



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

October 23, 2009

Philip Roy Jr., Treasurer
Maine Republican Party
9 Higgins St.
Augusta, ME 04330

**Response Due Date:
November 27, 2009**

Identification Number: C00003111

Reference: April Quarterly Report (1/1/09 – 3/31/09)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 10 items:

1. Line 6(a) of the Summary Page represents the total cash-on-hand as of January 1, 2009. Line 6(b) represents the cash on hand at the beginning of the reporting period. These two figures should be the same for the first report of the year. Please clarify this discrepancy and amend any subsequent report(s) that may be affected by this correction.
2. Your calculations for Line 8 appear to be incorrect. Cash-on-hand at the close of the current reporting period should always equal the closing calendar year-to-date cash-on-hand amount. Please provide the corrected total on the Summary Page.
3. Schedule A of your report (see attached) discloses one or more contributions from an organization(s), which is not a political committee registered with the Commission. In order for your committee to accept contributions from unregistered organizations into accounts used to influence federal elections, your committee should take steps to insure that the contributor(s) used permissible funds to make the contribution(s) to avoid violating 2 U.S.C. §§441a(f) and 441b or 11 CFR §102.5(b). Under 11 CFR §102.5(b), organizations which are not political committees under the Act and choose to contribute to federal committees must either: 1) establish a separate account which contains only those funds permitted

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under the Act, or 2) demonstrate through a reasonable accounting method that the organization has received sufficient funds subject to the limitations and prohibitions in order to make the contribution.

If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. In addition, please clarify whether the contribution(s) received from the referenced organization(s) is permissible.

To the extent that your committee has received prohibited funds, you may have to make a refund. If within 30 days of receipt you (1) transferred the prohibited amount to an account not used to influence federal elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund, you may retain the contribution in an account not used to influence federal elections. Any request from a donor for a refund must be honored.

If the foregoing conditions for transfers to a non-federal account were not met within 30 days of receipt, the prohibited amount must be refunded. See 11 CFR §103.3(b)(1).

Please inform the Commission of your corrective action promptly in writing and provide a photocopy of your check for any transfer-out or refund. Should you choose to transfer-out or refund the contribution(s), the Commission will presume the funds were impermissible if no statement from your committee provides information to the contrary. Transfers-out and refunds should be disclosed on a Schedule B supporting Line 22 or 28 of the report covering the period during which the transaction was made.

Although the Commission may take further legal action concerning the acceptance of prohibited contributions, prompt action by your committee in transferring-out or refunding the amounts will be taken into consideration.

4. Schedule A of your report discloses one or more contributions totaling \$6,035.50 from "AstraZeneca, LP," "MEMIC," "Travelport," "Farmer Rental Properties" and "Wiles Funeral Homes, Inc.," which appear to be corporations. 2 U.S.C. §441b(a) prohibits the receipt of contributions from corporations unless made from a separate segregated fund established by the corporation.

If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information.

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If you have received a prohibited contribution(s), you may have to make a refund. If within 30 days of receipt you (1) transferred the prohibited amount to an account not used to influence federal elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund, you may retain the contribution in an account not used to influence federal elections. Any request from a donor for a refund must be honored.

If the foregoing conditions for transfers to a non-federal account were not met within 30 days of receipt, the prohibited amount must be refunded. See 11 CFR §103.3(b)(1).

Please inform the Commission of your corrective action promptly in writing and provide a photocopy of your check for any transfer-out or refund. In addition, any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report covering the period during which the transaction was made.

Although the Commission may take further legal action concerning the acceptance of a prohibited contribution, prompt action by your committee to transfer-out or refund the amount will be taken into consideration.

5. Schedule A of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 2 U.S.C. §441a(f) and 11 CFR §110.1(c) prohibit a State, district or local party committee (combined) from receiving any contribution from a person or non-multicandidate political committee in excess of \$10,000 per calendar year.

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information.

If any contribution you received exceeds the limits, you may have to refund the excessive amount. The funds can be retained if within 60 days of receipt, (1) the excessive amount was properly reattributed to another person, such as a joint account holder, by obtaining signed written authorizations from each person making the contribution pursuant to 11 CFR 110.1(k)(3), and (2) the treasurer informs the person making the contribution that he or she may request the return of the excessive portion of the contribution if it is not intended to be a joint contribution. Any request from a donor for a refund must be honored.

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Alternatively, the funds can be retained if within 60 days of receipt you (1) transferred the excessive amount to an account not used to influence federal elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund. Any request from a donor for a refund must be honored.

If the foregoing conditions for reattributions or transfers to a non-federal account were not met within 60 days of receipt, the excessive amount must be refunded.

Please inform the Commission of your corrective action promptly in writing and provide a photocopy of your check for any transfer-out or refund. In addition, any reattributions should be reported as memo entries on Schedule A of the report covering the period during which the authorization for the reattribution is received. Any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report during which the transaction was made.

Although the Commission may take further legal action regarding the acceptance of an excessive contribution(s), prompt action by your committee to seek reattribution, transfer-out or refund the excessive amount will be taken into consideration.

6. The outstanding balance of a debt owed to a creditor at the close of one report should be exactly the same as the beginning outstanding balance of the next report. The Amended Year End Report (11/25/08 – 12/31/08), received 6/3/09, shows an ending balance to "FLS Connect" of \$4,314.60, while this report shows a beginning balance of \$314.60. Please amend your report to clarify this discrepancy.

7. On Schedule D of your previous report, you disclosed a debt owed to "Southwest Publishing." This obligation, however, has been omitted from this report. Please amend your report to include this debt on Schedule D and Line 10 of the Summary Page. All debts and obligations must be disclosed until extinguished. 11 CFR §104.11

8. Your report discloses outstanding balances beginning this period for debts owed to "Bangor Letter Shop, Inc," "Miller, Donna" and "GOP Mail & Print." However, outstanding balances at the close of the period were not disclosed on your Amended Year End Report (11/25/08– 12/31/08), received 6/3/09. Please amend your report(s) to clarify this discrepancy.

9. Your report discloses a payment this period for an apparent debt owed to "Riverside Disposal." However, this debt does not appear on the Amended

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Year End Report (11/25/08– 12/31/08), received 6/3/09, and it was not reported as incurred this period. Please amend your report(s) to clarify this discrepancy.

10. On Schedule H1 of your report, you have checked an incorrect fixed percentage for your allocated federal and non-federal administrative, generic voter drive and exempt activity costs. The fixed percentage for these costs is based on whether a Presidential and/or a Senate candidate appear on the State's ballot. Please amend your report to include a corrected Schedule H1 and note that a change in this ratio may make it necessary to repay your non-federal account for any overpayments that may have been made. While the Commission may take further legal action concerning any impermissible overpayments by the non-federal account, your prompt action will be taken into consideration. 11 CFR §106.7(d)(2) and (3)

-It has come to the attention of the Federal Election Commission that the reports you have filed during the current election cycle do not reflect the appropriate coverage dates for quarterly filing status. Please be advised of the filing dates and coverage periods for the 2009-2010 election cycle and fill in the appropriate dates on Line 5 of the Summary Page.

<u>Report Type</u>	<u>Coverage Dates</u>	<u>Due Date</u>
Mid-Year	1/1/09-6/30/09	July 31, 2009
Year End	7/1/09-12/31/09	January 31, 2010
April Quarterly	1/1/10-3/31/10	April 15, 2010
July Quarterly	4/1/10-6/30/10	July 15, 2010
October Quarterly	7/1/10-9/30/10	October 15, 2010
12 Day Pre-General	10/1/10-10/13/10	October 21, 2010
30 Day Post-General	10/14/10-11/22/10	December 2, 2010
Year End	11/23/10-12/31/10	January 31, 2011

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

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Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1143.

Sincerely,



Kaitlin Eger
Campaign Finance Analyst
Reports Analysis Division

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Receipt from an Unregistered Organization:

Contributor Name	Date	Amount
Knox County Republican Committee	1/12/09	\$250.00
Maine Senate Republican Victory Fund	1/14/09	\$2,750.00
Committee Friends of the GOP	1/16/09	\$160.00
Committee Friends of the GOP	1/16/09	\$160.00
Committee Friends of the GOP	1/16/09	\$160.00
Oxford Republican Town Committee	1/16/09	\$250.00
Sagadahoc County Committee	1/16/09	\$250.00
Lincoln County Republican Committee	1/19/09	\$250.00
Piscataquis County Committee	1/20/09	\$250.00
House Republican Fund	1/23/09	\$4,000.00
Brownfield Republican Town Committee	1/26/09	\$50.00
Androscoggin County Republican Committee	3/16/09	\$250.00
Hancock County Republican Committee	3/23/09	\$250.00

Excessive Contribution From an Individual:

Contributor Name	Date	Amount	Report
Wilkins, Connie	2/25/09	\$39,531.00	2009 April Quarterly

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