committee. The LPC is responsible for determining MMA's positions on proposed legislation. The LPC is composed of two municipal officials elected from each of the 35 State Senate Districts. Earlier this year when the TABOR proposal was submitted to the Legislature for consideration, the LPC reviewed the proposal in detail and adopted a position in opposition based on a variety of concerns. Fundamental to these concerns was the manner in which TABOR would have imposed costly and cumbersome