



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

August 31, 2009

Maine Can Do Better
c/o Benjamin F. Dudley, Executive
Director
Engage Maine
PO Box 17533
Portland, Maine 04112

Jesse Graham, Executive Director
Maine People's Alliance
565 Congress Street, Suite 200
Portland, Maine 04101

Christopher St. John, Executive Director
Maine Center for Economic Policy
P.O. Box 437
Augusta, Maine 04332-0437

Robert Greenstein, Executive Director
Center on Budget and Policy Priorities
820 First Street, NE, Suite 510
Washington, DC 20002

Dear Sirs:

The Maine Commission on Governmental Ethics and Election Practices received the attached request from the TABOR NOW campaign that the Commission investigate whether your organizations have been required to register as ballot question committees with the Commission and to file campaign finance reports because of financial activities to oppose a citizen initiative on the November 3, 2009 ballot, An Act to Promote Tax Relief (TABOR).

Under 21-A M.R.S.A. § 1056-B, an organization qualifies as a ballot question committee as follows:

Ballot Question Committees. Any person not defined as a political action committee who solicits and receives contributions or makes expenditures, other than by contribution to a political action committee, aggregating in excess of \$5,000 for the purpose of initiating, promoting, defeating or influencing in any way a ballot question must file a report with the Commission

Ballot question committees are required to register with the Commission and to file campaign finance reports according to a prescribed schedule. The statute makes clear that reporting include "paid staff time spent for the purpose of influencing in any way a ballot question." (*Id.*) The last report was due July 15, 2009 and covered activity through June 30, 2009. For your background information, I have attached the statute, some reporting guidance that was adopted by the Commission effective June 30, 2008,

OFFICE LOCATED AT: 242 STATE STREET, AUGUSTA, MAINE
WEBSITE: WWW.MAINE.GOV/ETHICS

PHONE: (207) 287-4179

FAX: (207) 287-6775

and some further advice dated July 27, 2009 from the Commission staff to registered 2009 ballot question committees.

To date, the Maine Center for Economic Policy is the only organization that has registered as a ballot question committee in opposition to TABOR. TABOR NOW states that MECEP's July 15, 2009 campaign finance report was incomplete because it did not report staff time spent on a document drafted to oppose TABOR and because its monthly lobbying reporting for the 2009 session was incomplete because it did not include lobbying against L.D. 976.

Commission's Consideration of this Matter

The members of the Commission are required by statute to consider TABOR NOW's request at a public meeting. The Commission will consider the request at the Commission's meeting on October 1, 2009 at 9:00 a.m. in Room 208 of the Cross Office Building, 111 Sewall Street in Augusta. At that time, I anticipate that the Commission will decide whether to conduct any investigation into whether a violation has occurred.

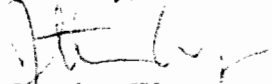
Your Opportunity to Respond

The Commission staff requests you provide a written response to the request no later than Wednesday, September 16, 2009. Please address in the response whether your organization has been required to register or file campaign finance reports as ballot question committees. In the case of MECEP, please respond whether your reporting has been complete.

We also recommend that you address whether your organizations have been monitoring its expenditures to oppose TABOR and the excise tax initiative, such as paid staff time for publications, website development, presentations, or research, or other expenses to payees outside the organization such as compensation or travel expenses of consultants. In addition to the written response, we would also suggest that representatives of the three Maine-based organizations have a representative present at the meeting to respond to any questions that the Commissioners have.

If you have any questions about this matter, please call me at 287-4179.

Sincerely,



Jonathan Wayne
Executive Director

cc: Assistant Attorney General Phyllis Gardiner
David P. Crocker, Esq.

TABOR NOW

LOWER TAXES. MORE JOBS.

August 27, 2009

VIA EMAIL jonathan.wayne@maine.gov
AND FIRST CLASS MAIL

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

Dear Mr. Wayne:

The TABOR Now campaign would like to request an investigation of four organizations for apparent non-reporting of campaign activity in opposition to the TABOR Now campaign.

1) Maine Can Do Better

According to its web site, www.maine candobetter.org, Maine Can Do Better has done the following to oppose the TABOR ballot question:

- Created a web site opposing TABOR with volunteer sign up
- Organized over 42 different nonprofit groups and organizations to oppose the ballot question
- Published a "template Board Resolution against TABOR II"
- Created extensive talking points opposed to TABOR
- Posted two videos opposing TABOR

After all of these campaign activities, Maine Can Do Better has not filed a 1056B report or registered as a Ballot Question Committee. We request the Commission investigate why Maine Can Do Better has not complied with existing law.

2) Maine People's Alliance

According to its web site, www.mainepeoplesalliance.org/other_issues.html, the Maine People's Alliance has done the following to oppose the TABOR ballot question:

- Created a web site opposing TABOR with volunteer sign up
- Hosted training sessions organizing opposition to campaign against TABOR (see Exhibit A)

After all of these campaign activities, the Maine People's Alliance has not filed a 1056B report or registered as a Ballot Question Committee. We request the Commission investigate why Maine People's Alliance has not complied with existing law given the extensive staff time and expense they have incurred opposing the TABOR referendum.

3) Center on Budget and Policy Priorities

At the request of the organization Engage Maine, which is affiliated with the aforementioned Maine Can Do Better, the Center on Budget and Policy Priorities paid to have two Colorado politicians (Former Senate President Joan Fitz-Gerald, D-Golden, and Rep. Mark Ferrandino, D-Denver) flown to Maine and speak with business leaders to encourage opposition to TABOR (see Exhibit B).

Additionally the Center on Budget and Policy Priorities created a video, featured on both www.maine candobetter.org and www.mecep.org, actively opposing TABOR.

After all of these campaign activities, the Center on Budget and Policy Priorities has not filed a 1056B report or registered as a Ballot Question Committee. We request the Commission investigate why the Center on Budget and Policy Priorities has not complied with existing law given the extensive staff time and expense they have incurred opposing the TABOR referendum.

4) Maine Center for Economic Policy (MECEP)

In their second quarter 2009 1056B report the Maine Center for Economic Policy stated they had spent no staff time or money opposing the TABOR referendum. However, during the time covered by their report MECEP published a paper titled "TABOR: Bad Idea Then...Even Worse Now" which can be found at <http://www.mecep.org/documents/TABORLitDROPMPA.pdf> (according to the document it was published on June 30, 2009).

MECEP also worked with its partner, the Center on Budget and Policy Priorities, to bring two Colorado politicians to Maine. While the event took place after the end of the 1056B reporting period, it is reasonable to assume that some preparation was done by MECEP prior to the end of the period.

Additionally, MECEP did not disclose on its lobbyist report it prepared and delivered testimony in opposition to LD 976: An Act to Provide Tax Relief, which became the TABOR referendum.

We request the Commission investigate why the Maine Center for Economic Policy has not complied with existing law, on either their 1056B report or lobbyist report for the extensive time and expense incurred opposing the TABOR referendum and its original bill LD 976.

Thank you for your attention to this matter and we appreciate the work of the Maine Commission on Governmental Ethics & Election Practices.

Sincerely,

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

David Crocker, Esq.
Chair
TABOR Now Campaign

Exhibit A

From: **Anne Sheldon** <anne@mainepeoplesalliance.org>
Date: Fri, Aug 21, 2009 at 4:51 PM
Subject: MPA TABOR training, TUESDAY 6-7
To:

Hello,

You are receiving this email because you signed up to help the MPA fight TABOR.

The Maine People's Alliance will be holding a training on TABOR and the fall referendum on Tuesday, August 25th from 6:00-7:00pm in the Portland Office (565 Congress st).

At the training we will go over the TABOR threat (yes, it will be back this November), discuss some of the nitty-gritty aspects of the proposal and work on strategies for raising awareness about the TABOR threat with people in your networks.

TABOR, or the "Tax Payer Bill of Rights," is a measure that will appear on the ballot November 3rd. If voted upon, this bill will destabilize public revenue and put our valued public institutions at risk. The areas of education, health care, elder care, fiscal stability, and economic development are just a few examples of necessary programs that are in danger with TABOR.

TABOR may likely sound familiar to you. In 2006, Maine voters rejected the very same proposal and it's back again this year. TABOR may also seem familiar because it was, regrettably, adopted by the Colorado State legislature in 1992. Since it's enactment Colorado doubled the amount of low-income children without health insurance, and higher education funding dropped 31%. Clearly, TABOR was a bad idea for Colorado in 1992, and even a worse idea for Maine today.

Come to the MPA training this Tuesday August 25th from 6:00-7:00pm in the Portland Office to learn what you can do to help defeat Tabor this fall. We rejected it in 2006, we can do it again!
Please RSVP to Anne@mainepeoplesalliance.org if you plan on attending or call the office: 207-797-0967.

Thanks and I look forward to seeing you there!
Anne Sheldon

--

Maine People's Alliance
US Action Fellow
Anne@mainepeoplesalliance.org
(cell) 617-962-2269
(work) 207-797-0967

Exhibit B

Colorado pair urge Mainers to reject spend cap

BY SUSAN M. COVER

Staff Writer

07/21/2009

<http://kennebecjournal.maintoday.com/news/local/6631303.html>

AUGUSTA -- Two politicians from Colorado are in Maine this week to urge business leaders and others to oppose a citizen initiative on Maine's November ballot that seeks to place caps on government spending.

Former Senate President Joan Fitz-Gerald, D-Golden, and Rep. Mark Ferrandino, D-Denver, said the spending limits in Colorado, known as the Taxpayer Bill of Rights, have not worked and have hampered the state's ability to provide core services.

The constitutional limits in Colorado require citizen votes for tax and spending increases.

"You start running the state by referendum and by special interest group and not by looking at what is best for the overall state to move it forward," Ferrandino said.

Colorado voters put in place the spending limits in 1992, but supported what Fitz-Gerald described as a "timeout" from 2005-10 because of a lack of funding for higher education.

In Maine, the Maine Heritage Policy Center, a conservative think tank in Portland, revised a Taxpayer Bill of Rights initiative that was rejected by voters in 2006.

This time around, the proposal focuses on limiting state government spending, said Scott Moody, an economist with the policy center. It does not cover schools or higher education, he said.

Instead, the ballot question will ask voters to approve a system that seeks to limit the growth of state spending in the General Fund and Highway Fund. It would limit increases to a formula that combines growth in population and inflation.

The revised measure would require state lawmakers and voters to approve any spending beyond the limits and to OK all state tax increases. In addition, it would direct excess revenues to a budget stabilization fund and to a tax relief fund.

"We're giving voters a voice in the process," Moody said. "We see this more as a transparency issue."

Engage Maine, which supports progressive social change, invited the Colorado politicians to visit Maine to share their stories with nonprofit groups and business leaders, said Lizzy Reinholt, a spokeswoman for the group.

The Center on Budget and Policy Priorities in Washington, D.C., covered the expenses for Fitz-Gerald and Ferrandino to visit Maine, said Robb Gray, special project coordinator. The center is affiliated with the Maine Center on Economic Policy, a liberal think tank in Augusta.

Gray said although Moody and others described the revised version as good for Maine, it's a proposal that will take away the state's ability to act quickly.

"It still ties spending to this formula that is inflexible and unworkable," he said.

"At a time when flexibility is needed, this removes that from the conversation. It's a hatchet where a scalpel is needed."

Chris Cinquemani, public affairs director of Maine Leads, which supports the spending limits, said opponents should be listening to people in Maine, not those from Colorado, when it comes to what will work here.

"The economy is a mess," he said. "People are ready to start taking charge of government and TABOR is the way to do that."

The ballot question is one of four citizen initiatives that will be up for a vote in November. Others include a cut to the automobile excise tax, a question on medical marijuana and a repeal of school district consolidation.

A people's veto of the state's new gay marriage law may also be on that ballot.

Last week, a group called Citizens Unified for Maine's Future formed to oppose TABOR and the excise tax cut.

The political action committee includes union, business and nonprofit groups.

Cinquemani said the visit by Colorado politicians so early in the campaign signals to him that TABOR opponents are worried.

"It shows me they have a lot to fear," he said.

Fitz-Gerald said asking voters to approve tax and fee increases will make government even less able to respond to a changing economy.

"If people are asking for anything right now, they are asking for smart government," she said. "This is not smart."

Susan Cover -- 620-7015



Guidance on Reporting as a Ballot Question Committee (effective June 30, 2008)

What is a ballot question committee?

Most organizations that raise or spend money to influence a statewide ballot question in Maine form a political action committee (PAC) for that purpose, and file regular PAC reports with the Commission. Some advocacy, charitable, or other organizations do not qualify as PACs under the Election Law, but they are interested in raising and spending money to influence a ballot question. In 2000, the Maine Legislature enacted 21-A M.R.S.A. § 1056-B to create a reporting requirement for these non-PAC organizations. Effective June 30, 2008, the Election Law designates these organizations as “ballot question committees” and they will be required to register with the Commission. Under the new requirements,

[a]ny person not defined as a political action committee who solicits and receives contributions or makes expenditures, other than by contribution to a political action committee, aggregating in excess of \$5,000 for the purpose of initiating, promoting, defeating or influencing in any way a ballot question must file a report with the Commission.

The complete language of 21-A M.R.S.A. § 1056-B is attached to this memo.

Does the requirement apply only to individuals?

No. Under Maine Election law, the term “person” includes individuals, committees, firms, partnerships, corporations, associations, or organizations.

When do ballot question committees have to register with the Commission?

Within seven days of receiving contributions or making expenditures to influence an election that exceed \$5,000, a ballot question committee must register with the Commission.

How do ballot question committees register with the Commission and file financial reports?

The committee must register and file campaign finance reports using paper forms (available on the Commission’s website). At this time, ballot question committees cannot file campaign finance reports electronically.

What contributions must be reported by ballot question committees?

Section 1056-B covers “contributions [received] for the purpose of initiating, promoting, defeating or influencing in any way a ballot question” This includes:

- funds that the contributor specified were given in connection with a ballot question;
- funds provided in response to a solicitation that would lead the contributor to believe that the funds would be used specifically for the purpose of initiating, promoting, defeating or influencing in any way a ballot question;
- funds that can reasonably be determined to have been provided by the contributor for the purpose of initiating, promoting, defeating or influencing in any way a ballot question when viewed in the context of the contribution and the recipient’s activities regarding a ballot question; and
- funds or transfers from the general treasury of an organization filing a ballot question report.

Funds provided in response to a solicitation that would lead the contributor to believe that the funds would be used to support an organization’s general activities, rather than activities relating to a ballot question, do not need to be reported.

A ballot question committee must report but is not required to itemize contributions from a single source that aggregate \$100 or less in any election.

What expenditures must be reported by a ballot question committee?

Section 1056-B covers expenditures for communications and activities made “for the purpose of initiating, promoting, defeating or influencing in any way a ballot question.” The Commission interprets this to include communications and activities which expressly advocate for or against a ballot question or which clearly identify a ballot question by apparent and unambiguous reference and are susceptible of no reasonable interpretation other than to promote or oppose the ballot question. Expenditures to be reported include:

- expenditures for communications to voters for the purpose of promoting or opposing a ballot question, including advertising on television, radio, and print media; literature that is mailed or distributed by hand to voters; automated telephone calls and scripted calls from live callers; signs, bumper stickers, and other forms of outdoor advertising;
- staff time promoting or opposing the ballot question at public or press events;
- staff time canvassing (conducting door-to-door visits to) voters;

- travel expenses paid to employees or volunteers who are conducting activities to promote or oppose a ballot question;
- staff time preparing presentations, testimony, letters to the editor, opinion pieces, articles for publication, or press releases to promote or oppose a ballot question;
- research or analysis, including written reports and legal opinions, where the organization knows or reasonably should know that the results will be used to promote or oppose a ballot question and where the results are used for that purpose; and
- expenditures to distribute research or technical analysis regarding a ballot question for the purpose of encouraging voters to vote yes, or no, on the question.

This list is not intended to be exhaustive and is similar to the types of expenditures reported by political action committees to promote or defeat a ballot question.

What expenditures are not covered by § 1056-B?

The Commission interprets § 1056-B as excluding expenditures for communications or activities that do not clearly identify a ballot question by apparent and unambiguous reference. In addition, expenditures made merely to educate voters or others about a ballot question in a neutral way are not covered by § 1056-B, even if a ballot question is clearly identified. These would include expenditures for:

- hosting a meeting at which advocates or members of the public are invited to present their views on the ballot question, provided that the sponsors of the event make reasonable efforts to ensure that the forum is balanced;
- distributing news stories, commentary, or editorials concerning a ballot question through the facilities of a broadcasting station, newspaper, magazine, or other periodical publication, unless the facilities are owned or controlled by persons otherwise engaged in other advocacy activities to promote or oppose the ballot question; and
- research or analysis concerning a ballot question paid by an entity which is not otherwise participating in the ballot question campaign, provided that the research or analysis does not clearly express support for or opposition to the ballot question or urge others to vote for or against the ballot question.

Ballot question committees must report but are not required to itemize expenditures to a single payee that total \$100 or less in an election.

Do “expenditures [made] ... for the purpose of initiating ... a ballot question” include payments to staff or other expenses incurred in drafting legislation intended as a direct initiative?

Yes. If an organization pays its employees (or incurs other expenses) to draft legislation that the organization intends will be submitted to the Secretary of State as a direct initiative (even if submitted by a different organization or individuals), those expenses should be counted as expenditures made to initiate a ballot question.

What about expenditures to circulate ballot question petitions to collect signatures, and other expenses of advocates for and against a ballot question during the signature-gathering phase?

In 2006, the Legislature amended the term “expenditure” to clarify that payments of money to collect signatures for a ballot question must be reported. The Commission interprets the “expenditures [made] ... for the purpose of ... defeating or influencing in any way” includes payments made by opponents of the ballot question during the time period in which proponents may gather petition signatures.

What if an organization raises money to give to a PAC?

If an organization solicits and receives contributions for the purpose of influencing a ballot question and gives those funds to a PAC, the contributions received by the organization count towards the \$5,000 threshold. For example, if a trade association solicits funds from its members in order to make a contribution to a PAC involved in a ballot question, the trade association may have to register as a ballot question committee if it raised more than \$5,000. It is not the contribution to the PAC that triggers the registration requirement; it is the fund-raising activity by the trade association that triggers it.

What if an organization contributes or transfers funds to another organization which is not a PAC?

A contribution or transfer of funds from one organization to another organization for the purpose of influencing a ballot question counts towards the \$5,000 threshold as an expenditure made by the first organization.

What if an organization donates the time of its paid employees to a PAC to influence a ballot question or makes payments to vendors for goods or services to influence a ballot question in coordination with a PAC?

Donating paid staff to a PAC, or coordinating expenditures with a PAC are in-kind contributions to the PAC. They do not count toward the \$5,000 expenditure threshold that would trigger filing of a § 1056-B report by the donor; however, the PAC must report them as in-kind contributions.

An organization's expenditures to influence a ballot question may be considered an in-kind contribution to a PAC only if they are coordinated with the PAC or are accepted by a PAC. Expenditures to influence a ballot question made independently of the PAC should not be considered contributions to the PAC and would count toward the \$5,000 threshold.

Guidance to PACs and Contributors on the Reporting of In-Kind Contributions

In 2006, some PACs involved in ballot question campaigns reported receiving significant in-kind contributions from other organizations, but provided little detail regarding the goods and services they received. In future elections, the Commission will request that PACs provide more detail about large in-kind contributions they have received. For example, if a PAC reports that it received significant paid staff time from another organization, it should include a description of those staff activities and the number of hours of staff time that were contributed. A PAC's reporting of coordinated spending made by a contributor should include a brief description of the goods and services that were purchased and their value. Contributed staff and coordinated expenditures should not be lumped together as a single contribution for the reporting period, but should be itemized as separate contributions.

Other Guidance

If you have any questions, please telephone the Commission's PAC/Party/Lobbyist Registrar at 287-4179.

21-A M.R.S.A. § 1056-B. Ballot Question Committees

Any person not defined as a political action committee who solicits and receives contributions or makes expenditures, other than by contribution to a political action committee, aggregating in excess of \$5,000 for the purpose of initiating, promoting, defeating or influencing in any way a ballot question must file a report with the commission. In the case of a municipal election, a copy of the same information must be filed with the clerk of that municipality. Within 7 days of receiving contributions or making expenditures that exceed \$5,000, the person shall register with the commission as a ballot question committee. For the purposes of this section, expenditures include paid staff time spent for the purpose of influencing in any way a ballot question. The commission must prescribe forms for the registration, and the forms must include specification of a treasurer for the committee, any other principal officers and all individuals who are the primary fund-raisers and decision makers for the committee.

1. Filing requirements. A report required by this section must be filed with the commission according to a reporting schedule that the commission shall establish that takes into consideration existing campaign finance reporting schedule requirements in section 1059.

2. Content. A report must contain an itemized account of each expenditure made to and contribution received from a single source aggregating in excess of \$100 in any election; the date of each contribution; the date and purpose of each expenditure; and the name and address of each contributor, payee or creditor. The filer is required to report only those contributions made to the filer for the purpose of initiating, promoting, defeating or influencing in any way a ballot question and only those expenditures made for those purposes. The definitions of "contribution" and "expenditure" in section 1052, subsections 3 and 4, respectively, apply to persons required to file ballot question reports.

2-A. Contributions. For the purposes of this section, "contribution" includes, but is not limited to:

- A. Funds that the contributor specified were given in connection with a ballot question;
- B. Funds provided in response to a solicitation that would lead the contributor to believe that the funds would be used specifically for the purpose of initiating, promoting, defeating or influencing in any way a ballot question;
- C. Funds that can reasonably be determined to have been provided by the contributor for the purpose of initiating, promoting, defeating or influencing in any way a ballot question when viewed in the context of the contribution and the recipient's activities regarding a ballot question; and

D. Funds or transfers from the general treasury of an organization filing a ballot question report.

3. Forms. A report required by this section must be on a form prescribed and prepared by the commission. A person filing this report may use additional pages if necessary, but the pages must be the same size as the pages of the form.

4. Records. A person filing a report required by this section shall keep records as required by this subsection for one year following the election to which the records pertain.

A. The filer shall keep a detailed account of all contributions made to the filer for the purpose of initiating, promoting, defeating or influencing in any way a ballot question and all expenditures made for those purposes.

B. The filer shall retain a vendor invoice or receipt stating the particular goods or services purchased for every expenditure in excess of \$50.



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AND ELECTION PRACTICES
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04333-0135

To: Ballot Question Committees

From: Paul Lavin, Assistant Director

Date: July 27, 2009

Re: Additional Guidance on Reporting by Ballot Question Committees

The Ethics Commission staff has received some campaign finance reports from organizations that have formed ballot question committees regarding the November 3, 2009 election. After reviewing these reports, the Commission staff offers the following advice based on our reading of the reporting requirements in 21-A M.R.S.A. § 1056-B. Please read this advice and review your report to determine whether it is necessary to amend your July 15, 2009 campaign finance report.

Contributions

To provide full disclosure of its campaign financial activity, a ballot question committee must report the source of funding for all expenditures, including paid staff time, made for the purpose of initiating, promoting, defeating or influencing a ballot question. If the organization that formed the ballot question committee has used or transferred funds from its general treasury for expenditures for paid staff as well as other expenditures, please report the amount of those funds or transfers as a contribution on Schedule A. Under 21-A M.R.S.A. § 1056-B(2-A)(D), a ballot question committee must report “[f]unds or transfers from the general treasury of an organization filing a ballot question report.”

The general treasury funds used or transferred should, at a minimum, equal the total amount of expenditures, less any individual contributions reported during the filing period.

Expenditures for Staff Time to Initiate, Promote, or Oppose a Ballot Question

If an organization has paid employees to initiate, promote, or defeat or influence a ballot question, please report those expenditures on Schedule B of the organization’s ballot question committee report. Please report the *individual staff member* as the payee on Schedule B. Please do not report in a combined total for all staff members. Use the SAL, CNS, or PRO expenditure codes as appropriate.

The Commission staff believes it is sufficient to provide a combined total paid to the employee for the entire report period, and it is not necessary to list separately every salary payment made to the employee during the period.

If reimbursements have been paid to employees for travel or other expenditures, please report those expenditures separately and not as part of compensation.

Donating Staff Time to Political Action Committees

If the organization that formed a ballot question committee has donated paid staff time to a political action committee formed by a coalition of organizations to initiate, promote, or defeat a ballot question, the ballot question committee would report the cost of the staff time as a Schedule B expenditure. The recipient PAC would report the receipt of an in-kind contribution on its report. The ballot question committee must report any donation of paid staff time to initiate, promote, or defeat a ballot question as an expenditure on Schedule B regardless of the recipient.

The Commission staff would be pleased to speak with you about the reporting requirements. The advice in the memo is from the Commission staff and is not binding on the members of the Commission. If you have any questions about this advice or your reporting requirements, please feel free to contact me at (207) 287-4179.