



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

To: Commission
From: Jonathan Wayne, Executive Director
Date: November 21, 2022
Re: Maine Families First PAC

On October 17, 2022, the Maine Ethics Commission received a request for investigation from Ms. Sara Salley and others alleging that the Maine Families First PAC failed to timely report contribution(s) that financed a \$999,245 independent expenditure to oppose Governor Janet T. Mills. In the complaint, Ms. Salley noted that in its October quarterly report, the PAC indicated that it had received and spent a total of \$100,000, leaving it with a calculated cash balance of \$0. That report covered financial activity through September 30, 2022. In a subsequent independent expenditure report, the PAC reported making an October 5, 2022 expenditure of \$999,245 to FP1 Strategies for television advertising.

Ms. Salley questions the plausibility that the PAC had received only \$100,000 in contributions by September 30, 2022 (the end date of the October quarterly report) and could finance a \$999,245 expenditure five days later. She asserts that the tight timeframe suggests that the PAC received a pledge of money from Mr. Klingenstein and then relied on that pledge to create the advertisement. She asks the Commission to investigate whether the PAC's reporting should have included additional contribution(s) from Mr. Klingenstein. Ms. Salley notes that the definition of a reportable "contribution" includes not just a gift of money to a PAC for the purpose of influencing a candidate election but also a "contract, promise or agreement to make a contribution." 21-A M.R.S. § 1052(3)(B).

At the October 26, 2022 meeting, the Commission raised an additional question to consider: whether the October 5, 2022 expenditure date in the independent expenditure report was accurate. The Commission postponed its consideration of this item to its November meeting.

Relevant Laws and Rule

Commission initiation of investigation. The Commission is required to review every request to investigate an alleged violation of campaign finance law and to conduct an “investigation if the reasons stated for the request show sufficient grounds for believing that a violation may have occurred.” 21-A M.R.S. § 1003(2).

Regular campaign finance reports. All registered PACs are required to file campaign finance reports according to deadlines set out in 21-A M.R.S. § 1059. These regular reports are required for all PACs, regardless of the extent or type of campaign activity the PAC engaged in during the time period covered by the report. This year, PACs were required to file an October quarterly report on October 5, 2022 that was complete as of September 30, 2022. 21-A M.R.S. § 1059(2)(A)(4).

Content of regular reports. Among other things, regular campaign finance reports must contain “[a]n itemization of each contribution of more than \$50 made to or received by the committee for the purpose of initiating or influencing a campaign” and “any funds deposited into or transferred into the [PAC’s] campaign account, including but not limited to funds from the general treasury of an organization that is required to establish a committee.” 21-M.R.S. §§ 1060(6)&(6-A).

Other reports. Depending on the financial activity of a PAC, it may be required to file other special purpose reports, such as independent expenditure reports for express advocacy communications to voters or 24 hour reports for large transactions during the last 13 days before an election.” 21-M.R.S. §§ 1019-B & 1059(2)(E).

Definition of contribution. A contribution is defined in Maine’s PAC reporting law as a “gift, subscription, loan, advance or deposit of money or anything of value made to or received by a committee for the purpose of initiating or influencing a campaign.” 21-A M.R.S. § 1052(3)(A). The definition includes not just the receipt of a contribution, but also a donor’s contract, promise or agreement (express or implied) to make a contribution to the committee, regardless whether it is legally enforceable. 21-A M.R.S. § 1052(3)(B). The definition also includes all money deposited into the PAC’s campaign account. 21-A M.R.S. § 1052(3)(A-1).

Definition of Expenditure

The term “expenditure” includes “a purchase, payment, distribution, loan, advance, deposit or gift of money anything of value made for the purpose of initiating or influencing a campaign,” and “a contract, promise, or agreement, expressed or implied, whether or not legally enforceable, to make any expenditure for the purposes set forth in this paragraph.” 21-A M.R.S. §§ 1052(4)(A)(1)&(2). The Commission has adopted a rule (Chapter 1, § 7(3) confirming that placing an order for a good or service constitutes reportable expenditure, even if the order has not been paid for:

3. Reporting Debts and Unpaid Obligations

- A. The following events constitute expenditures, even if the payment for a good or service has not been made at the time of the event:
- (1) The placement of an order for a good or service;
 - (2) The signing of a contract for a good or service;
 - (3) The acceptance of the delivery of a good or the performance of a service by a vendor; or
 - (4) A promise or an agreement (including an implied one) that a payment will be made in exchange for a good or service.

...

Factual Background

Maine Families First is a PAC that registered with the Ethics Commission on September 9, 2022. It has filed an initial campaign finance report, two regularly scheduled campaign finance reports, independent expenditure reports and 24-Hour Reports. All reporting indicates that the PAC’s only contributor is Mr. Thomas Klingenstein.

According to Ms. Salley, the reported October 5, 2022 independent expenditure was for a television advertisement critical of Governor Janet Mills on cost of living issues, which can be found at

<https://bigal.media/mediaplayer.php?q=vlZzaT0%3D85c406379028c750ca2a75d59b7dc11a>.

The ad contains the disclosure: “The top funder of Maine Families First is Thomas Klingenstein.”

The PAC’s registration indicates that it was established by the American Principles Project, which is a 501(c)(4) nonprofit corporation with offices in Arlington, Virginia. The PAC’s principal officer is Mr. Terry Schilling, who is listed on the American Principles Project

website as the organization’s president. On that website, the American Principles Project describes itself as “the only national pro-family organization engaging directly in campaigns and elections.”

The PAC has reported receiving \$2,945,000 in contributions from Thomas Klingenstein:

Date of Contribution	Amount	Date of Report
9/7/2022	\$100,000	9/15/2022
10/3/2022	\$1,500,000	10/28/2022
10/20/2022	\$1,000,000	10/28/2022
11/3/2022	\$90,000	11/4/2022
11/4/2022	\$200,000	11/4/2022
11/4/2022	\$55,000	11/4/2022
	\$2,945,000	

The last entry (\$55,000) contained the notation “Pledge (estimated amount).”

Responses from Maine Families First PAC

On October 19, 2022, the Commission sent a letter by email to the PAC inviting it to respond to Ms. Salley’s request for investigation. The PAC submitted an October 24, 2022 declaration from Mr. Schilling in which he stated:

- Mr. Thomas Klingenstein is the sole funder of the PAC.
- The PAC first received the funds used for the \$999,245 television expenditure on October 3, 2022.
- Mr. Klingenstein did not promise or pledge funds to the PAC prior to October 1, 2022.

Following the Commission’s October 26 meeting, the PAC submitted a second declaration from Mr. Schilling dated November 17, 2022. He stated that the PAC “did not rely” on money from Mr. Klingenstein and “[t]he PAC did not commit to any expenditures until after the contribution had been received on October 3, 2022.” According to Mr. Schilling, “[t]he PAC placed the order for the ad in question and agreed to pay FP1 Strategies for it on October 5, 2022. The PAC used this date as the trigger for filing its 2-day independent expenditure report.”

The television advertisement began airing on October 7, 2022, which is the day the PAC filed its IE report.

In response to a general question from the Commission staff about time necessary to produce a television ad, Mr. Schilling responded as follows:

With recent advances in video production and editing technology, quality video advertisements can be produced and aired quickly and easily. Advertisements can be produced in just a few hours, especially if no additional filming and no film crew are required, as was the case here. The PAC's Advertisement that started on October 7 did not require any footage to be filmed or the hiring of a film crew. The producers obtained publicly available footage to prepare the Advertisement.

Comments by Commission Staff

The Commission staff would be pleased to take any additional steps the Commission would like. Our recommendation is not to conduct any further investigation.

Contribution Reporting. The American Principles Project is public policy organization that promotes "pro-family" causes and is also involved in elections. Mr. Klingenstein is an investment manager in New York City whose philanthropy aligns with the values of the American Principles Project and has also given to conservation groups in Maine. Given the roughly \$3 million in funding from the donor, it is a reasonable inference that the American Principles Project or Mr. Schilling has a pre-existing relationship with Mr. Klingenstein.

Little evidence is available, however, suggesting that Mr. Klingenstein made a promise or agreement to make the October 3, 2022 contribution of \$1,000,000. The Commission staff understands why Ms. Salley would ask the question, but her suggestion that Mr. Klingenstein pledged (promised) to make the contribution is an inference about how organization/donor relations operated in this case.

At this point in time, the informational interest of the public in further investigation is diminished because Mr. Klingenstein's status as the sole funder of the PAC has been disclosed at multiple points in the PAC's advertising campaign to defeat Governor Mills:

- Mr. Klingenstein was listed as a contributor to Maine Families First in its initial campaign finance report filed on September 15, 2022.

- In mid-September, the PAC ran digital ads that were covered in Maine’s news media. Mr. Klingenstein’s role in funding the PAC was covered in September 20-21, 2022 news stories in the Bangor Daily News and on Maine Public Radio.
- The television advertisement referred to by Ms. Salley contains the disclosure message that “The top funder of Maine Families First is Thomas Klingenstein.” That information was available to anyone who viewed the ad and had questions about who funded the PAC.
- The financial reports filed since September 15, 2022 have disclosed that Mr. Klingenstein is the only contributor to the PAC.

In this context, the informational interest in verifying whether the donor made a promise or agreement in September to fund a \$999,246 independent expenditure seems slim.

Ms. Salley is correct that the statutory definition of contribution contains the element of a “contract, promise or agreement.” 21-A M.R.S. §§ 1012(2)(A)(2) & 1052(3)(B). As context for the November 30 meeting, the Commission should be aware that this is an feature of campaign finance reporting that almost never comes up:

- Candidates, PACs, and other campaign finance filers generally understand they need to disclose a contribution when it is *received*. We suspect very few understand they might need to report a contract, promise or agreement by a donor to contribute.
- In fact, the Commission’s rules states that “The date of a contribution is the date it is received” 94-270 C.M.R. Chapter 1, § 6(1). No mention is made in the rule of disclosing an earlier contract, promise or agreement to contribute.
- The Commission almost never receives a campaign finance report indicating that the filer was promised a contribution but has not received it. When surveyed, my colleagues could not remember any examples other than the \$55,000 pledge/estimate reported by Maine Families First on November 4, 2022.
- The Commission’s online and paper forms do not contain an overall good way to disclose that a contribution has been promised but not received (e.g., they do not contain a separate transaction type or a checkbox for this purpose). The calculated cash balance that is displayed in a summary on the cover page of each report PDF presumes that contributions have been received. Based on recent cost estimates from our IT company,

modifying the Commission's current eFiling system to delineate a contribution that was promised but not received could be expensive.

- The Commission's guidebooks contain no advice to candidates, PACs, etc. that they need to report a contract, promise, or agreement, other than when the statutory definition of contribution is quoted for reference.

Because of the lack of evidence Mr. Klingenstein made a definite pledge to contribute and the reduced informational interest at this time in verifying whether a contract, promise or agreement occurred, the Commission staff recommends no investigation on this issue.

Coincidentally, last week I was engaging in a hallway conversation with an experienced lobbyist and PAC treasurer. In the context of a ballot question, he had recently learned from an out-of-state attorney that the contribution definition includes a contract, promise or agreement to donate money. He made a point of suggesting that the Commission should pursue eliminating this part of the contribution definition, because it is difficult to administer and enforce. His suggestion is worth considering, in my opinion. Some states do not require the reporting of a promise or agreement to make a donation, according to research by the National Conference on State Legislatures.¹ Presumably, all sorts of indefinite funding arrangements or donations are contemplated or discussed among individuals and groups who share a political goal. It may hard for the participants themselves or the Commission to determine if those discussions constitute a reportable contract, promise or agreement. The benefits of deleting this language could result in a contribution definition that is more clear for filers and conforms to how the Commission's current reporting forms are designed. Since it is not known whether any promises of contributions are actually reported, the informational loss to the public may be minor although that is difficult to verify. Alternatively, Maine could limit the definition to an enforceable promise, as California does. Cal. Gov't Code § 82015(a).

Date of Expenditure. Ms. Salley's complaint is about a television ad that was disclosed in an October 7, 2022 independent expenditure report. The report included an expenditure of \$999,245 to FP1 Strategies dated October 5, 2022. After your last meeting, the Commission staff requested that the PAC provide more information concerning the timing of the ad. In his

¹ <http://www.ncsl.org/research/elections-and-campaigns/state-campaign-finance.aspx> - /

declarations, Mr. Schilling identified the following dates in the first calendar week of October:

2	3 PAC received \$1,000,000 from Thomas Klingenstein	4	5 PAC placed the order for the ad and agreed to pay FP1 Strategies for it Date of reported expenditure	6	7 TV ad began to air Independent expenditure report filed	8
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Based on its website, FP1 Strategies seems to be a large, full-service political consulting and advertising firm that has the capacity to produce television ads and purchase advertising time for clients. In his second declaration, Mr. Schilling describes that, generally, television ads “can be produced in just a few hours” if no filming is required. (Commission staff has not verified this proposition.) Mr. Schilling said this particular ad was prepared with “publicly available footage” that did not require any filming. That is consistent with the content of the ad.

The dates provided by Mr. Schilling in his declarations (made under penalty of perjury) appear to be plausible. The Commission staff does not recommend further investigation of the expenditure date and the timeliness of the independent expenditure report. Thank you for your consideration of this memo.

Maine Ethics Commission
C/O Emma J. Burke
45 Memorial Cir
Augusta, ME 04330

October 24, 2022

Dear Ms. Burke,

We are in receipt of the ethics complaint made against Maine Families First, LLC (MFF) and your request for a response. Please see below for our responses.

-Is Thomas Klingenstein the sole funder of Maine Families First?

Yes.

-When did Maine Families First receive the funds used for the \$999,245 television advertising expenditure?

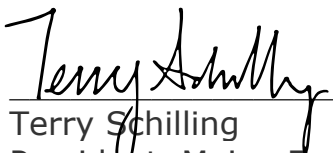
MFF first received the funds used for the \$999,245 television expenditure on October 3, 2022.

-Had Thomas Klingenstein, or any other person or organization, promised or pledged funds to Maine Families First prior to October 1, 2022?

No.

Please let me know if you need more information

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on October 24, 2022.



Terry Schilling
President, Maine Families First

November 17, 2022

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

Re: Maine Families First PAC

Dear Mr. Wayne:

This letter responds on behalf of Maine Families First PAC to the questions in your letter dated November 1, 2022.

Did the PAC solicit funding from Mr. Klingenstein for Maine Families First activity? If yes, on what dates?

No.

Please provide a more complete description of how Mr. Schilling can rely on money from Mr. Klingenstein if no promise or agreement has been made.

The PAC did not rely on money from Mr. Klingenstein. It did not commit to any expenditures until after the contribution had been received on October 3, 2022.

On what dates did the PAC place an order for the \$999,245 in advertising and agree to pay FP1 Strategies for the advertising?

The PAC placed the order for the ad in question and agreed to pay FP1 Strategies for it on October 5, 2022. The PAC used this date as the trigger for filing its 2-day independent expenditure report.

On what date did the television advertisement ordered from FP1 Strategies begin airing in Maine?

The TV advertisement in question began airing in Maine on October 7, 2022. The PAC filed its 2-day independent expenditure report on the same day.

Could the PAC please briefly explain, in its experience, how quickly video advertisements can be made ready for broadcast?

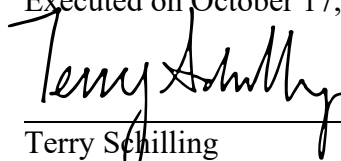
With recent advances in video production and editing technology, quality video advertisements can be produced and aired quickly and easily. Advertisements can be produced in just a few hours, especially if no additional filming and no film crew are required, as was the case here. The PAC's Advertisement that started on October 7 did not require any footage to be filmed or the hiring of a film crew. The producers obtained publicly available footage to prepare the Advertisement.

Sincerely,

Joseph A. Vanderhulst

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the factual statements in the foregoing are true and correct.

Executed on October 17, 2022



Terry Schilling
Principal Officer, Maine Families First

October 13, 2022

Jonathan Wayne, Executive Director
Commission on Governmental Ethics and Election Practices
45 Memorial Circle
Augusta, ME 04330

Dear Director Wayne,

We ask the Commission on Governmental Ethics and Election Practices to investigate whether the Maine Families First PAC, an offshoot of the American Principles Project, has committed campaign finance violations by failing to report contributions. If it has, the Commission should assess the maximum civil penalty on Maine Families First.

According to its campaign finance report, as of Friday September 30, Maine Families First had \$0.00 cash-on-hand and had received only a single contribution for \$100,000. Three business days later, it spent \$999,245 in TV advertising against Gov. Janet Mills, according to the 2-Day Pre-General IE Report that it filed on October 7, 2022. The advertisement can be seen at:

<https://bigal.media/mediaplayer.php?q=vIZzaT0%3D85c406379028c750ca2a75d59b7dc11a>.

Statute requires a PAC to report not only cash contributions but also pledges; a contribution includes "a contract, promise or agreement, expressed or implied, whether or not legally enforceable, to make a contribution to a committee." According to its reports, in the first three business days of October Maine Families First received a pledge for almost a million dollars; received the cash; planned the advertisement; secured a new vendor; and, the vendor created and placed a television advertisement.

The tight timeline suggests instead that Maine Families First received a pledge from an existing donor in September, relied on the pledge to create the advertisement, and requested that the donor not send the money until October to attempt to avoid publicly disclosing the contribution. (If the entire \$999,245 did not come from Thomas Klinglestein, Maine Families First has violated the statute that requires the disclosure of the top 3 funders in a communication.) The American Principles Project has a history in Maine and nationally of peddling false and misleading political communications. The group misrepresented itself as a Maine news organization, and Maine Families First has a practice of suspiciously close contribution and expenditure dates; on September 8, 2022, it purchased digital advertisements and text messaging for \$100,000 that it reported having received the prior day.

The Ethics Commission should investigate whether Maine Families First violated Maine campaign finance laws by receiving a contribution but delaying its reporting. Maine people deserve to know who is affecting a Gubernatorial election. The law requires it.

Sincerely,



Sara Salley
Lynn Ouellette
Shane Boyes



Commission on Governmental Ethics and Election Practices
Mail: 135 State House Station, Augusta, Maine 04333
Office: 45 Memorial Circle, Augusta, Maine
Website: www.maine.gov/ethics
Phone: 207-287-4179
Fax: 207-287-6775

2022 CAMPAIGN FINANCE REPORT

FOR POLITICAL ACTION COMMITTEES

COMMITTEE		TREASURER	
Maine Families First 2800 Shirlington Road, Suite 901 Arlington, VA 22206 PHONE:(202) 503-2010 EMAIL: fec@langdonlaw.com		David R Langdon 2800 Shirlington Road, Suite 901 Arlington, VA 22206 PHONE: EMAIL: fec@langdonlaw.com	
REPORT	DUE DATE	REPORTING PERIOD	
Committee October Quarterly	10/05/2022	09/10/2022 - 09/30/2022	

FINANCIAL ACTIVITY SUMMARY

RECEIPTS	TOTAL FOR PERIOD	TOTAL FOR YEAR
1. CASH CONTRIBUTIONS (SCHEDULE A)	\$0.00	\$100,000.00
2. OTHER CASH RECEIPTS (INTEREST, ETC.)	\$0.00	\$0.00
3. LOANS (SCHEDULE C)	\$0.00	\$0.00
4. TOTAL RECEIPTS (LINE 1 + 2 + 3)	\$0.00	\$100,000.00
EXPENDITURES		
5. EXPENDITURES TO SUPPORT OR OPPOSE (SCHEDULE B)	\$0.00	\$100,000.00
6. OPERATING EXPENDITURES (SCHEDULE B-1)	\$0.00	\$0.00
7. LOAN REPAYMENTS (SCHEDULE C)	\$0.00	\$0.00
8. TOTAL PAYMENTS (LINE 5 + 6 + 7)	\$0.00	\$100,000.00
CASH SUMMARY		
9. CASH BALANCE AT BEGINNING OF PERIOD	\$0.00	
10. PLUS TOTAL RECEIPTS THIS PERIOD (LINE 4)	\$0.00	
11. MINUS TOTAL PAYMENTS THIS PERIOD (LINE 8)	\$0.00	
12. CASH BALANCE AT END OF PERIOD	\$0.00	
OTHER ACTIVITY		
13. IN-KIND CONTRIBUTIONS (SCHEDULE A-1)	\$0.00	\$0.00
14. TOTAL LOAN BALANCE AT END OF PERIOD (SCHEDULE C)	\$0.00	
15. TOTAL UNPAID DEBTS AT END OF PERIOD (SCHEDULE D)	\$0.00	

I, David R. Langdon, CERTIFY THAT THE INFORMATION CONTAINED IN THIS REPORT IS TRUE, ACCURATE, AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

REPORT FILED BY: David R. Langdon
REPORT FILED ON: 10/4/2022 5:18:52 PM
LAST MODIFIED:
COMMITTEE ID: 454700



Commission on Governmental Ethics and Election Practices
 Mail: 135 State House Station, Augusta, Maine 04333
Office: 45 Memorial Circle, Augusta, Maine
 Website: www.maine.gov/ethics
 Phone: 207-287-4179
 Fax: 207-287-6775

2022 INDEPENDENT EXPENDITURE REPORT

COMMITTEE		TREASURER
Maine Families First 2800 Shirlington Road, Suite 901 Arlington, VA 22206 PHONE: (202) 503-2010 EMAIL: fec@langdonlaw.com		David R Langdon 2800 Shirlington Road, Suite 901 Arlington, VA 22206 PHONE:(202) 503-2010 EMAIL: fec@langdonlaw.com
REPORT	DUE DATE	REPORTING PERIOD
2-Day Pre-General IE Report	10/07/2022	10/05/2022-10/05/2022

FINANCIAL ACTIVITY SUMMARY

EXPENDITURES	
Total independent expenditures greater than \$250 per candidate	\$999,245.00
Total independent expenditures of \$250 or less per candidate	\$0.00
Total independent expenditures for all candidates	\$999,245.00

AFFIDAVIT

STATE OF _____

COUNTY OF _____

David R. Langdon, being duly sworn, attests that each of the expenditures listed in the attached report was made independently of, and not in cooperation, consultation, or concert with, or at the request or suggestion of, the candidate(s) named in the report, the political committee of the candidate(s), or their agents.

 (Signature of Affiant)

Sworn to before me this _____ day of _____ 2022

 (Notary Public/Attorney at Law)

Making a false statement under oath is punishable by law.

REPORT FILED BY: David R. Langdon
 REPORT FILED ON: 10/7/2022 9:47:10 AM
 LAST MODIFIED:
 COMMITTEE ID: 454700
 REPORT NUMBER: 35111

**SCHEDULE B-IE-1
CANDIDATE(S) SUPPORTED/OPPOSED**

Expenditure Date	Support / Oppose	Candidate Name	Office	District / County	Payee	Expenditure Amount
10/5/2022	OPPOSE	Hon. Janet T Mills	Governor		FP1 Strategies	\$999,245.00
Total itemized independent expenditures greater than \$250 per candidate						\$999,245.00
Total unitemized independent expenditures of \$250 or less per candidate						\$0.00
Total independent expenditures for all candidates						\$999,245.00

**SCHEDULE B-IE-2
EXPENDITURES**

EXPENDITURE TYPES				
APP	Apparel (t-shirts, hats, embroidery, etc.)	CON	Contribution to party committee, non-profit, other candidate, etc.	
EQP	Equipment of \$50 or more (computer, tablet, phone, furniture, etc.)	EVT	Campaign and fundraising events (venue or booth rental, entertainment, supplies, etc.)	
FOD	Food for campaign events or volunteers, catering	HRD	Hardware and small tools (hammer, nails, lumber, paint, etc.)	
LIT	Printed campaign materials (palmcards, signs, stickers, flyers, etc.)	MHS	Mail house and direct mail (design, printing, mailing, and postage all included)	
NEW	Newspaper and print media ads only	OFF	Office supplies, rent, utilities, internet service, phone minutes and data	
ONL	Social media and online advertising only	OTH	Other and fees (bank, contribution, and money order fees, etc.)	
PER	Personnel and campaign staff, consulting, and independent contractor costs	PHO	Phones (phone banking, robocalls and texts)	
POL	Polling and survey research	POS	Postage for U.S. Mail and mail box fees	
PRO	Professional services (graphic design, legal services, web design, etc.)	RAD	Radio ads, production costs	
TKT	Entrance cost to event (bean suppers, fairs, party events, etc.)	TRV	Travel (fuel, mileage, lodging, etc.)	
TVN	TV/cable ads, production, and media buyer costs only	WEB	Website and internet costs (website domain and registration, etc.)	
Date of expenditure	Payee	Remark	Expenditure type	Net Amount
10/5/2022	FP1 Strategies 3001 Washington Blvd. 7th Floor Arlington, VA, 22201	TV, cable, and digital ads (production, polling, and placement)	TVN	\$999,245.00
			Total Expenditure	\$999,245.00



Commission on Governmental Ethics and Election Practices
Mail: 135 State House Station, Augusta, Maine 04333
Office: 45 Memorial Circle, Augusta, Maine
Website: www.maine.gov/ethics
Phone: 207-287-4179
Fax: 207-287-6775

2022 REGISTRATION: POLITICAL ACTION COMMITTEE

COMMITTEE INFORMATION	
Maine Families First 2800 Shirlington Road, Suite 901 Arlington, VA 22206 PAC TYPE: Regular	Phone: (202) 503-2010 Fax: Email: fec@langdonlaw.com Web:
TREASURER INFORMATION	
David R Langdon 2800 Shirlington Road, Suite 901 Arlington, VA 22206	Public: Fax: Email: fec@langdonlaw.com
PRINCIPAL OFFICER INFORMATION	
Terry Schilling Principal Officer 2800 Shirlington Road, Suite 901 Arlington, VA 22206	Public: (202) 503-2010 Email: terry@americanprinciplesproject.org
DECISION MAKERS AND FUNDRAISERS	
Joe Proenza	Decision Maker, Decision Maker
LEGISLATORS AND CANDIDATES WITH A SIGNIFICANT ROLE IN THIS PAC	
FORM OF ORGANIZATION	
LLC	Date of origin / incorporation 08/17/2022
FOUNDING ORGANIZATIONS	
American Principles Project PAC 2800 Shirlington Road, Suite 901 Arlington, VA 22206	Public: (202) 503-2010
STATEMENT OF SUPPORT OR OPPOSITION	
SUPPORT	Supporting candidates who will put Maine Families First
CERTIFICATION	
I, David R Langdon, certify that the information in this registration is true, accurate, and complete.	
SIGNATURE	Date: September 09, 2022

Filed Date: 9/9/2022
Amended Date:

PAC Registration

21-A M.R.S. § 1052

§ 1052. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

- 1. Campaign.** “Campaign” means any course of activities to influence the nomination or election of a candidate or to initiate or influence any of the following ballot measures:
 - A. A people’s veto referendum under the Constitution of Maine, Article IV, Part Third, Section 17;
 - B. A direct initiative of legislation under the Constitution of Maine, Article IV, Part Third, Section 18;
 - C. An amendment to the Constitution of Maine under Article X, Section 4;
 - D. A referendum vote on a measure enacted by the Legislature and expressly conditioned upon ratification by a referendum vote under the Constitution of Maine, Article IV, Part Third, Section 19;
 - E. The ratification of the issue of bonds by the State or any agency thereof; and
 - F. Any county or municipal referendum.
- 2. Committee.** “Committee” means any political action committee or ballot question committee and includes any agent of a political action committee or ballot question committee.
- 2-A. Ballot question committee.** “Ballot question committee” means a person that receives contributions or makes expenditures aggregating in excess of \$5,000 for the purpose of initiating or influencing a campaign, other than a campaign for the nomination or election of a candidate. The term “ballot question committee” does not include a political action committee or an exempt donor.
- 3. Contribution.** “Contribution” includes:
 - A. A gift, subscription, loan, advance or deposit of money or anything of value made to or received by a committee for the purpose of initiating or influencing a campaign, including but not limited to:
 - (1) Funds that the contributor specified were given, in whole or in part, in connection with a campaign;
 - (2) Funds provided in response to a solicitation that would lead the contributor to believe that the funds would be used specifically, in whole or in part, for the purpose of initiating or influencing a campaign; and
 - (3) Funds that can reasonably be determined to have been provided by the contributor for the purpose of initiating or influencing a campaign when viewed in the context of the contribution and the recipient committee’s activities regarding a campaign;
 - A-1. Any funds deposited or transferred into the campaign account described in section 1054;
 - B. A contract, promise or agreement, expressed or implied, whether or not legally enforceable, to make a contribution to a committee;
 - C. Any funds received by a committee that are to be transferred to any candidate, committee, campaign or organization for the purpose of initiating or influencing a campaign; or
 - D. The payment, by any person or organization, of compensation for the personal services of other persons provided to a committee that is used by the committee to initiate or influence a campaign.

21-A M.R.S. § 1052

"Contribution" does not include a loan of money by a financial institution made in accordance with applicable banking laws and regulations and in the ordinary course of business.

3-A. Exempt donor. "Exempt donor" means a person that has not received contributions for the purpose of influencing a campaign in the prior 2 years and whose only payments of money to influence a campaign in the prior 2 years are:

- A. Contributions of money to candidates, party committees, political action committees or ballot question committees registered with the commission or a municipality; or
- B. Payments for goods or services with an aggregate value of no more than \$100,000 contributed to candidates, party committees, political action committees or ballot question committees registered with the commission or a municipality.

4. Expenditure. The term "expenditure":

A. Includes:

- (1) A purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value, made for the purpose of initiating or influencing a campaign;
 - (1-A) Any purchase, payment, distribution, loan, advance, deposit or gift of money made from the campaign account described in section 1054;
 - (2) A contract, promise or agreement, expressed or implied, whether or not legally enforceable, to make any expenditure for the purposes set forth in this paragraph; and
 - (3) The transfer of funds by a political action committee to another candidate or political committee; and

B. Does not include:

- (1) Any news story, commentary or editorial distributed through the facilities of any broadcasting station, cable television system, newspaper, magazine or other periodical publication, unless these facilities are owned or controlled by any political party, political committee, candidate or the spouse or domestic partner of a candidate;
- (2) Activity designed to encourage individuals to register to vote or to vote, if that activity or communication does not mention a clearly identified candidate;
- (3) Any communication by any membership organization or corporation to its members or stockholders, if that membership organization or corporation is not organized primarily for the purpose of influencing the nomination or election of any person to state or county office;
- (4) The use of real or personal property and the cost of invitations, food and beverages, voluntarily provided by a political action committee in rendering voluntary personal services for candidate-related activities, if the cumulative value of these activities by the political action committee on behalf of any candidate does not exceed \$250 with respect to any election;
- (5) Any unreimbursed travel expenses incurred and paid for by a political action committee that volunteers personal services to a candidate, if the cumulative amount of these expenses does not exceed \$100 with respect to any election;
- (6) Any communication by a committee that is not made for the purpose of influencing the nomination or election of any person to state or county office; and
- (7) Any payments to initiate a people's veto referendum or the direct initiative of legislation made prior to the submission of an application to the Department of the Secretary of State as provided in section 901.

21-A M.R.S. § 1052

4-A. Influence. “Influence” means to promote, support, oppose or defeat.

4-B. Initiate. “Initiate” includes the collection of signatures and related activities to qualify a state or local initiative or referendum for the ballot.

4-C. (TEXT EFFECTIVE UNTIL 1/01/23) Leadership political action committee. “Leadership political action committee” means a political action committee, other than a caucus political action committee under section 1053-C, that was directly or indirectly established by a current member of the Legislature or that is directly or indirectly maintained or controlled by a current member of the Legislature.

4-C. (TEXT EFFECTIVE 1/01/23) Leadership political action committee. “Leadership political action committee” means a political action committee, other than a caucus political action committee under section 1053-C, that was directly or indirectly established by a current member of the Legislature or that is directly or indirectly maintained or controlled by a current member of the Legislature.

5. Political action committee. The term “political action committee”:

A. Includes:

- (1) Any separate or segregated fund established by any corporation, membership organization, cooperative or labor or other organization that receives contributions or makes expenditures aggregating more than \$2,500 in a calendar year for the purpose of influencing the nomination or election of a candidate to political office; and
- (5) Any person, including any corporation or association, other than an individual, that receives contributions or makes expenditures aggregating more than \$2,500 in a calendar year for the purpose of influencing the nomination or election of any candidate to political office; and

B. Does not include:

- (1) A candidate or a candidate’s treasurer under section 1013-A, subsection 1;
- (2) A candidate’s authorized political committee under section 1013-A, subsection 1, paragraph B;
- (3) A party committee under section 1013-A, subsection 3; or
- (4) An exempt donor.

6. (TEXT EFFECTIVE 1/01/23) Separate segregated fund committee. “Separate segregated fund committee” means a political action committee described in subsection 5, paragraph A, subparagraph (1).

21-A M.R.S. § 1059

§ 1059. Report; filing requirements [Effective 90 days after adjournment of session]

A committee required to register under section 1052-A or 1053-B shall file an initial campaign finance report within 7 days of registration or within 14 days of having been required to register, whichever comes first, and thereafter shall file reports in compliance with this section. All reports must be filed by 11:59 p.m. on the day of the filing deadline, except that reports submitted to a municipal clerk must be filed by the close of business on the day of the filing deadline.

1. Contents; quarterly reports and election year reports. [2007, ch. 443, § A-35 (RP).]

2. Reporting schedule. A committee shall file reports according to the following schedule.

A. A committee shall file quarterly reports:

- (1) On January 15th, and the report must be complete as of December 31st;
- (2) On April 10th, and the report must be complete as of March 31st;
- (3) On July 15th, and the report must be complete as of June 30th; and
- (4) On October 5th, and the report must be complete as of September 30th.

B. During any year in which primary and general elections are held, a committee shall file primary and general election reports in addition to the reports required under paragraph A:

- (1) On the 11th day before the date on which the election is held, which must be complete as of the 14th day before that date; and
- (2) On the 42nd day after the date on which the election is held, which must be complete as of the 35th day after that date.

A committee shall file primary and general election reports even if the committee did not engage in financial activity to influence the primary or general election.

C. In any election year other than a year described in paragraph B, if a committee has received contributions or made expenditures for the purpose of influencing a ballot question election, a special election or a municipal candidate or referendum election subject to [Title 30-A, section 2502](#), the committee shall file preelection and post-election reports:

- (1) On the 11th day before the date on which the election is held, which must be complete as of the 14th day before that date; and
- (2) On the 42nd day after the date on which the election is held, which must be complete as of the 35th day after that date.

D. A committee that files an election report under paragraph B or C is not required to file a quarterly report when the deadline for that quarterly report falls within 10 days of the filing deadline established in paragraph B or C.

E. If a committee is required to file a report 11 days before an election pursuant to paragraph B or C, the committee shall report any single contribution of \$5,000 or more received or single expenditure of \$1,000 or more made after the 14th day before the election and more than 24 hours before 5:00 p.m. on the day of the election within 24 hours of that contribution or expenditure. The

21-A M.R.S. § 1059

treasurer is not required to include in this report expenditures for overhead expenses or compensation paid to an employee or other member of the campaign staff who has received payments at regular intervals that have been disclosed in previously filed campaign finance reports. As used in this paragraph, "overhead expenses" includes, but is not limited to, rent, utility payments, taxes, insurance premiums or similar administrative expenses.

3. Report of expenditures made after the 11th day and more than 48 hours before any election.

[1989, ch. 504, §§ 28, 31 (RP).]

4. Special election reports. [1989, ch. 504, §§ 28, 31 (RP).]

5. Electronic filing. A committee shall file each report required by this section through an electronic filing system developed by the commission. Notwithstanding any provision of this chapter to the contrary, for purposes of entering and retrieving information, the electronic filing system may categorize ballot question committees as a subcategory of political action committees. The commission may make an exception to this electronic filing requirement if a committee submits a written request that states that the committee lacks access to the technology or the technological ability to file reports electronically. The request for an exception must be submitted within 30 days of the registration of the committee. The commission shall grant all reasonable requests for exceptions.

21-A M.R.S. § 1060

§ 1060. Content of reports

The reports must contain the following information and any additional information required by the commission to monitor the activities of committees:

- 1. Identification of candidates.** The names of and offices sought by all candidates whose campaigns the committee supports or intends to influence;
- 2. Identification of committees; parties.** The names of all political committees or party committees supported in any way by the committee;
- 3. Identification of ballot question campaigns.** The ballot question campaigns that the committee intends to initiate or influence;
- 4. Itemized expenditures.** An itemization of each expenditure made to initiate or influence any campaign, including the date, payee and purpose of the expenditure and the name of each candidate, and each referendum or initiated petition supported or opposed by the expenditure. If expenditures were made to a person described in section 1012, subsection 3, paragraph A, subparagraph (4), the report must contain the name of the person; the amount spent by that person on behalf of the committee, including, but not limited to, expenditures made during the signature gathering phase; the reason for the expenditure; and the date of the expenditure. The commission may specify the categories of expenditures that are to be reported to enable the commission to closely monitor the activities of committees;
- 5. Aggregate expenditures.** Repealed
- 6. Identification of contributions.** An itemization of each contribution of more than \$50 made to or received by the committee for the purpose of initiating or influencing a campaign, including the name, occupation, places of business and mailing address of each contributor and the amount and date of the contribution;
- 6-A. Funds deposited into campaign account.** Any funds deposited into or transferred into the campaign account described in section 1054, including but not limited to funds from the general treasury of an organization that is required to establish a committee; and
- 7. Other payments.** Operational expenses and any other payments made from the campaign account described in section 1054.