



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

Commission Meeting 4/29/2015
Agenda Item #2

To: Commissioners
From: Jonathan Wayne, Executive Director
Emma Burke, Candidate Registrar
Date: April 15, 2015
Re: Request for Waiver of Penalty by Lisa Willey Campaign

This memo relates to a 2014 legislative race in which, prior to the general election, a Maine Clean Election Act (MCEA) candidate reported only 2 of 49 expenditures made with MCEA funds. On February 2, 2015, she amended her reports to include the missing expenditures, after receiving a request from the Commission staff. Four of her reports are considered late because they were substantially incomplete at the time they were filed. The Commission staff is recommending a reduction in the late-filing penalty from \$16,587 to \$300. We view the violation as serious, but we wish to keep the final penalty proportionate to the violation.

LEGAL REQUIREMENTS

During an election year, candidates are required to file five regularly scheduled campaign finance reports based around the dates of the primary and general elections. (21-A M.R.S.A. §§ 1017(3-A)) A report is not timely unless it is filed by the deadline and it substantially conforms to the disclosure requirements of Chapter 13 of the Election Law. (21-A M.R.S.A. § 1020-A(2)) If the candidate is late in filing a report, or files a substantially non-compliant report, the amount of the penalty is set by a formula which takes into consideration a percentage of the total contributions or expenditures, whichever is greater, the number of prior violations within a two-year period, and the number of days the report is late. (21-A M.R.S.A. § 1020-A(4-A)) The maximum penalty for a late regularly scheduled campaign finance report is \$5,000. (21-A M.R.S.A. § 1020-A(5-A)(A))

DISCUSSION

Lisa Willey was a Maine Clean Election Act candidate from South Casco, who was running for the Maine House of Representatives, District 66, in the 2014 election year. Ms. Willey had run for the Legislature once previously, as a traditionally financed candidate in 2008.

In the five regularly scheduled campaign finance reports that Ms. Willey filed during May through December 2014, the candidate reported only two expenditures totaling \$593.81. As shown on the chart at the top of page three, her campaign finance reports vastly under-reported her campaign's expenditures.¹ (One of the reports was filed one day late, and the other four were filed on time.)

When Ms. Willey's campaign filed her 42-Day Post-General Report in December 2014, it indicated that she had a surplus MCEA funds balance of \$4,616.19, which she was required to return to the Commission. When the Commission staff received Ms. Willey's check returning unspent MCEA funds on January 7, 2015, the check was in the amount of \$1,543.12, creating a \$3,073.07 difference between the ending balance shown on the 42-Day Post-General Report and what was returned to the Commission. This difference prompted Candidate Registrar Emma Burke to immediately contact Ms. Willey by telephone.

When Ms. Burke spoke with Ms. Willey on January 7, 2015, Ms. Willey acknowledged that her reports may not have shown the majority of her expenditures. Ms. Burke urged her to enter the unreported expenditures to minimize any late-filing penalties. The reports were amended roughly four weeks later on February 2, 2015.

The following table displays the differences between Ms. Willey's originally filed reports and the amended versions filed in February 2015:

¹ This memo focuses on the five regularly scheduled reports required for all legislative candidates between May and December 2014, and not on the seed money report filed by Ms. Willey and other Maine Clean Election Act candidates in April 2014.

Report	Expenditures – originally reported	Expenditures – on amended report filed 2/2/2015	Increase
11-Day Pre-Primary (filed May 2014)	\$0	\$23.80	\$23.80
42-Day Post-Primary (July 2014)	\$193.81	\$1,556.73	\$1,362.92
42-Day Pre-General (Sept 2014)	\$0	\$942.16	\$942.16
11-Day Pre-General (Oct 2014)	\$400	\$1,022.06	\$622.06
42-Day Post- General (Dec 2014)	\$0	\$661.39	\$661.39

Based on the amended reports, the Commission staff concluded:

- Ms. Willey was required to disclose 49 campaign expenditures, but only reported two of the expenditures on time (or 4% of the number required);
- Three out of five original reports were filed as no activity reports, even though all five report periods had financial activity;
- Four of the five reports, when amended, had increases in expenditure amounts greater than \$600. The Commission staff is viewing these reports as late, because they did not substantially conform to the disclosure requirements.

Using the statutory formula, the Commission staff calculated the preliminary penalties for the four reports considered late:

Report	Penalty Base*	Percentage of penalty base**	Number of days late	Penalty without maximum cap	Maximum capped penalty
42-Day Post-Primary	\$4,724.00	3%	195	\$27,635.40	\$5,000
42-Day Pre-General	\$942.16	5%	132	\$6,218.26	\$5,000
11-Day Pre-General	\$1,022.06	5%	101	\$5,161.40	\$5,000
42-Day Post-General	\$661.39	5%	48	\$1,587.33	n/a - \$1,587.33
Total				\$40,602.39	\$16,587.33

Ms. Willey submitted her first waiver request through a letter dated February 20, 2015 (attached). Because the letter did not explain why the originally filed reports were incomplete, Ms. Burke and Mr. Wayne called Ms. Willey later that day. When asked directly why she did not report her complete expenditures, Ms. Willey essentially responded that she thought she was doing everything required of her. She also stated that she was aware that the Commission staff had made guides and information available to her, but that she had not looked at them and was using the information given to her by the

staff of the Green-Independent Party. Mr. Wayne suggested that she provide additional information explaining the incomplete reporting.

The Commission staff received Ms. Willey's second request for a waiver on March 30, 2015. In this letter she states that when filing the reports in 2014, she believed that she was entering the data correctly, but that she sees now that she was skipping steps, not ending the filings correctly, and did not save the information that she entered. (As explained below, the Commission staff has trouble understanding how this is possible, since the e-filing system does save expenditure information that has been entered into the system.)

Ms. Willey's treasurer was Bernard Willey, who also lives in South Casco, Maine. They were assigned different user names and passwords for the Commission's e-filing system. When campaigns are funded under the MCEA, either the treasurer or candidate may legally enter expenditures, but only the treasurer is eligible to click the "File" button. For the five reports filed between May and December 2014, the only user that logged onto the reports for any purpose was Bernard Willey (except for the July report, in which the candidate also logged in). Ms. Willey's March 30 letter indicates that *she* entered the data and filed the reports, which may suggest that she used her treasurer's user name and password.

STAFF RECOMMENDATION

The Commission staff recommends a reduction of the preliminary penalty of \$16,587.33, because this amount is disproportionate to the harm to the public. Nevertheless, the staff views reporting only two of 49 expenditures as a serious violation. It is a basic responsibility for all candidates to report their financial activities. Without accurate reporting, the public and the state cannot be sure whether a candidate is complying with legal requirements, such as contribution limits. On the expenditure side, it is especially important for MCEA candidates such as Ms. Willey to report campaign purchases made

with public campaign funds. This was Ms. Willey’s second race for the Legislature, so she should have understood the duty to report expenditures.²

Ms. Willey suggests that the under-reporting was due to mistakes that she made in using the e-filing system or a failure by the system in saving the information. The Commission staff recommends not accepting this explanation at face value without receiving additional supporting information from the candidate at your April 29th meeting. For one thing, although the e-filing system has some cumbersome aspects to it, it does *not* lose financial information once it has been entered and saved. Specifically, once a candidate enters the details of an expenditure and clicks the “Save” button (see screen shot below), the system reliably saves the payment information as an “unfiled” expenditure. The saved information does not disappear.

The screenshot shows a web form with two main sections: "Payee" and "Expenditure".

Payee Section:

- Header: **Payee**
- Link: [Add or Select a Different Payee](#)
- Payee Type: * (dropdown menu)
- Name: *
- Address: *
- Address 2: *
- City: *
- State: *
- Zip: *

Expenditure Section:

- Header: **Expenditure**
- Purpose: * (dropdown menu)
- Expenditure Date: * (calendar icon)
- Expenditure Amount: *
- Explanation of Purpose: *
- External Reference ID [for EDI users only]:

At the bottom of the form are two buttons: **Save** and **Cancel**.

While Ms. Willey theorizes that she did not click the “File” button, that mistake would not explain the absence of her expenditure data in the system. Either she did not enter the expenditures in the system, or she did not click the save button after filing each

² When she ran in 2008 as a traditionally financed candidate, Ms. Willey reported no expenditures (using the Commission’s old e-filing system). The Commission staff hopes this is accurate (i.e., she had no financial activity), but has not made any inquiries.

expenditure (which is difficult to understand, given the visibility of the save button on the data entry screen above).

Also, because data entry errors are common, candidates and treasurers are encouraged by the e-filing system to review campaign finance reports before and after filing each report. This is a common-sense step that is advisable for all candidates and treasurers to ensure that they have entered their financial information correctly. For example, after clicking on the “File Report” button, the candidate or treasurer sees a confirmation screen providing an immediate opportunity to view the report just filed.



Apparently, Ms. Willey did not take this step, or she would have realized that her reports only included 4% of the expenditures she had made.

When filing the original reports, Ms. Willey did not contact her Candidate Registrar, Ms. Burke, to ask for assistance with the e-filing site. If Ms. Willey encountered issues with

the efilng site that left her reports incomplete, it was her responsibility to seek help, which the Commission staff is always happy to provide. During 2014, the staff provided assistance to hundreds of candidates.

Also, Ms. Willey demonstrated some ability to use the efilng system correctly. When confronted with the fact that her reports only contained two expenditures, she personally entered the remaining 47 expenditures correctly without help. During the 2014 election year, she did successfully disclose two expenditures in her regularly filed reports.

Ideally, filing complete campaign finance reports requires a number of steps:

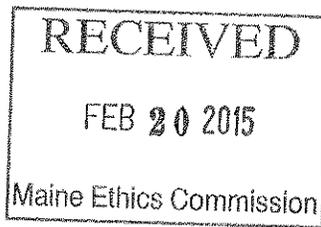
- 1) Taking the time to understand the financial information that must be disclosed
- 2) Keeping adequate records of contributions and expenditures
- 3) Making the complete records available to the candidate or treasurer at the filing deadline.
- 4) Using the Commission's efilng system to file the reports.

The Commission staff cannot tell you where the breakdown occurred. Ms. Willey says that the problem was step (4), but the Commission staff suspects that the cause was a failure to recognize that financial reporting is an important obligation of running for office, lack of dedication, or some other problem. Whatever the cause, only two of 49 expenditures were reported on time.

The Commission staff recommends a reduction of the preliminary penalty from \$16,587 to \$300, in order to keep the penalty proportionate to the violation.

Ms. Willey has been selected for an audit by the Commission's contract auditor, Vincent Dinan. He was waiting to receive additional documentation, including receipts or invoices for eight expenditures. You will receive a report of the findings in the audit at a later meeting.

Thank you for your consideration of this memo.



via email

Emma Burke
Maine Ethics Commission

2/15/15

Dear Emma Burke,

This letter is a response to the audit and also the violations and penalty letter that I received from your office.

As you can see from my audit and bank statements that I created a bank account strictly for the purpose of my campaign. I then only used the debit card associated with the campaign account to make purchases, except for the two occasion in which I hired and paid workers who used their professional skills, and on those occasions I withdrew cash from that account. I saved my receipts and kept my purchases and activities above board.

As far as the electronic filing goes, I did have some troubles. Maybe that is partially my fault for not fully understanding the process. There were a few times when I thought the filing had officially gone through, as I received an email the next day. Apparently a couple had gone through. I did have quite a few problems trying to make amendments, which were simple password issues and Emma Burke helped me with that. I was also on the website within the day prior to a deadline filing, or what I thought was filing, for every deadline. I feel that I did try to do everything expected of me, and that I had no intention whatsoever to violate the deadlines and the ethics of a campaign. I can't stress this enough! I couldn't possibly pay the fines, as I have very little income and am a full time college student.

I am humbly requesting that my fines and violations are reviewed. I believe that I have done nothing ethically wrong while conducting my campaign. I returned unused funds, I only use my account in a transparent way, and I worked hard to amend my filings. I hope that you will also see that I had nothing to gain, financially or otherwise from the process.

Thank you.

Sincerely,
Lisa Willey

3/22/15

To Whom It May Concern,

I am writing to you to further explain as best as I can some of the filing issues and to make a request for a fee waiver.

I know that this may be difficult to understand but I really did believe that I was entering my data correctly, as I would enter a figure and later get an email response saying that I my filing was completed, or words similar to that. In December, while working with Emma Burke, after many password issues, I was told the step by step process and I see now that either I was leaving out steps or sometimes I didn't "end" the filing properly and did not save the information. During the course of my campaign, you probably can see that I filed something everytime I was required to. Somehow I or the system didn't file it properly, but I was attempting to file. I never skipped a filing deadline. (as far as the attempt goes). As soon as I realized the errors, I spent hours putting together the information and filing it.

I am a very honest and transparent person, that's why I chose to run my campaign with Clean Elections. I am very bewildered and shaken to think that I am part of some kind of investigation or could be fined. I saved every receipt, ran everything through my campaign account, and can verify and explain all purchases. I didn't event spend all of the money.

I hope that you understand some of what happened. I can't even explain it completely myself, as I thought I was doing what was expected of me. In fact, the next time I hear about someone running for office I will counsel them on making sure they are pushing the right button.

Sincerely,
Lisa Willey



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

COPY

February 4, 2015

Lisa Willey
 PO Box 193
 South Casco, Maine 04077

Re: Notice of Violation and Penalty for Multiple Significantly Non-Compliant Reports

Dear Ms. Willey:

During the 2014 election year, you were a Maine Clean Election Act candidate for House of Representatives District 66. During this time, you were required to file six campaign finance reports, including the Seed Money Report for Maine Clean Election Act certification. Five of these reports were filed on time (the 11-Day Pre-General Report was one day late). At the time these reports were originally filed they contained a total of four expenditures, two of them being on the Seed Money Report. Subsequently all six reports were amended on February 2, 2015, adding approximately 50 previously unreported expenditures, totaling \$3,633.32.

On January 7, 2015 the Commission received your return of surplus MCEA funds check for \$1,543.12. However, your 42-Day Post-General Report at the time had shown that you would be sending back \$3,073.07, which prompted me to contact you on January 7, 2015 inquiring as to the difference. You explained there were numerous expenditures you had not reported that accounted for the difference. I explained those expenditures would need to be added into the efilings system and all applicable reports amended. I further explained that time was of the essence, as penalties for significantly non-compliant reports accrue on a daily basis. Over the next several weeks you were able to log in and add the previously unreported expenditures, which allowed me to amend all six of your reports for you on February 2, 2015.

Please see the following table that sets out the differences between the original and amended filings for all six reports:

Report	Expenditures – originally reported	Expenditures – on amended report	Increase
Seed Money Report	\$15.00	\$65.99	\$50.99
11-Day Pre-Primary	\$0	\$23.80	\$23.80
42-Day Post-Primary*	\$193.81	\$1,556.73	\$1,362.92
42-Day Pre-General*	\$0	\$942.16	\$942.16
11-Day Pre-General*	\$400	\$1,022.06	\$622.06
42-Day Post- General*	\$0	\$661.39	\$661.39

Due to the large amounts of added expenditures on the latter four reports (42-Day Post-Primary, 42-Day Pre-General, 11-Day Pre-General, 42-Day Post-General) the Commission staff considers the reports to be late because they did not substantially conform to the requirement to report expenditures (21-A M.R.S.A. § 1020-A(2)). Under the Commission's statutes the late filing of a report triggers an enforcement process. The Commission staff has made a preliminary finding of violation and determined that the preliminary penalties for filing the reports late total \$16,587.33. Please see the following table for the penalty calculation:

Report	Penalty Base*	Percentage of penalty base**	Number of days late	Penalty without maximum cap	Maximum capped penalty
42-Day Post-Primary	\$4,724.00	3%	195	\$27,635.40	\$5,000
42-Day Pre-General	\$942.16	5%	132	\$6,218.26	\$5,000
11-Day Pre-General	\$1,022.06	5%	101	\$5,161.40	\$5,000
42-Day Post-General	\$661.39	5%	48	\$1,587.33	n/a - \$1,587.33
Total				\$40,602.39	\$16,587.33

* Based upon the total amount of contributions or expenditures per report, whichever is greater

** Based upon candidate's filing history (first late report is 1%, second is 3%, third and subsequent is/are 5%)

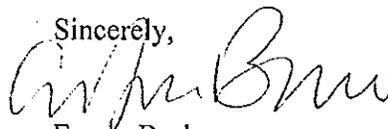
Please read the next section carefully as it explains how to request a reduction of the penalty

You may request that the Commission waive the penalty in whole or in part or find that there was no violation. The request must be made within 14 calendar days of your receipt of this notice. The request must be in writing and contain a full explanation of the reasons the report was filed late. Upon receiving your request, the Commission staff will schedule your request to be heard at an upcoming Commission meeting. You or your designee will have an opportunity to be heard at the meeting or you may submit a sworn statement to the Commission explaining the mitigating circumstances for its consideration.

The Commission may waive or reduce the penalty or find that there was no violation if it determines that the report was late due to mitigating circumstances, which are defined as (1) a valid emergency; (2) an error made by the Commission staff; or (3) relevant evidence that a bona fide effort was made to file the report on time. The Commission may also consider whether the penalty is disproportionate to the level of experience of the person filing the report or the harm to the public caused by the late disclosure.

If you do not intend to request a waiver, the staff requests that you pay the preliminary penalty within 14 days of the date of your receipt of this notice, or submit a payment plan for the payment of the penalty. If paying by mail, please include a copy of this letter along with the payment. You may also make a payment online at www.maine.gov/ethics by clicking the "Penalty Payment" link. Please contact the Commission staff at (207) 287-4179 or ethics@maine.gov if you have any questions.

Sincerely,



Emma Burke
Candidate Registrar

cc: Bernard Willey

Expenditures Added February 2, 2015

ROBERT FORD CRITCHFIELD	Individual	12/9/2014	\$450.00
THE UMBRELLA FACTORY	Business	11/5/2014	\$73.78
UMBRELLA FACTORY	Business	11/5/2014	\$33.48
STAPLES	Business	11/3/2014	\$25.83
WALMART	Business	11/3/2014	\$9.44
VISTA PRINT	Business	10/27/2014	\$62.48
GOOD LIFE MARKET	Business	10/23/2014	\$6.38
42-DAY POST GEN ADDED TOTAL*			\$661.39
THE SIGN STORE	Business	10/15/2014	\$84.39
LOWES	Business	10/15/2014	\$63.45
BRILL LUMBER	Business	10/14/2014	\$336.98
LOWES	Business	10/14/2014	\$36.35
HAYES TRUE VALUE	Business	10/14/2014	\$27.66
LOWES	Business	10/14/2014	\$21.08
AUBUCHON	Business	10/14/2014	\$9.90
STAPLES	Business	9/17/2014	\$42.25
11-DAY PRE GEN ADDED TOTAL*			\$622.06
FEDEX	Business	9/11/2014	\$11.18
HOME DEPOT	Business	9/10/2014	\$17.92
SHELL OIL	Business	9/2/2014	\$24.32
THE PHOTO MARKET	Business	8/28/2014	\$24.79
HANNAFORD	Business	8/28/2014	\$5.01
HANNAFORD	Business	8/28/2014	\$2.49
MAYA AGNES CRITCHFIELD	Individual	8/21/2014	\$335.00
BRILL LUMBER	Business	7/31/2014	\$35.00
AMAZON.COM	Business	7/29/2014	\$40.20
LOWES	Business	7/29/2014	\$34.73
THE BIG APPLE	Business	7/29/2014	\$15.01
STAPLES	Business	7/28/2014	\$71.52
THE HOLY DONUT	Business	7/28/2014	\$21.00
STAPLES	Business	7/25/2014	\$98.59
LOWES	Business	7/25/2014	\$89.53
AC MOORE	Business	7/25/2014	\$46.94
ARTISAN AND CRAFTSMEN SUPPLY	Business	7/25/2014	\$44.36
LOWES	Business	7/25/2014	\$8.31
SALVATION ARMY	Business	7/23/2014	\$16.26
42-DAY PRE GEN ADDED TOTAL*			\$942.16
STAPLES	Business	7/11/2014	\$25.87
DR. DON'S BUTTONS	Business	7/10/2014	\$178.10
JOHNNY'S SELECTED SEEDS	Business	7/10/2014	\$108.26
DR. DON'S BUTTONS	Business	7/7/2014	\$669.77
YUMMYEARTH.COM	Business	7/7/2014	\$38.45
AMAZON.COM	Business	7/7/2014	\$16.75
HOME DEPOT	Business	6/30/2014	\$96.27
HAYES TRUE VALUE	Business	6/16/2014	\$43.00

Expenditures Added February 2, 2015

BIG APPLE	Business	6/6/2014	\$20.16
STAPLES	Business	6/2/2014	\$138.18
SHAWS	Business	6/2/2014	\$23.99
RITE AID	Business	6/2/2014	\$4.12
42-DAY POST PRI ADDED TOTAL*			\$1,362.92
USPS SOUTH CASCO MAINE	Business	5/12/2014	\$23.80
11-DAY PRE PRI ADDED TOTAL			\$23.80
WALMART	Business	4/24/2014	\$32.24
USPS SOUTH CASCO MAINE	Business	4/4/2014	\$18.75
SEED MONEY ADDED TOTAL			\$50.99

Original reports show **\$3,073.07** not reported
 To be added exps equal = **\$3,633.32**



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

2014 CAMPAIGN FINANCE REPORT

FOR MCEA CANDIDATES

COMMITTEE		TREASURER	
LISA H WILLEY PO BOX 193 SO. CASCO, ME 04077 EMAIL: LWILLEY1@GMAIL.COM		BERNARD L WILLEY PO BOX 312 SO. CASCO, ME 04077 PHONE: (207) 655-7639 EMAIL: BLWILLEY2@YAHOO.COM	
REPORT	DUE DATE	REPORTING PERIOD	
42-DAY POST-GENERAL	12/16/2014	10/22/2014 - 12/09/2014	

FINANCIAL ACTIVITY SUMMARY

CASH ACTIVITY		
	TOTAL FOR THIS PERIOD	TOTAL FOR CAMPAIGN
1. CASH BALANCE FROM LAST REPORT	\$1,614.26	
2. SEED MONEY CONTRIBUTIONS	\$0.00	\$135.00
3. MAINE CLEAN ELECTION ACT PAYMENTS & AUTHORIZATIONS	(\$1,543.12)	\$3,546.88
4. SALE OF CAMPAIGN PROPERTY (SCHEDULE E, PART 2)	\$0.00	\$0.00
5. OTHER CASH RECEIPTS (INTEREST, ETC.,)	\$0.00	\$0.00
6. MINUS EXPENDITURES (SCHEDULE B)	\$661.39	\$4,272.13
7. CASH BALANCE AT CLOSE OF PERIOD	(\$590.25)	
OTHER ACTIVITY		
8. IN-KIND SEED MONEY CONTRIBUTIONS	\$0.00	\$0.00
9. TOTAL UNPAID DEBTS AT CLOSE OF PERIOD (SCHEDULE D)	\$0.00	

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

REPORT FILED BY: EMMA BURKE
REPORT FILED ON: 12/16/2014
LAST MODIFIED: 02/02/2015
PRINTED: 02/20/2015
COMMITTEE ID: 7805

**SCHEDULE A
CASH CONTRIBUTIONS**

- For contributors who gave more that \$50, the names, address, occupation, and employer must be reported. If "information requested" is listed instead of occupation and employer, the candidate is waiting to receive that information.
- Cash contributions of \$50 or less can be added together and reported as a lump sum.
- Contributor Types

- | | |
|--|--|
| 1 = Individual | 9 = Candidate / Candidate Committee |
| 2 = Candidate/ Spouse/ Domestic Partner | 10 = General Treasury Transfer |
| 3 = Commercial Source | 11 = Transfer from Previous Campaign |
| 4 = Nonprofit Organization | 12 = Contributors giving \$50 or less |
| 5 = Political Action Committee | 13 = Contributors giving \$100 or less |
| 6 = Political Party Committee | 14 = Contributors giving \$200 or less |
| 7 = Ballot Question Committee | 15 = MCEA Payment |
| 8 = Other Candidate/ Candidate Committee | 16 = Financial Institution |

DATE RECEIVED	CONTRIBUTOR	OCCUPATION AND EMPLOYER	TYPE	AMOUNT
12/9/2014	MCEA Payment		15	(\$1,543.12)
TOTAL CASH CONTRIBUTIONS				(\$1,543.12)

All expenditures on this report were added as amendments on February 2, 2015. The original report reported no expenditures.

**SCHEDULE B
EXPENDITURES**

EXPENDITURE TYPES				
CNS	Campaign consultants	POL	Polling and survey research	
CON	Contribution to other candidate, party, committee	POS	Postage for U.S. Mail and mail box fees	
EQP	Equipment (office machines, furniture, cell phones, etc.)	PRO	Other professional services	
FND	Fundraising events	PRT	Print media ads only (newspapers, magazines, etc.)	
FOD	Food for campaign events, volunteers	RAD	Radio ads, production costs	
LIT	Print and graphics (flyers, signs, palmcards, t-shirts, etc.)	SAL	Campaign workers' salaries and personnel costs	
MHS	Mail house (all services purchased)	TRV	Travel (fuel, mileage, lodging, etc.)	
OFF	Office rent, utilities, phone and internet services, supplies	TVN	TV or cable ads, production costs	
OTH	Other	WEB	Website design, registration, hosting, maintenance, etc.	
PHO	Phone banks, automated telephone calls			
DATE OF EXPENDITURE	PAYEE	REMARK	TYPE	AMOUNT
10/23/2014	GOOD LIFE MARKET UNKNOWN RAYMOND, ME 04071	COFFEE FOR SIGN VOLUNTEERS	FOD	\$6.38
10/27/2014	VISTA PRINT UNKNOWN LEXINGTON, MA 02421	PRINTING	LIT	\$62.48
11/3/2014	STAPLES UNKNOWN WINDHAM, ME 04062	PRINTING/COPYING	LIT	\$25.83
11/3/2014	WALMART UNKNOWN WINDHAM, ME 04062	OFFICE SUPPLIES, PAPER	OFF	\$9.44
11/5/2014	THE UMBRELLA FACTORY UNKNOWN NAPLES, ME 04055	FOOD FOR VOLUNTEERS/WORKERS	FOD	\$73.78
11/5/2014	UMBRELLA FACTORY UNKNOWN NAPLES, ME 04055	FOOD FOR VOLUNTEERS/WORKERS	FOD	\$33.48
12/9/2014	ROBERT FORD CRITCHFIELD P.O. BOX 193 SOUTH CASCO, ME 04077	PAYMENT FOR SPECIFIC SKILLS INCLUDING WOODWORKING TOOLS, SAWS, ETC FOR BUILDING SIGNS AND INSTALLATION TIME. PAID 12/31/2014	CNS	\$450.00
TOTAL EXPENDITURES FOR CANDIDATE:				\$661.39



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

2014 CAMPAIGN FINANCE REPORT

FOR MCEA CANDIDATES

COMMITTEE		TREASURER	
LISA H WILLEY PO BOX 193 SO. CASCO, ME 04077 EMAIL: LWILLEY1@GMAIL.COM		BERNARD L WILLEY PO BOX 312 SO. CASCO, ME 04077 PHONE: (207) 655-7639 EMAIL: BLWILLEY2@YAHOO.COM	
REPORT	DUE DATE	REPORTING PERIOD	
11-DAY PRE-GENERAL	10/24/2014	09/17/2014 - 10/21/2014	

FINANCIAL ACTIVITY SUMMARY

CASH ACTIVITY		
	TOTAL FOR THIS PERIOD	TOTAL FOR CAMPAIGN
1. CASH BALANCE FROM LAST REPORT	\$2,636.32	
2. SEED MONEY CONTRIBUTIONS	\$0.00	\$135.00
3. MAINE CLEAN ELECTION ACT PAYMENTS & AUTHORIZATIONS	\$0.00	\$5,090.00
4. SALE OF CAMPAIGN PROPERTY (SCHEDULE E, PART 2)	\$0.00	\$0.00
5. OTHER CASH RECEIPTS (INTEREST, ETC.,)	\$0.00	\$0.00
6. <i>MINUS</i> EXPENDITURES (SCHEDULE B)	\$1,022.06	\$3,610.74
7. CASH BALANCE AT CLOSE OF PERIOD	\$1,614.26	
OTHER ACTIVITY		
8. IN-KIND SEED MONEY CONTRIBUTIONS	\$0.00	\$0.00
9. TOTAL UNPAID DEBTS AT CLOSE OF PERIOD (SCHEDULE D)	\$0.00	

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

REPORT FILED BY: EMMA BURKE
REPORT FILED ON: 10/25/2014
LAST MODIFIED: 02/02/2015
PRINTED: 02/20/2015
COMMITTEE ID: 7805

**SCHEDULE B
EXPENDITURES**

EXPENDITURE TYPES

CNS Campaign consultants	POL Polling and survey research
CON Contribution to other candidate, party, committee	POS Postage for U.S. Mail and mail box fees
EQP Equipment (office machines, furniture, cell phones, etc.)	PRO Other professional services
FND Fundraising events	PRT Print media ads only (news
FOD Food for campaign events, volunteers	RAD Radio ads, production cost
LIT Print and graphics (flyers, signs, palmcards, t-shirts, etc.)	SAL Campaign workers' salaries
MHS Mail house (all services purchased)	TRV Travel (fuel, mileage, lodging)
OFF Office rent, utilities, phone and internet services, supplies	TVN TV or cable ads, production
OTH Other	WEB Website design, registration
PHO Phone banks, automated telephone calls	

This was the single expenditure reported on the original report. All other expenditures were added as amendments on February 2, 2015

DATE OF EXPENDITURE	PAYEE	REMARK	TYPE	AMOUNT
9/17/2014	STAPLES UNKNOWN WINDHAM, ME 04062	PRINTING, ETC	OFF	\$42.25
10/11/2014	BRILL LUMBER RTE. 117 BRIDGTON, ME 04009	SIGN MAKING SUPPLIES	LIT	\$400.00
10/14/2014	AUBUCHON UNKNOWN NAPLES, ME 04055	SPRAYPAINT	OTH	\$9.90
10/14/2014	BRILL LUMBER UNKNOWN BRIDGTON, ME 04009	PLYWOOD AND STAKES FOR SIGNS	OTH	\$336.98
10/14/2014	HAYES TRUE VALUE UNKNOWN BRIDGTON, ME 04009	SIGN SUPPLIES	OTH	\$27.66
10/14/2014	LOWES UNKNOWN WINDHAM, ME 04062	SIGN SUPPLIES	OTH	\$21.08
10/14/2014	LOWES UNKNOWN WIND, ME 04062	SIGN SUPPLIES	OTH	\$36.35
10/15/2014	LOWES UNKNOWN WINDHAM, ME 04062	SIGN SUPPLIES	OTH	\$63.45
10/15/2014	THE SIGN STORE UNKNOWN AUBURN, ME 04210	STENCIL DESIGN AND CREATION	LIT	\$84.39
TOTAL EXPENDITURES FOR CANDIDATE:				\$1,022.06



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

2014 CAMPAIGN FINANCE REPORT

FOR MCEA CANDIDATES

COMMITTEE		TREASURER	
LISA H WILLEY PO BOX 193 SO. CASCO, ME 04077 EMAIL: LWILLEY1@GMAIL.COM		BERNARD L WILLEY PO BOX 312 SO. CASCO, ME 04077 PHONE: (207) 655-7639 EMAIL: BLWILLEY2@YAHOO.COM	
REPORT	DUE DATE	REPORTING PERIOD	
42-DAY PRE-GENERAL	09/23/2014	07/16/2014 - 09/16/2014	

FINANCIAL ACTIVITY SUMMARY

CASH ACTIVITY		
	TOTAL FOR THIS PERIOD	TOTAL FOR CAMPAIGN
1. CASH BALANCE FROM LAST REPORT	\$3,578.48	
2. SEED MONEY CONTRIBUTIONS	\$0.00	\$135.00
3. MAINE CLEAN ELECTION ACT PAYMENTS & AUTHORIZATIONS	\$0.00	\$5,090.00
4. SALE OF CAMPAIGN PROPERTY (SCHEDULE E, PART 2)	\$0.00	\$0.00
5. OTHER CASH RECEIPTS (INTEREST, ETC.,)	\$0.00	\$0.00
6. <i>MINUS</i> EXPENDITURES (SCHEDULE B)	\$942.16	\$2,588.68
7. CASH BALANCE AT CLOSE OF PERIOD	\$2,636.32	
OTHER ACTIVITY		
8. IN-KIND SEED MONEY CONTRIBUTIONS	\$0.00	\$0.00
9. TOTAL UNPAID DEBTS AT CLOSE OF PERIOD (SCHEDULE D)	\$0.00	

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

REPORT FILED BY: EMMA BURKE
REPORT FILED ON: 09/23/2014
LAST MODIFIED: 02/02/2015
PRINTED: 02/20/2015
COMMITTEE ID: 7805

All of the expenditures on this report were added as amendments on February 2, 2015. The originally filed report reported no expenditures.

**SCHEDULE B
EXPENDITURES**

EXPENDITURE TYPES

EXPENDITURE TYPES	
CNS Campaign consultants	POL Polling and survey research
CON Contribution to other candidate, party, committee	POS Postage for U.S. Mail and mail box fees
EQP Equipment (office machines, furniture, cell phones, etc.)	PRO Other professional services
FND Fundraising events	PRT Print media ads only (newspapers, magazines, etc.)
FOD Food for campaign events, volunteers	RAD Radio ads, production costs
LIT Print and graphics (flyers, signs, palmcards, t-shirts, etc.)	SAL Campaign workers' salaries and personnel costs
MHS Mail house (all services purchased)	TRV Travel (fuel, mileage, lodging, etc.)
OFF Office rent, utilities, phone and internet services, supplies	TVN TV or cable ads, production costs
OTH Other	WEB Website design, registration, hosting, maintenance, etc.
PHO Phone banks, automated telephone calls	

DATE OF EXPENDITURE	PAYEE	REMARK	TYPE	AMOUNT
7/23/2014	SALVATION ARMY UNKNOWN RAYMOND, ME 04071	T SHIRTS FOR VOLUNTEERS(BLANKS)	OTH	\$16.26
7/25/2014	AC MOORE UNKNOWN SOUTH PORTLAND, ME 04106	MATERIALS FOR UPCOMING EVENT	OTH	\$46.94
7/25/2014	ARTISAN AND CRAFTSMEN SUPPLY UNKNOWN PORTLAND, ME 04103	PAINT, MARKERS, TIE DYE, FOR SIGNS, SHIRTS, ETC	OTH	\$44.36
7/25/2014	LOWES UNKNOWN WINDHAM, ME 04062	PAINT BRUSHES	OTH	\$8.31
7/25/2014	LOWES UNKNOWN WINDHAM, ME 04062	MATERIALS FOR SIGNS AND BANNERS FOR EVENTS (CANVAS, PAINT, ETC)	OTH	\$89.53
7/25/2014	STAPLES UNKNOWN WINDHAM, ME 04062	PRINTING FOR FLYERS AND PAPER/INK	LIT	\$98.59
7/28/2014	STAPLES UNKNOWN WINDHAM, ME 04062	OFFICE SUPPLIES	OFF	\$71.52
7/28/2014	THE HOLY DONUT UNKNOWN PORTLAND, ME 04101	FOOD FOR CAMPAIGN VOLUNTEERS/WORKERS	FOD	\$21.00
7/29/2014	AMAZON.COM UNKNOWN SEATTLE, WA 98101	ENVELOPES	OTH	\$40.20
7/29/2014	LOWES UNKNOWN WINDHAM, ME 04062	STAKES/ SIGN PRODUCTS	OTH	\$34.73
7/29/2014	THE BIG APPLE UNKNOWN RAYMOND, ME 04071	GASOLINE FOR CAMPAIGN	TRV	\$15.01

7/31/2014	BRILL LUMBER UNKNOWN BRIDGTON, ME 04009	SIGN MAKING MATERIAL	OTH	\$35.00
8/21/2014	MAYA AGNES CRITCHFIELD 105 EDEN ST. BAR HARBOR, ME 04609	PAY FOR GRAPHICS/DESIGN SERVICES	LIT	\$335.00
8/28/2014	HANNAFORD UNKNOWN WINDHAM, ME 04062	FOOD FOR EVENT	FOD	\$2.49
8/28/2014	HANNAFORD UNKNOWN WINDHAM, ME 04062	FOOD FOR EVENT	FOD	\$5.01
8/28/2014	THE PHOTO MARKET UNKNOWN PORTLAND, ME 04101	PHOTOS	LIT	\$24.79
9/2/2014	SHELL OIL UNKNOWN GRAY, ME 04039	GASOLINE	TRV	\$24.32
9/10/2014	HOME DEPOT UNKNOWN WINDHAM, ME 04062	PAINT FOR SIGNS	OTH	\$17.92
9/11/2014	FEDEX UNKNOWN PORTLAND, ME 04101	PHOTOCOPYING	LIT	\$11.18
TOTAL EXPENDITURES FOR CANDIDATE:				\$942.16



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Fax: 207-287-6775

2014 CAMPAIGN FINANCE REPORT

FOR MCEA CANDIDATES

COMMITTEE		TREASURER	
LISA H WILLEY PO BOX 193 SO. CASCO, ME 04077 EMAIL: LWILLEY1@GMAIL.COM		BERNARD L WILLEY PO BOX 312 SO. CASCO, ME 04077 PHONE: (207) 655-7639 EMAIL: BLWILLEY2@YAHOO.COM	
REPORT	DUE DATE	REPORTING PERIOD	
42-DAY POST-PRIMARY	07/22/2014	05/28/2014 - 07/15/2014	

FINANCIAL ACTIVITY SUMMARY

CASH ACTIVITY		
	TOTAL FOR THIS PERIOD	TOTAL FOR CAMPAIGN
1. CASH BALANCE FROM LAST REPORT	\$411.21	
2. SEED MONEY CONTRIBUTIONS	\$0.00	\$135.00
3. MAINE CLEAN ELECTION ACT PAYMENTS & AUTHORIZATIONS	\$4,724.00	\$5,090.00
4. SALE OF CAMPAIGN PROPERTY (SCHEDULE E, PART 2)	\$0.00	\$0.00
5. OTHER CASH RECEIPTS (INTEREST, ETC.,)	\$0.00	\$0.00
6. MINUS EXPENDITURES (SCHEDULE B)	\$1,556.73	\$1,646.52
7. CASH BALANCE AT CLOSE OF PERIOD	\$3,578.48	
OTHER ACTIVITY		
8. IN-KIND SEED MONEY CONTRIBUTIONS	\$0.00	\$0.00
9. TOTAL UNPAID DEBTS AT CLOSE OF PERIOD (SCHEDULE D)	\$0.00	

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

REPORT FILED BY: EMMA BURKE
REPORT FILED ON: 07/22/2014
LAST MODIFIED: 02/02/2015
PRINTED: 02/20/2015
COMMITTEE ID: 7805

**SCHEDULE A
CASH CONTRIBUTIONS**

- For contributors who gave more that \$50, the names, address, occupation, and employer must be reported. If "information requested" is listed instead of occupation and employer, the candidate is waiting to receive that information.
- Cash contributions of \$50 or less can be added together and reported as a lump sum.
- Contributor Types

- | | |
|--|--|
| 1 = Individual | 9 = Candidate / Candidate Committee |
| 2 = Candidate/ Spouse/ Domestic Partner | 10 = General Treasury Transfer |
| 3 = Commercial Source | 11 = Transfer from Previous Campaign |
| 4 = Nonprofit Organization | 12 = Contributors giving \$50 or less |
| 5 = Political Action Committee | 13 = Contributors giving \$100 or less |
| 6 = Political Party Committee | 14 = Contributors giving \$200 or less |
| 7 = Ballot Question Committee | 15 = MCEA Payment |
| 8 = Other Candidate/ Candidate Committee | 16 = Financial Institution |

DATE RECEIVED	CONTRIBUTOR	OCCUPATION AND EMPLOYER	TYPE	AMOUNT
6/13/2014	MCEA Payment		15	\$4,724.00
TOTAL CASH CONTRIBUTIONS				\$4,724.00

**SCHEDULE B
EXPENDITURES**

EXPENDITURE TYPES	
CNS Campaign consultants	POL Polling and survey research
CON Contribution to other candidate, party, committee	POS Postage for U.S. Mail and mail box fees
EQP Equipment (office machines, furniture, cell phones, etc.)	PRO Other professional services
FND Fundraising events	PRT Print media ads only (newspapers, magazines, etc.)
FOD Food for campaign events, volunteers	RAD Radio ads, production costs
LIT Print and graphics (flyers, signs, palmcards, t-shirts, etc.)	SAL Campaign workers
MHS Mail house (all services purchased)	TRV Travel (fuel, mileage)
OFF Office rent, utilities, phone and internet services, supplies	TVN TV or cable ads, production costs
OTH Other	WEB Website design, research
PHO Phone banks, automated telephone calls	

This expenditure was the only one reported on the originally filed report. All of the others were added as amendments on February 2, 2015

DATE OF EXPENDITURE	PAYEE	REMARK	TYPE	AMOUNT
5/30/2014	WALMART N.WINDHAM WINDHAM, ME 04062	PRINTING SUPPLIES	LIT	\$193.81
6/2/2014	RITE AID UNKNOWN FALMOUTH, ME 04105	FOOD FOR CAMPAIGN WORKERS	FOD	\$4.12
6/2/2014	SHAWS UNKNOWN WINDHAM, ME 04062	FOOD FOR CAMPAIGN WORKERS	FOD	\$23.99
6/2/2014	STAPLES UNKNOWN WINDHAM, ME 04062	OFFICE SUPPLIES, PAPER, INK, ETC	OFF	\$138.18
6/6/2014	BIG APPLE UNKNOWN RAYMOND, ME 04071	GASOLINE FOR CAMPAIGNING PURPOSES	TRV	\$20.16
6/16/2014	HAYES TRUE VALUE UNKNOWN BRIDGTON, ME 04009	EQUIPMENT FOR A FUNDRAISING PARTY	FND	\$43.00
6/30/2014	HOME DEPOT UNKNOWN WINDHAM, ME 04062	SUPPLIES FOR T SHIRTS, SIGNS, ETC	OTH	\$96.27
7/7/2014	AMAZON.COM UNKNOWN UNKNOWN, WA 98101	ENVELOPES	OTH	\$16.75
7/7/2014	DR. DON'S BUTTONS UNKNOWN GLENDALE, AZ 85308	BUTTON MAKING SUPPLIES	OTH	\$669.77
7/7/2014	YUMMYEARTH.COM UNKNOWN RAMSEY, NJ 07446	LOLLIPOPS FOR EVENTS	OTH	\$38.45
7/10/2014	DR. DON'S BUTTONS UNKNOWN GLENDALE, AZ 85308	BUTTON MAKING SUPPLIES	OTH	\$178.10
7/10/2014	JOHNNY'S SELECTED SEEDS UNKNOWN ALBION, ME 04910	SEEDS FOR SEED PACKET FLYERS	OTH	\$108.26

7/11/2014	STAPLES UNKNOWN WINDHAM, ME 04062	OFFICE SUPPLIES, MARKERS, POSTER BOARD	OFF	\$25.87
TOTAL EXPENDITURES FOR CANDIDATE:				\$1,556.73

Event Log Add

Description	Event Date	Due Date	Notes	Inactive	Create User	Create Timestamp	
User Login	1/30/2015 10:37:28 AM		USER LWILLEY7805 LOGGED IN.	<input type="checkbox"/>	WILLEY, LISA	1/30/2015 10:37:28 AM	Edit
User Login	1/26/2015 8:34:53 AM		USER LWILLEY7805 LOGGED IN.	<input type="checkbox"/>	WILLEY, LISA	1/26/2015 8:34:53 AM	Edit
User Login	1/20/2015 2:32:24 PM		USER LWILLEY7805 LOGGED IN.	<input type="checkbox"/>	WILLEY, LISA	1/20/2015 2:32:24 PM	Edit
Organization Status Changed	1/7/2015 2:20:24 PM		ORGANIZATION STATUS CHANGED TO ACTIVE	<input type="checkbox"/>	BURKE, EMMA	1/7/2015 2:20:24 PM	Edit
Organization Status Changed	1/5/2015 1:11:51 PM		ORGANIZATION STATUS CHANGED TO TERMINATED	<input type="checkbox"/>	BURKE, EMMA	1/5/2015 1:11:51 PM	Edit
User Login	12/16/2014 10:38:13 PM		USER BWILLEY7805 LOGGED IN.	<input type="checkbox"/>	WILLEY, BERNARD	12/16/2014 10:38:13 PM	Edit
User Login	10/25/2014 9:01:44 PM		USER BWILLEY7805 LOGGED IN.	<input type="checkbox"/>	WILLEY, BERNARD	10/25/2014 9:01:44 PM	Edit
User Login	10/17/2014 10:44:06 PM		USER BWILLEY7805 LOGGED IN.	<input type="checkbox"/>	WILLEY, BERNARD	10/17/2014 10:44:06 PM	Edit
User Login	9/23/2014 9:54:13 PM		USER BWILLEY7805 LOGGED IN.	<input type="checkbox"/>	WILLEY, BERNARD	9/23/2014 9:54:13 PM	Edit
User Login	7/23/2014 10:01:56 PM		USER BWILLEY7805 LOGGED IN.	<input type="checkbox"/>	WILLEY, BERNARD	7/23/2014 10:01:56 PM	Edit
User Login	7/23/2014 9:14:10 PM		USER LWILLEY7805 LOGGED IN.	<input type="checkbox"/>	WILLEY, LISA	7/23/2014 9:14:10 PM	Edit
User Login	7/23/2014 9:12:46 PM		USER LWILLEY7805 LOGGED IN.	<input type="checkbox"/>	WILLEY, LISA	7/23/2014 9:12:46 PM	Edit
User Login	5/30/2014 7:40:45 PM		USER BWILLEY7805 LOGGED IN.	<input type="checkbox"/>	WILLEY, BERNARD	5/30/2014 7:40:45 PM	Edit
User Login	5/30/2014 11:50:24 AM		USER BWILLEY7805 LOGGED IN.	<input type="checkbox"/>	WILLEY, BERNARD	5/30/2014 11:50:24 AM	Edit
User Login	5/30/2014 11:45:58 AM		USER BWILLEY7805 LOGGED IN.	<input type="checkbox"/>	WILLEY, BERNARD	5/30/2014 11:45:58 AM	Edit
Committee Information Changed	4/30/2014 3:20:17 PM		FINANCING STATUS CHANGED FROM: MCEA-PENDING TO: MCEA-QUALIFIED	<input type="checkbox"/>	BURKE, EMMA	4/30/2014 3:20:17 PM	Edit
User Login	4/17/2014 7:50:08 AM		USER LWILLEY7805 LOGGED IN.	<input type="checkbox"/>	WILLEY, LISA	4/17/2014 7:50:08 AM	Edit
User Login	4/17/2014 7:49:11 AM		USER LWILLEY7805 LOGGED IN.	<input type="checkbox"/>	WILLEY, LISA	4/17/2014 7:49:11 AM	Edit
Registration Accepted	3/27/2014 12:16:17 PM			<input type="checkbox"/>	PHILLIPS, CYNDI	3/27/2014 12:16:17 PM	Edit

must include, under penalty of perjury, as provided in Title 17-A, section 451, a statement under oath or affirmation whether the expenditure is made in cooperation, consultation or concert with, or at the request or suggestion of, the candidate or an authorized committee or agent of the candidate.

C. A report required by this subsection 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. The commission may adopt procedures requiring the electronic filing of an independent expenditure report, as long as the commission receives the statement made under oath or affirmation set out in paragraph B by the filing deadline and the commission adopts an exception for persons who lack access to the required technology or the technological ability to file reports electronically. The commission may adopt procedures allowing for the signed statement to be provisionally filed by facsimile or electronic mail, as long as the report is not considered complete without the filing of the original signed statement.

5. Exclusions. An independent expenditure does not include:

A. An expenditure made by a person in cooperation, consultation or concert with, or at the request or suggestion of, a candidate, a candidate's political committee or their agents;

B. A telephone survey that meets generally accepted standards for polling research and that is not conducted for the purpose of changing the voting position of the call recipients or discouraging them from voting;

C. A telephone call naming a clearly identified candidate that identifies an individual's position on a candidate, ballot question or political party for the purpose of encouraging the individual to vote, as long as the call contains no advocacy for or against any candidate; and

D. A voter guide that consists primarily of candidates' responses to surveys and questionnaires and that contains no advocacy for or against any candidate.

21-A § 1020. Failure to file on time (REPEALED)

21-A § 1020-A. Failure to file on time

1. Registration. A candidate that fails to register the name of a candidate, treasurer or political committee with the commission within the time allowed by section 1013-A, subsection 1 may be assessed a forfeiture of \$10. The commission shall determine whether a registration satisfies the requirements for timely filing under section 1013-A, subsection 1.

2. Campaign finance reports. A campaign finance report is not timely filed unless a properly signed or electronically submitted copy of the report, substantially conforming to the disclosure requirements of this subchapter, is received by the commission by 11:59 p.m. on the date it is due. Except as provided in subsection 7, the commission shall determine whether a report satisfies the requirements for timely filing. The commission may waive a penalty in whole or in part if the commission determines that the penalty is



√ disproportionate to the size of the candidate's campaign, the level of experience of the candidate, treasurer or campaign staff or the harm suffered by the public from the late disclosure. The commission may waive the penalty in whole or in part if the commission determines the failure to file a timely report was due to mitigating circumstances. For purposes of this section, "mitigating circumstances" means:

- A. A valid emergency determined by the commission, in the interest of the sound administration of justice, to warrant the waiver of the penalty in whole or in part;
- B. An error by the commission staff;
- C. Failure to receive notice of the filing deadline; or
- D. Other circumstances determined by the commission that warrant mitigation of the penalty, based upon relevant evidence presented that a bona fide effort was made to file the report in accordance with the statutory requirements, including, but not limited to, unexplained delays in postal service or interruptions in Internet service.

3. Municipal campaign finance reports. Municipal campaign finance reports must be filed, subject to all the provisions of this subchapter, with the municipal clerk on forms prescribed by the Commission on Governmental Ethics and Election Practices. The municipal clerk shall send any notice of lateness required by subsection 6 and shall notify the commission of any late reports subject to a penalty.

4. Basis for penalties. (REPEALED)

4-A. Basis for penalties. The penalty for late filing of a report required under this subchapter is a percentage of the total contributions or expenditures for the filing period, whichever is greater, multiplied by the number of calendar days late, as follows:

- A. For the first violation, 1%;
- B. For the 2nd violation, 3%; and
- C. For the 3rd and subsequent violations, 5%.

Any penalty of less than \$10 is waived.

Violations accumulate on reports with filing deadlines in a two-year period that begins on January 1st of each even-numbered year. Waiver of a penalty does not nullify the finding of a violation.

A report required to be filed under this subchapter that is sent by certified or registered United States mail and postmarked at least 2 days before the deadline is not subject to penalty.

A registration or report may be provisionally filed by transmission of a facsimile copy of the duly executed report to the commission, as long as the facsimile copy is filed by the applicable deadline and an original of the same report is received by the commission within 5 calendar days thereafter.

5. Maximum penalties. (REPEALED)

5-A. Maximum penalties. Penalties assessed under this subchapter may not exceed:

- A. Five thousand dollars for reports required under section 1017, subsection 2, paragraph B, C, D, E or H; section 1017, subsection 3-A, paragraph B, C, D, D-1 or F; and section 1017, subsection 4;

A-1. Five thousand dollars for reports required under section 1019-B, subsection 4, except that if the financial activity reported late exceeds \$50,000, the maximum penalty is 1/5 of the amount reported late;

B. Five thousand dollars for state party committee reports required under section 1017-A, subsection 4-A, paragraphs A, B, C and E, except that if the financial activity reported late exceeds \$50,000, the maximum penalty is 1/5 of the amount reported late;

C. One thousand dollars for reports required under section 1017, subsection 2, paragraphs A and F and section 1017, subsection 3-A, paragraphs A and E; or

D. Five hundred dollars for municipal, district and county committees for reports required under section 1017-A, subsection 4-B.

E. **(REPEALED)**

6. Request for a commission determination. If the commission staff finds that a candidate or political committee has failed to file a report required under this subchapter, the commission staff shall mail a notice to the candidate or political committee within 3 business days following the filing deadline informing the candidate or political committee that a report was not received. If a candidate or a political committee files a report required under this subchapter late, a notice of preliminary penalty must be sent to the candidate or political committee whose registration or campaign finance report was not received by 11:59 p.m. on the deadline date, informing the candidate or political committee of the staff finding of violation and preliminary penalty calculated under subsection 4-A and providing the candidate or political committee with an opportunity to request a determination by the commission. Any request for a determination must be made within 14 calendar days of receipt of the commission's notice. A candidate or political committee requesting a determination may either appear in person or designate a representative to appear on the candidate's or political committee's behalf or submit a sworn statement explaining the mitigating circumstances for consideration by the commission. A final determination by the commission may be appealed to the Superior Court in accordance with Title 5, chapter 375, subchapter 7 and the Maine Rules of Civil Procedure, Rule 80C.

7. Final notice of penalty. If a determination has been requested by the candidate or political committee and made by the commission, notice of the commission's final determination and the penalty, if any, imposed pursuant to this subchapter must be sent to the candidate and the political committee.

If a determination is not requested, the preliminary penalty calculated by the commission staff is final. The commission staff shall mail final notice of the penalty to the candidate and treasurer. A detailed summary of all notices must be provided to the commission.

8. Failure to file report. The commission shall notify a candidate who has failed to file a report required by this subchapter, in writing, informing the candidate of the requirement to file a report. The notice must be sent by certified mail. If a candidate fails to file a report after 2 notices have been sent by the commission, the commission shall send a final notice by certified mail informing the candidate of the requirement to file and that the matter may be referred to the Attorney General for criminal prosecution.