

Agenda

Item #13

05/03/07

Maine Ethics Commission and Election Practices
135 State House Station
Augusta, ME 04333-0135

Andrew Ketterer, Chair
Vinton Cassidy
Michael Friedman
Jean Ginn Marvin
A. Mavoureen Thompson

Jonathan Wayne, Executive Director
Paul Lavin
Vincent Dinan
Sandy Thompson
Staff

Dear Commission Members, Personnel and Staff,

This letter is my response to the findings made by the Commission and outlined in the Commissions letter date April 13th.

I will not refute nor will I argue the findings of the Commission and I fully intend to comply with civil penalty recommended by the Commission.

I realize that a crafty attorney could find mitigating reasons to counter some of the findings of the Commission. However, it is my intention to accept the penalty of \$2750.00.

Please know that I am further embarrassed by the fact that if I had kept better track of the accounting of this campaign and if I had spent the remainder of the funds "authorized to spend", I could have passed my opponent by sending an additional mailer which could have earned myself the seat in the House. So, I am humiliated on several fronts.

And, I am further embarrassed by the fact that articles written most particularly the article published in the Lake Region Weekly. This article I believe was unfair and surely was very harsh. It virtually convicted me even prior to the findings of the Commission.

While in the heat of the campaign, I should have stopped to think about what I was doing and subsequent ramifications that have resulted from my stupidity.

My personal debit card and campaign debit card are virtually identical at a glance. It was easy to use both cards interchangeably and I neglected the specific rules that I was trusted to follow by this Commission.

Receipts did indeed arrive late.

And I fell short as to upholding the integrity and the long history of the Maine House of Representatives.

But I have no excuses.

When I did finally audit myself, I realized just how many times Sandy Thompson attempted to call me virtually begging me to call her. She even drove to Windham just to serve paperwork. And over the phone, she was always professional, accommodating and patient. For this, I am truly sorry to Sandy Thompson.

And, to Jonathan Wayne and Paul Lavin, how brazen of me to test your positions? For having to deal with this mess and taking precious time out from other matters of importance, I apologize.

So therefore, since all taxpayer funds have been returned, I ask the Commission to accept the recommendations of the Executive Director Jonathan Wayne, and his staff so that closure can be obtained. Healing can begin which will allow all of us to move on. I can assure you that this will never, ever happen again.

As to the \$384.85 overpayment, if the Commission decides to return this overpayment, please donate it to the Women Infants and Children Nutritional Program.

To the Governor, Maine Ethics Commission and the citizens of the State of Maine, I have made the biggest mistakes of my life and for that I apologize.

Very Truly Yours,

Tom Bossie



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

April 13, 2007

By Regular and Certified Mail

Thomas J. Bossie
74 Point Sebago Road
Casco, ME 04015

Re: Notice of Recommended Penalties and Opportunity to Respond

Dear Mr. Bossie:

This letter and accompanying memo notify you of your opportunity to respond to the Ethics Commission staff's preliminary factual findings and penalty recommendations concerning your 2006 campaign. The recommendations will be considered by the Commission at its next meeting on Monday, May 14 at 9:00 a.m. We request that you be present at the Commission's meeting to respond to the findings and recommended penalties. Also, we highly recommend that if you disagree with the staff's preliminary recommendations or findings, you respond in writing to them no later than Thursday, May 3. Your response would be included in a packet of materials sent to the Commission members prior to the meeting.

Based on its preliminary factual findings, the staff recommends that the Commission assess the following penalties against you. The full violations are explained in the accompanying memo.

- The Commission should assess a civil penalty of \$1,250 against you for violating 21-A M.R.S.A. §1125(6) by spending Maine Clean Election Act (MCEA) funds for purposes that were not related to your campaign. These expenditures include a payment to the Point Sebago Resort, costs of two advertisements for your business, car and personal loan payments, and a variety of other purchases. Although you subsequently used personal funds to reimburse the Maine Clean Election Fund for these purchases, it was a violation of the MCEA for you to use public funds provided to your campaign for these personal expenses.
- The Commission should assess a civil penalty of \$750 against you for violating 21-A M.R.S.A. §1125(12) and Chapter 3, Section 7(2)(B) of the Commission's rules by failing to return all unspent campaign funds by the November 21 and December 19, 2006 deadlines. You eventually returned these funds to the Commission, but it was only after repeated requests by the Commission staff and the Commission's referral of the matter to the State Attorney General for collection. Even after Candidate Registrar Sandy Thompson personally spoke to you on November 28, 2006 about your responsibility to return these funds, you continued to use them for personal purposes.

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

Thomas J. Bossie

- 2 -

April 13, 2007

- The Commission should assess a civil penalty of \$500 against you for violating 21-A M.R.S.A. §1125(12) and Chapter 3, Section 7(2)(A) of the Commission rules for failing to report accurately your expenditures of MCEA campaign funds. The major part of the violation is that you initially failed to report by the December 19, 2006 deadline any expenditures for the period of October 27 - December 12, 2006. Only after the Commission pressed you to return unspent funds did you file an amended report disclosing the \$2,690 in expenditures. You also failed to report 16 expenditures totaling \$384.85 which you made from July 16 to October 3, 2006 and which you later identified to the staff as being campaign-related. By not disclosing these expenditures, you failed to disclose how you spent public campaign funds and the Commission was unable to determine the cash balance that you were required to pay to the Commission.
- The Commission should assess a civil penalty of \$250 against you for violating 21-A M.R.S.A. §1125(7-A) by commingling your MCEA funds with your personal funds. You transferred \$1,200 in MCEA funds to your personal bank account and spent them for personal uses. You also used MCEA funds in your campaign account as your private funds and spent them for personal expenses.

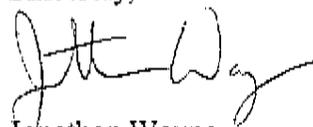
The recommended penalties against you total \$2,750. The staff may adjust its recommendations prior to the May 14 meeting depending on any written response you provide by May 3.

Please be aware that the Commission is authorized under 21-A M.R.S.A. §1127(1) to assess penalties of up to \$10,000 for each violation of the Maine Clean Election Act or the Commission's rules. It is possible that at the May 14th meeting the Commission could assess penalties that are significantly higher than those recommended by the staff. The staff urges you to take seriously responding to the preliminary findings and penalty recommendations.

The staff acknowledges that your eventual repayment of public funds was \$384.85 higher than was owed because you made campaign-related payments totaling that amount that were not reflected in the cash balance on your final campaign finance report. The staff will recommend to the Commission that this overpayment of \$384.85 be credited toward any penalty assessed against you.

Please telephone me at 287-4179 if you have any questions about the recommendations or the enforcement process. Thank you.

Sincerely,



Jonathan Wayne
Executive Director



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

To: Thomas J. Bossie
From: Jonathan Wayne, Executive Director
Date: April 13, 2007
Re: Preliminary Staff Findings

This memo describes the preliminary factual findings by the Ethics Commission staff which are the basis for civil penalties the staff intends at this time to recommend to the Commission at its May 14th meeting. As stated in the accompanying letter, the staff urges you to respond in writing to the staff findings and recommended penalties no later than Thursday, May 3. Your response will be included in a packet of materials that will send to the Commission. The staff is willing to reconsider our recommendations to the Commission if we conclude that our preliminary findings were in error or if there were mitigating circumstances of which we were not aware.

Overall Findings

In some important respects, your 2006 campaign came into compliance with the requirements of the Maine Clean Election Act (MCEA), even though much of that compliance was the result of repeated requests by the Commission staff. Your campaign made \$9,404.10 in legitimate expenditures to promote your election that were within the Commission's guidelines. You reported all but \$384.85 of these expenditures in campaign finance reports submitted to the Commission, and you returned the appropriate amount of unspent MCEA funds to the state.

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

Nevertheless, it appears that your campaign committed some serious violations of the MCEA for which the Commission staff preliminarily recommends civil penalties totaling \$2,750. Most troubling is the use of MCEA funds for personal expenses, including restaurant and convenience store purchases, accommodations at a resort, and advertising to promote your business as a mortgage broker. The recommended penalty for this violation is well less than the \$10,000 maximum because you eventually reimbursed the state for the MCEA funds used for these personal expenses. That reimbursement does not take away from the fact that you used public funds which the state entrusted to you for campaign purposes, at best, as a personal loan. Indeed, given the difficulty the Commission staff had in recovering the reimbursements from you, it is unclear whether after the election you initially intended to return the funds.

Legal Restrictions on Use of MCEA Funds

The Maine Clean Election Act requires candidates to use MCEA funds for "campaign-related purposes." (21-A M.R.S.A. §1125(6)) The statute does not define acceptable campaign related expenditures, but rather requires the Commission to issue guidelines on permissible uses of MCEA funds. The Commission's guidelines state:

Candidates must spend all Maine Clean Election Act (MCEA) funds for campaign-related purposes and not for other purposes such as the candidate's personal benefit.

MCEA funds may not be spent on personal expenses. Those expenses are for goods and services that the candidate would otherwise purchase independently of the campaign, such as:

- Day-to-day household food items and supplies;
- Vehicle and transportation expenses unrelated to the campaign;

- Mortgage, rent, or utility payments for the candidate's personal residence, even if part of the residence is being used by the campaign; and
- Clothing, including attire for political functions such as business suits or shoes.

...

Food. Candidates may spend a reasonable amount of MCEA funds on food for campaign events or to feed volunteers while they are working. Legislative candidates should not use MCEA funds to purchase food that is consumed only by the candidate and/or the candidate's spouse. Gubernatorial candidates may use MCEA funds to purchase meals for the candidate and/or candidate's spouse if associated with travel for campaign purposes.

...

Vehicle Travel. Candidates may elect to have the campaign reimburse themselves for vehicle travel at the reimbursement rate that is applicable to state government employees or for amounts actually paid for fuel and repairs (pro-rated to reflect only campaign-related usage). Candidates should keep a record for each trip that includes: date of travel, number of miles traveled, origination, destination, and purpose of travel.

...

Lodging. Candidates may use MCEA funds to pay for lodging if necessary for campaign purposes, but must keep lodging expenses reasonable.

Financial Overview of Your Campaign

| Cash Activity | | Notes |
|---|-------------|--|
| Seed money contributions received | \$130.00 | |
| Total MCEA funds received | \$13,594.07 | includes \$2,866.20 which you were not authorized to spend |
| Total reported expenditures | \$9,019.25 | does not include \$384.85 in unreported campaign expenses |
| Return of unauthorized funds | \$2,866.20 | due 11/21/06; returned 1/16/07 |
| Return of payment to Point Sebago Resort | \$448.70 | paid 1/16/07 |
| Return of unspent MCEA funds | \$1,390.00 | due 12/19/06; returned 2/23/07 |
| Return of campaign's overpayment to Bridgton News | \$96.00 | paid 3/9/07 |

Expenditures of MCEA for Purposes that were not Campaign-Related

Payment of \$448.70 to Point Sebago Resort

• In your pre-general election campaign finance report (attached), you disclosed making a payment of \$448.70 to the Point Sebago Resort on July 25, 2006. In the remarks field for the expenditure, you included the description "Outing." In the course of our routine review of your reported expenditures, our staff auditor noticed the expenditure and asked you for an explanation. You responded by e-mail:

This expense covered housing for three individuals who came to Casco to assist and build a democratic float for the Casco Days parade. The expense code should have been for food and lodging.

(Your e-mail is attached.) The Commission's auditor informed you that the expenditure did not appear to be allowable because the accommodations purchased were not directly related to your campaign. Accordingly, you returned \$448.70 in personal funds to the Commission along with your first repayment of unspent MCEA funds.

The Commission raised the issue of a Democratic float with Mr. Kelly Simpson, the chair of the Casco Democratic Party Committee. He responded that the Casco Democratic committee does not organize a Democratic float for that parade, and that each candidate usually does their own. The Commission staff also reviewed the website of the town of Casco, which includes pictures of the Casco Day Parade. It shows a trailer displaying political signs for Democratic Party candidates, but does not include a vehicle which we would describe as a float. If you were referring to the trailer with signs of Democratic candidates, it is not apparent that the trailer involved building or decorating that would require accommodating workers at a resort.

Based on the information available at this time, the staff has found preliminarily that the expenditure of \$448.70 was not for campaign-related purposes, and therefore violated 21-A M.R.S.A. §1125(6). We are concerned that the expense may have been more of a personal nature. If you disagree, kindly provide in writing:

- the names of the persons who stayed there
- what work they performed on a Democratic float or other projects; and
- how that work benefited your legislative campaign.

If you can provide a more specific explanation of the expense, the staff is willing to reconsider its view that the expense was not campaign-related.

Payment of Personal Expenses from Campaign Account

As you know, the Commission subpoenaed the bank records of your campaign account. It appears that you made 95 expenditures totaling \$2,867.06 that were not included in your campaign finance reports. (See attached list.) Twenty-five percent of the expenditures were at food or drinking establishments such as Bray's Brew Pub. Also, the majority of the expenditures (totaling \$1,721.24) were made after the November 7, 2006 general election, and so it is difficult to see how they were related to your campaign.

We presume that all of these expenditures were personal in nature because:

- they were not included in your campaign finance reports;
- they were not among the list of 16 unreported campaign expenditures you have provided to the Commission during the audit entitled "Point of Sale Campaign Invoices"; and
- the timing and payees involved suggest that the expenditures were personal in nature.

We acknowledge that you have reimbursed your campaign account or the Maine Clean Election Fund for these personal expenditures. Nevertheless, it appears that MCEA funds

were used -- at least initially -- for purposes that were not campaign-related and therefore violated 21-A M.R.S.A. §1125(6). Also, the staff is concerned that you made the reimbursements only because of repeated requests by the Commission for the return of unspent campaign funds and for complete reporting of expenditures. If you believe these expenditures were for campaign-related purposes or that they otherwise comply with Section 1125(6), please explain in writing.

Newspaper Ads for Your Business

On July 10, 2006 you paid \$288 for six campaign advertisements to run in six consecutive editions of the weekly Bridgton News, at a cost of \$48 per ad. At some point in the following eight days, you changed the order to four campaign advertisements and four ads for your personal business as a mortgage broker that would run in alternating weeks.

The first two business ads ran in the July 27 and August 10, 2006 editions of the newspaper. Of the initial July 10, 2006 payment, the amount of \$96 in MCEA funds were used to pay for the July 27 and August 10 business advertisements. The Bridgton News has informed us that it billed you for these advertisements on March 22, 2007 and still has not received payment.

Because the \$96 of the July 10, 2006 expenditure was used for purposes that were not campaign-related, that portion of the expenditure appears to violate 21-A M.R.S.A. §1125(6). If we have misunderstood the situation, please provide whatever information you believe is appropriate.

Transfer of \$1,200 from Campaign Account to Personal Account

As shown on the attached chart, between August 8 and November 16, 2006 you made four transfers of MCEA funds totaling \$1,200 from your campaign account to your personal account. On the day of each transfer or shortly afterward, you used these funds for a variety of personal expenses that included a monthly car payment, a loan repayment, and purchases at gasoline stations and convenience stores. On two of these occasions (August 8 and September 20) the cash balance in your personal account at the time of these transfers was \$9.42 and -\$4.19, which suggested that you transferred the money to fulfill scheduled personal obligations or to purchase other desired personal goods and services.

We are not aware of any reason to believe the \$1,200 in transferred funds were for used for campaign-related purposes. Therefore, these expenditures of MCEA funds appear to violate 21-A M.R.S.A. §1125(6). Please provide any information that you believe is relevant to the issue of whether these funds were used for campaign-related purposes, or otherwise complied with Section 1125(6).

Failure to Return Unspent Campaign Funds

Under 21-A M.R.S.A. §1125(12) and Chapter 3, Section 7(2)(B) of the Commission's rules, you were required to return by November 21, 2006 (two weeks after the general election) \$2,866.32 in MCEA funds which you received but were not authorized to spend. You returned this amount roughly two months late on January 16, 2007. In addition, you were obligated to return any remaining unspent public funds by

December 19, 2006, the reporting deadline for your final campaign finance report. You returned those funds (\$1,390) roughly two months late on February 23, 2006.

You returned the unspent MCEA funds only after repeated requests by the Commission staff and only after the Commission staff scheduled this matter for referral to the Attorney General at the Commission's January 19, 2007 meeting. I have attached a list of those requests. By returning these funds about two months after the deadlines, you violated 21-A M.R.S.A. §1125(12) and Chapter 3, Section 7(2)(B) of the Commission's rules.

The Commission staff is particularly disturbed that even after Candidate Registrar Sandy Thompson explained to you by telephone your obligation to return unspent campaign funds on November 28, 2006, you continued to use them for personal expenses as explained on pages 5-6 above. This suggests a knowing decision not to return these funds and to use them, instead, on personal purchases.

Failure to Report Expenditures

As a MCEA candidate for the House of Representatives, you were required under 21-A M.R.S.A. §1125(12) and Chapter 3, Section 7(2)(A) of the Commission's rules to file campaign finance reports that disclosed all expenditures of MCEA funds. When you filed your report due December 19, 2006, the report listed no expenditures for the period of period of October 27 - December 12, 2006. After the Commission pressed you to return unspent funds, you filed an amended report disclosing \$2,690 in expenditures for that period. You also did not include in your reporting 16 expenditures totaling \$384.85 which you made from July 16 to October 3, 2006 and which you later identified to the

staff as being campaign-related. By not disclosing these expenditures, you failed to disclose to the public how you spent MCEA campaign funds which you received from the state and the Commission was unable to determine the cash balance that you were required to pay to the Commission. The failure to report your expenditures violates 21-A M.R.S.A. §1125(12) and Chapter 3, Section 7(2)(A).

Commingling MCEA Funds with Personal Funds

Under 21-A M.R.S.A. §1125(7-A), candidates are required to deposit MCEA funds into a campaign account with a bank or other financial institution, and those "funds must be segregated from, and may not be commingled with, any other funds." It appears you violated this restriction by transferring \$1,200 in MCEA funds to your personal bank account. Those funds were later used for personal expenses, which is what the prohibition on commingling was intended to prevent.

Questionable Explanations Provided Previously

In the course of making requests for returned funds, the staff has received from you a few explanations which, in retrospect, are difficult to accept as true. We are not going to recommend that the Commission take action on this, but we wish to make the Commission and you aware of our views.

Missing Check from November 2006

In November 2006, you told us that you mailed a check on Wednesday, November 29 to return the \$2,866.20 in unauthorized matching funds. On December 1

after we had not received the check, Sandy Thompson e-mailed you a recommendation that you stop-payment on the check.

We did not hear back from you until early January 2007, when we recommended that the Commission refer you to the State Attorney General for collection of these funds. On January 16, 2007, you hand-delivered check #532 in the amount of \$2,866.20 – presumably the check you mailed on November 29.

A few factors suggest to us that you did not, in fact, write check #532 in November 2006 and mail it to us on November 29th:

- Your handwritten date on check #532 was “11/19/07,” suggesting that it was written in January 2007 rather than November 2006.
- On November 19, 2006, the balance in your campaign account was \$1,589.45, which would not have covered the amount of the check.
- If you had mailed the check on November 29 and it was lost in the U.S. Postal System, it seems likely that you would have followed up in December to confirm whether we received it, or to request that we deposit the check, destroy it, or return the check to you upon receipt. Instead, we never heard back from you regarding the missing check until January, when we recommended referring you to the State Attorney General.
- When you delivered the check #532 to us on January 16th and followed up by e-mail to confirm Sandy’s receipt of it, you did not offer an explanation for how you came to possess it after it was lost in the postal system.

Missing Check from February 2007

On Tuesday, February 20, 2007, you faxed us a copy of a check #534 dated February 19 in the amount of \$1,389.50. You also faxed us a copy of a metered envelope dated February 20, 2007. You sent Sandy Thompson a number of two e-mails attempting to confirm we received the check. Unfortunately, we never received a copy of the

check.¹ Because we never received it and because the balance in the account on February 18th was \$6.59, it seems unlikely that you wrote check #534 on February 18th and mailed it on February 20th.

Spending "All the Funds"

When we spoke to you in January 2007 and reminded you that we needed to receive your unspent campaign funds, you stated that you had spent all funds that you were authorized to spend. You made that statement again in an e-mailed dated January 19th in which you said: "All other authorized funds were spent on the campaign" In fact, you had not spent more than \$1,000 of your authorized funds on your campaign.

Thank you for your consideration of these preliminary findings. The Commission staff urges you to be at the May 14th meeting to respond to the findings and proposed penalties. We also believe it would help the Commission reach a fair decision of this matter if you would submit no later than May 3 a written response to the proposed factual findings and recommendations.

¹ The envelope used the unique zip code for the Maine state government (04333) and our street address of 242 State Street (rather than our internal office number of 135 State House Station). Even though the address was incorrect, we mailed a test envelope from Southern Maine and we would have received it within two days of you mailing it on February 20th.

THOMAS J. BOSSIE

(Schedule B Only)

CANDIDATE'S FULL NAME

**SCHEDULE B
EXPENDITURES**

- Itemize each expenditure made during the reporting period.
- Enter the date, payee, expenditure type, and amount for each expenditure.
- For expenditure types which require a remark, enter a description of the goods and services purchased.
- Only enter expenditures that have actually been paid. Enter unpaid debts and obligations on Schedule D.

Expenditures paid with non-campaign funds: Whenever an expenditure is made on behalf of a candidate with funds other than campaign funds, the campaign **must** reimburse that expenditure with campaign funds. Following the instructions above, enter the information for the vendor that actually provided the goods or services. In the remarks section, include the name of the person reimbursed and any other required remarks.

| Expenditure Types Requiring <u>NO</u> Remark | | Expenditure Types Which <u>REQUIRE</u> Remark | |
|--|---|---|---------------------------------------|
| PRT | Print media ads | SAL | Campaign workers' salaries |
| TVN | TV or cable ads, production costs | CNS | Campaign consultants |
| RAD | Radio ads, production costs | PRO | Other professional services |
| LIT | Campaign literature (printing and graphics) | EQP | Equipment |
| POS | Postage for U.S. Mail | FND | Fundraising events |
| MHS | Mail house (all services purchased) | TRV | Travel (fuel, mileage, lodging, etc.) |
| PHO | Phone banks, automated telephone calls | OTH | Other |
| FOD | Food for campaign events, volunteers | | |
| OFF | Office rent and utilities | | |
| WEB | Internet and e-mail | | |
| POL | Polling and survey research | | |
| RTA | Return of authorized MCEA funds | | |
| RTU | Return of unauthorized MCEA funds | | |

| DATE EXPENDITURE MADE | NAME OF EACH PAYEE | EXPENDITURE TYPE (use code from above) | REMARK (if the expenditure type requires a remark, describe all goods and services purchased) | AMOUNT |
|-----------------------|---------------------|---|--|--------|
| 7/19/2006 | FAITH BAKER | PRT | PRESS RELEASE | 40.00 |
| 7/25/2006 | POINT SEBAGO RESORT | CNS | OUTING | 448.70 |

CheckImage

Page 1 of 1

Please be patient while your image is downloading.

THOMAS J. BOSSIE DBA: HOUSE FUND
74 POINT SEBAGO RD.
CASCO, ME 04015

DATE 7/25/06 510

52-0751/21 12

PAY TO THE ORDER OF Point Sebago Perout \$ 448.70

four hundred forty eight ⁷⁰/₁₀₀ DOLLARS

MEMO [Signature]

251127445044
TD BANK NORTH
HAYDEN HILL MA 01835
602081698-15-1305-157 0322320060725

2344 26060

PAY TO THE ORDER OF
FOR CREDIT TO THE ACCOUNT OF
POINT SEBAGO ENTERPRISES INC
7999057184

Front



Close

CheckImage

Page 1 of 1

Please be patient while your image is downloading.

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PAY TO THE ORDER OF
FOR CREDIT TO THE ACCOUNT OF
POINT SEBAGO ENTERPRISES INC
7999057184

Back

Front

Thompson, Sandy

From: Dinan, Vincent W
Sent: Wednesday, November 15, 2006 9:39 AM
To: 'Tom Bossie'
Cc: Thompson, Sandy
Subject: RE: Six Day Pre-General Campaign Finance Report
Importance: High

Dear Mr. Bossie:

The expenditure as you have explained it, appears to be unallowable. Please answer the following questions:

1. What was the campaign purpose of the expenditure? Your statement regarding a "democratic float" is unclear, particularly concerning the specific benefit to the Bossie campaign.
2. Why did you have to provide food and lodging at a resort for campaign workers? This seems unreasonable, and unlikely to comply with the provisions of the Commission's rules or the MCEA.

In addition, please fax me copies of the documentation that supports this expenditure. My fax number is 287-6775.

Regards,

Vincent Dinan

Vincent W. Dinan
Auditor
Maine Commission on Governmental Ethics
and Election Practices
135 State House Station
Augusta, ME 04333-0135
Tel. (207) 287-4727
Fax (207) 287-6775

From: Tom Bossie [mailto:sebago32@yahoo.com]
Sent: Tuesday, November 14, 2006 8:56 AM
To: Dinan, Vincent W
Subject: Re: Six Day Pre-General Campaign Finance Report

Dear Mr. Dinan,

 I now see how this expense was construed. This expense covered housing for three individuals who came to Casco to assist and to build a democratic float for the Casco Days parade. The expense code should have been for food and lodging. Sorry for the inconvenience.

Tom Bossie

"Dinan, Vincent W" <Vincent.W.Dinan@maine.gov> wrote:

Dear Mr. Bossie:
I am reviewing the subject report and need more information on the following expenditure:

4/11/2007

7/25/2006 CNS \$448.70 Point Sebago Resort. The expense code indicates this is a "consulting" expense. What specific services were provided by Point Sebago, and what were their purpose(s)? Please respond by e-mail or call me to discuss at 287-4727.

Thanks,
Vincent Dinan

Vincent W. Dinan
Auditor
Maine Commission on Governmental Ethics
and Election Practices
135 State House Station
Augusta, ME 04333-0135
Tel. (207) 287-4727
Fax (207) 287-6775



galleries/Parade06/slides/IMG_9467.html



Tom Bossie - 2006 House Campaign
Personal Expenses Paid From Campaign Account
(does not include transfers to personal account)

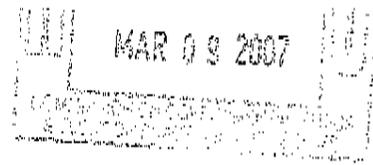
| Date | Payee | Amount |
|-------------|--------------------|-------------------------|
| 6/7/2006 | Port City Graphics | \$70.00 |
| 7/26/2006 | Tim Harriman | \$100.00 |
| 7/30/2006 | Staples | \$23.61 |
| 8/4/2006 | Exxon | \$25.00 |
| 8/4/2006 | Danielle's Sebago | \$10.00 |
| 8/6/2006 | Hill Top Shamrock | \$9.22 |
| 8/6/2006 | Wal-Mart | \$63.70 |
| 8/7/2006 | Exxon | \$21.40 |
| 8/7/2006 | Cafe Sebago | \$20.00 |
| 8/8/2006 | Danielle's Sebago | \$28.00 |
| 8/8/2006 | Hill Top Shamrock | \$18.88 |
| 8/9/2006 | Current Publishing | \$54.38 |
| 8/12/2006 | Big Apple | \$10.09 |
| 8/12/2006 | ATM Withdrawal | \$42.00 |
| 8/13/2006 | Hill Top Shamrock | \$11.08 |
| 8/14/2006 | Irving | \$20.00 |
| 8/14/2006 | Verizon Wireless | \$150.00 |
| 8/15/2006 | Tommy's Gas | \$26.62 |
| 8/16/2006 | Exxon | \$29.76 |
| 8/16/2006 | Gulf | \$20.00 |
| 9/19/2006 | Staples | \$9.73 |
| 9/19/2006 | Dollar Tree | \$15.75 |
| 9/20/2006 | Bray's Brew Pub | \$38.00 |
| 9/20/2006 | Exxon | \$16.00 |
| 9/20/2006 | Windham Paint | \$11.53 |
| 9/20/2006 | Lake Region Gulf | \$22.07 |
| 9/21/2006 | Hill Top Shamrock | \$6.57 |
| 9/21/2006 | Staples | \$54.53 |
| 9/21/2006 | Big Apple | \$10.00 |
| 9/22/2006 | Cafe Sebago | \$23.00 |
| 9/22/2006 | Lake Region Gulf | \$20.00 |
| 9/22/2006 | Big Apple | \$27.25 |
| 9/23/2006 | Exxon | \$20.00 |
| 9/25/2006 | Lake Region Gulf | \$23.93 |
| 9/26/2006 | Aubuchon Hardware | \$8.64 |
| 9/28/2006 | Bray's Brew Pub | \$25.00 |
| 10/20/2006 | Staples | \$35.69 |
| 11/3/2006 | Staples | \$24.39 |
| 11/19/2006 | Bray's Brew Pub | \$56.00 after election |
| 11/19/2006 | Lowe's | \$158.00 after election |
| 11/19/2006 | Aubuchon Hardware | \$15.73 after election |
| 11/20/2006 | Pat's Pizza | \$41.00 after election |
| 11/20/2006 | Big Apple | \$22.62 after election |
| 11/21/2006 | Tony's Foodland | \$31.66 after election |
| 11/22/2006 | Bray's Brew Pub | \$9.00 after election |
| 11/22/2006 | Chute's Cafe | \$12.00 after election |
| 11/23/2006 | Hannaford | \$24.44 after election |

| | | | |
|------------|-------------------------|----------|------------------------------|
| 11/23/2006 | Lowe's | \$28.63 | after election |
| 11/23/2006 | Exxon | \$16.00 | after election |
| 11/24/2006 | The Great Lost Bear | \$11.85 | after election |
| 11/24/2006 | Home Depot | \$75.00 | after election |
| 11/24/2006 | Wal-Mart | \$44.57 | after election |
| 11/26/2006 | Cafe Sebago | \$46.00 | after election |
| 11/26/2006 | Lowe's | \$314.43 | after election |
| 11/27/2006 | Aubuchon Hardware | \$5.76 | after election |
| 11/27/2006 | Tony's Foodland | \$40.96 | after election |
| 11/29/2006 | Exxon | \$20.00 | after election |
| 11/29/2006 | USPS | \$14.40 | after election |
| 11/29/2006 | Shaw's | \$24.63 | after election |
| 11/30/2006 | Gulf | \$4.18 | after election |
| 11/30/2006 | Exxon | \$2.76 | after election |
| 12/1/2006 | Exxon | \$19.38 | after election |
| 12/1/2006 | Cafe Sebago | \$11.00 | after election |
| 12/2/2006 | Exxon | \$15.01 | after election |
| 12/2/2006 | Home Depot | \$20.78 | after election |
| 12/2/2006 | Aubuchon Hardware | \$12.05 | after election |
| 12/2/2006 | Tony's Foodland | \$16.45 | after election |
| 12/3/2006 | Exxon | \$10.01 | after election |
| 12/4/2006 | Danielle's Sebago | \$11.00 | after election |
| 12/4/2006 | Danielle's Sebago | \$11.00 | after election |
| 12/4/2006 | Lowe's | \$5.05 | after election |
| 12/4/2006 | Bray's Brew Pub | \$10.00 | after election |
| 12/4/2006 | Bray's Brew Pub | \$57.00 | after election |
| 12/5/2006 | Gulf | \$15.00 | after election |
| 12/6/2006 | Cafe Sebago | \$18.00 | after election |
| 12/6/2006 | Bray's Brew Pub | \$40.00 | after election |
| 12/6/2006 | Aubuchon Hardware | \$4.18 | after election |
| 12/6/2006 | Tony's Foodland | \$29.26 | after election |
| 12/6/2006 | Hill Top Shamrock | \$19.30 | after election |
| 12/7/2006 | Burlington Coat Factory | \$48.28 | after election |
| 12/7/2006 | Bray's Brew Pub | \$5.00 | after election |
| 12/7/2006 | Anania's | \$5.36 | after election |
| 12/7/2006 | ATM Withdrawal | \$60.00 | after election |
| 12/9/2006 | Exxon | \$20.00 | after election |
| 12/11/2006 | Top of the Hill Grill | \$20.00 | after election |
| 12/13/2006 | Tommy's Gas | \$7.45 | after final reporting period |
| 12/14/2006 | Pat's Pizza | \$22.00 | after final reporting period |
| 12/14/2006 | Hill Top Shamrock | \$13.77 | after final reporting period |
| 12/15/2006 | Danielle's Sebago | \$17.00 | after final reporting period |
| 1/20/2007 | Exxon | \$10.00 | after final reporting period |
| 1/21/2007 | Hannaford | \$35.55 | after final reporting period |
| 1/23/2007 | Cafe Sebago | \$38.00 | after final reporting period |
| 1/24/2007 | Tommy's Gas | \$12.74 | after final reporting period |
| 1/25/2007 | Exxon | \$40.00 | after final reporting period |
| 1/28/2007 | Top of the Hill Grill | \$22.00 | after final reporting period |

Total \$2,867.06

95 expenditures total

Amount spent after 11/7/06 election = \$1,721.24



Point of Sale Campaign Invoices

| | | |
|----------|------------|-------|
| 10/03/06 | Lowes | 18.31 |
| 09/30/06 | Staples | 10.62 |
| 09/14/06 | Staples | 43.31 |
| 08/18/06 | Staples | 33.09 |
| 09/14/06 | Staples | 40.95 |
| 08/11/06 | Staples | 33.32 |
| 09/18/06 | Staples | 32.49 |
| 09/18/06 | Staples | 8.91 |
| 11/01/06 | Staples | 41.99 |
| 09/02/06 | Aubuchon | 3.45 |
| 07/16/06 | Aubuchon | 2.10 |
| 09/27/06 | Aubuchon | 15.74 |
| 09/22/06 | Home Depot | 12.72 |
| 09/28/06 | Home Depot | 12.55 |
| 09/14/06 | Home Depot | 37.65 |
| 09/14/06 | Home Depot | 37.65 |

Total 384.85
La ke Region Weekly — + 160.00
544.85

This list were all "point of sale" purchascs not paid for with checks.

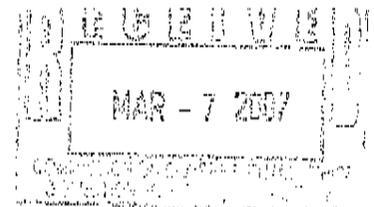
The amount of "authorized to spend" funds should be reduced from

\$1390.00 Previously paid 2/23/06

— 544.85) Less Invoices above
 \$ 845.15) Equals New "Authorized to Spend"

This would complete all the invoices campaign related

544.85



Tom Bossie advertising 2006

| Date run | Size | Cost | Payment date & amount | |
|----------|--------------|---------------|-----------------------|-----------------|
| | | | 07/11/06 | \$288.00 |
| 07/20/06 | 8" ad (pol) | 48.00 | | |
| 07/27/06 | 8" ad (bus) | 48.00 | | |
| 08/03/06 | 8" ad (pol) | 48.00 | | |
| 08/10/06 | 8" ad (bus) | 48.00 | | |
| 08/17/06 | 8" ad (pol) | 48.00 | | |
| | | | 08/18/06 | \$192.00 |
| 08/24/06 | 20" ad (pol) | 120.00 | | |
| 08/24/06 | 8" ad (bus) | 48.00 | | |
| 09/07/06 | 8" ad (bus) | 48.00 | | |
| 09/07/06 | 20" ad (pol) | 120.00 | | |
| 09/21/06 | 20" ad (pol) | 120.00 | 09/15/06 | \$120.00 |
| 10/26/06 | 48" ad (pol) | 288.00 | 10/20/06 | \$288.00 |
| 11/02/06 | 48" ad (pol) | <u>288.00</u> | 10/27/06 | <u>\$288.00</u> |
| 212 | | 1272.00 | | \$1176.00 |

The Bridgton News

P.O. Box 244
Bridgton, Maine 04009

Established 1870

Phone (207) 647-2851

Amount _____

Please Tear Off and Return With Remittance

Tom Bossie
Maine State Representative
District 101

7/27 8" Display Ad
to run 6 weeks

6 x \$48 = \$288

\$288

Paid
Ch # 505

Terms: Net 10 days, no cash discount
THE BRIDGTON NEWS

INSERTION ORDER

Date: 7/20 Issue # 29

Size: 2x4 Purchase Order # _____

Code: 4T29X20W0 No. of Tearsheets: _____

Customer Name: Tom Bossie / ME State Rep

Advertising Agency: _____

Billing Address: _____

Special Instructions: _____

FAX PROOF -- Attn: _____

Fax #: _____

EMAIL PROOF -- Email address: _____

tbossie@chimg.com

Sales Rep: _____

Typesetter: _____

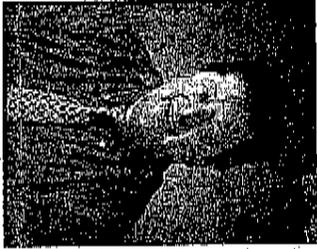
Proofreader: _____

Proof Sent: 4-18-07

Reserved for [unclear]

News of Naples and area

POLITICAL ADVERTISEMENT



ELECT TOM BOSSIE

MAINE STATE REPRESENTATIVE
District 101
Casco, Naples & part of Poland

1. Creating jobs by investing in People, innovation and Maine Small Business.
2. A Stronger, more competitive Maine, sound fiscal management, and smart energy policies.
3. Access to quality healthcare for every Mainer.
4. Protect Maine Consumers, Workers and Families.
5. Opportunities through Education.
6. Protect our unique Natural Resources.
7. Pick up the pieces. Insist that the resurfacing of Route 11 and the Causeway Bridge replacement gets back on schedule.

Tom Bossie
74 Point Sebago Rd. Casco, ME 04015 (207) 653-3741
info@tombossie.com • www.tombossie.com

Clean Election Candidate

Paid for by the Committee to Elect Tom Bossie, Jan Bossie, 74 Point Sebago Rd., Casco, ME 04015

4728X EDWD

POLITICAL ADVERTISEMENT

INSERTION ORDER

Date: 8/3 Issue # 30 *to give back*

Size: 2x4 Purchase Order # _____

Code: 4T30EOWE No. of Tearsheets: _____

Customer Name: Tom Bossie

Advertising Agency: Cornerstone Home Loans

Billing Address: 1711 Congress St Suite 2
Portland ME 04102

Special Instructions: _____

FAX PROOF - Attn: _____ Sales Rep: [Signature]

Fax #: _____ Typesetter: [Signature]

EMAIL PROOF - Email address: tbossie@chlmtg.com Proofreader: _____

Proof Sent: 7-18-06 [Signature]

Proof

Tom's
PIC

Tom
Bossie

- * Purchases / Refi's ✓
- * Personal Home Financing ✓
- * All Programs ✓
- * Construction Financing ✓
- * 1st Time Homebuyer ✓
- * All credit profiles ✓

Tom Bossie

 Cornerstone Home Loans, LLC

Handwritten notes on back of brochure

4T30 EOWE

July 27, 2006, The Bridgton News, Page 15A



CORNERSTONE HOME LOANS, LLC



Tom Bossie
Mortgage Loan Officer

- ★ Purchases/Refs'
- ★ Seasonal Home Financing
- ★ All Programs
- ★ Construction Financing
- ★ First Time Home Buyers
- ★ All Credit Profiles

Cornerstone Home Loans, LLC

1711 Congress Street, Suite 2, Portland, Maine 04102

207-774-0999 Phone 866-424-5684 Toll Free

207-774-0899 Fax

Online: www.chlmtg.com Email: tbossie@chlmtg.com

4130X ECOM



The Bridgton News

118 Main Street • P.O. Box 244

Bridgton, Maine 04009

Established 1870

Phone (207) 647-2851

Fax (207) 647-5001

Tom Bossie

Amount _____

Please Tear Off and Return With Remittance

20" AD 9-21-06

*Fadel CK
516*

120 00

THE BRIDGTON NEWS

| | | | |
|-------------------|-----------|--------|---|
| 20" AD | 8/24/06 | 120 | - |
| 20" AD | 9/7/06 | 120 | - |
| less credit, 8" | | 48 | - |
| Bridgton News | | Total | |
| lt# 514 | FD ck 514 | 192.00 | |
| THE BRIDGTON NEWS | | | |

Tom Bossie
2006 House Campaign
Transfers from Campaign Account to Personal Account

| Date | Amount | Notes |
|-------------|---------------|---|
| 8/8/06 | \$500.00 | When the transfer was made, the balance in Mr. Bossie's personal account was \$9.72. |
| 9/13/06 | \$250.00 | On 9/13/06, a monthly car payment of \$232.79 was deducted from the personal account. |
| 9/20/06 | \$250.00 | The balance in the personal account before the transfer was -\$4.19. On 9/20/06, there was a \$178.15 withdrawal from the personal account with a memo of "note balance." |
| 11/16/06 | \$200.00 | |

Total \$1,200.00

TOM BOSSIE
Account Summaries of Transfers - April 2, 2007

| Date of Transfer of MCE Funds to Personal Acct. | Personal Account Balance Before Transfer | Amount of NCEA funds Transferred | Personal Acct. Balance After Transfer | Withdrawals Checks/Debits Amounts | Date (s) | Acct. Balance after Withdrawals/ Checks/Debits | Comments |
|---|--|----------------------------------|---------------------------------------|-----------------------------------|-------------------------|--|---|
| 8-Aug-06 | \$9.72 | \$500.00 | \$509.72 | \$286.55 | 8/8/2006 - 8/10/2006 | \$223.17 | (1) Check: \$130.00 (payable to Windham Rental) (2) Debits: \$134.60 (Travelocity.com, U.S. Airways) (1) ATM Withdrawal: \$21.95 |
| | | | | \$1,350.00 | 8/10/06 | -\$1,126.83 | (1) Check (#3046): \$1,350.00 (may have been payable to "Cash" since a later counter check (# 3052) for same amount dated 8/21/2006 was made payable to "Cash." "NSF" due to account balance of \$223.17; second time check returned; |
| | | | | (+\$1,126.83) | 8/10/06 | \$223.17 | (1) Check # 3046 rejected. |
| | | | | \$190.00 | 8/10/2006 - 8/11/2006 | \$53.17 | (1) Bank charge: \$20 (1) Check: \$170.00 (payable to AAA Financial Services - loan) |
| 13-Sep-06 | \$294.81 | \$250.00 | \$544.81 | \$549.00 | 9/13/2006 - 9/18/2006 | -\$4.19 | (1) Withdrawal transfer: \$232.79 (loan payment) (1) Debits totaling: \$250.21 (restaurants, gas stations/convenience stores, Home Depot, Hammakord) (3) ATM withdrawals totaling: \$66.00 |
| 20-Sep-06 | -\$4.19 | \$250.00 | \$245.81 | \$222.15 | 9/20/2006 - 9/22/2006 | \$23.66 | (1) Withdrawal transfer: \$178.15 (loan payment) (2) ATM Withdrawals totaling: \$44.00 |
| 16-Nov-06 | \$406.91 | \$200.00 | \$606.91 | \$181.75 | 11/16/2006 - 11/17/2006 | -\$112.87 | (1) ATM Withdrawal: \$181.75 (2) Debits totaling: \$237.69 (Time Warner, restaurant) (1) Electronic check: \$300.34 |
| | | | | (+\$300.34) | 11/17/06 | \$187.47 | (1) Electronic check for \$300.34 rejected (second time). |
| | | | | \$57.29 | 11/17/2006 - 11/29/2006 | \$80.16 | (2) Bank Charges: \$40.00 (2) Debits: \$17.29 (e-mail/Internet & gas station/convenience store) |

Contacts with Thomas Bossie Requesting Return of Public Funds

| Date | Mode | Comments/Results |
|-----------|---------------------------------|--|
| 11/8/06 | Letter | Staff mailed letter to all MCEA candidates requesting return of funds. |
| 11/28/06 | Telephone | Candidate Registrar Sandy Thompson called Bossie's work phone and left message with colleague and fellow candidate Geoffrey Heckman. Sandy called Bossie's home phone and spoke to him. He said that he thought his treasurer (his son) already sent the check; will check with his treasurer. If it wasn't sent out, it will be mailed this week. |
| 12/1/06 | Telephone and e-mail (attached) | Sandy left message and sent e-mail that we did not receive the check this week. |
| 12/10/06 | Telephone | Sandy left message that we did not receive the check yet. |
| 12/11/06 | Letter | Sandy sent certified letter requesting funds. |
| 12/20/06 | Telephone | Sandy left messages at his home # and work # (spoke with Geoffrey Heckman, who he works with, that Bossie's report late and that unauthorized funds not received and asked him to give Bossie this message). |
| 12/20/06 | Telephone | Sandy also called Democratic staffer Paul Brunetti and left a message asking for his assistance in getting Bossie to return unauthorized amount and filing report. |
| 12/20/06 | Telephone | Bossie returned Sandy's call. He said he would get his report filed and that the check for the unauthorized amount was mailed out certified registered mail on Monday 12/18/2006. Sandy told him that we have not received it yet. He said we should get it. |
| 1/2/07 | Letter | Jonathan Wayne sent letter by certified and regular mail requesting return of funds and informing him that this matter would be scheduled for the January 19th meeting. Jonathan left voicemail messages at his home and work phones. |
| 1/9/07 | Telephone | Sandy left voicemail message on his work phone (774-0999) informing him that he is scheduled for the Jan 19th meeting. |
| 1/9/07 | Telephone | Sandy spoke to Democratic staffer Paul Brunetti who said that he saw Bossie last week and asked him about repayment. Bossie said that "everything was taken care of." |
| 1/17/2007 | e-mail | Sandy sent Bossie an e-mail confirming that the unauthorized funds were received and that the unspent funds need to be returned. |
| 1/19/2007 | e-mail | Bossie e-mailed Sandy informing her that all authorized funds were spent. This was a surprise since there were no reported expenditures in his report filed on 12/20/2006. He was told to amend his report. |
| 2/9/2007 | Telephone | Bossie called Sandy requesting an appointment for 2/12, Monday, to explain his situation. He said that he would amend his report over the weekend. He did not amend his report until 2/16/07 |

| | | |
|-----------|---------------------------------|--|
| 2/16/2007 | Telephone and e-mail | Bossie called requesting help in filing his amended report. He filed his amended report and Sandy confirmed. |
| 2/20/07 | Telephone and Fax | Bossie faxed a copy of the unspent funds check and envelope to Sandy and called her to confirm that the fax was received. |
| 2/21/2007 | e-mail | Bossie asked if unspent check mailed on 2/20/2007 was received yet. |
| 2/22/2007 | e-mail | Bossie asked if unspent check mailed on 2/20/2007 was received yet. Sandy notified him that penalty check was received (postage <u>cancellation</u> on 2/21/07) but that unspent check (postage <u>metered</u> on 2/20/07) was not received. |
| 2/23/2007 | Telephone, e-mail and in person | Since unspent check was not received, Bossie hand delivered the unspent funds using 2 money orders. |

Originally Filed

For Commission
use only

data entry _____

proofread _____

follow-up _____

STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES

Mail: 135 State House Station, Augusta, Maine 04333-0135
Office: 242 State Street, Augusta, Maine
Tel: (207) 287-4179 Fax: (207) 287-6775
Website: www.maine.gov/ethics
Electronic Filing: www.maine.gov/campaignfinance.com

**2006 CAMPAIGN FINANCE REPORT
MAINE CLEAN ELECTION ACT CANDIDATES
FOR THE LEGISLATURE**

(Please Complete ALL Entries)

Name of CANDIDATE THOMAS J. BOSSIE

Mailing address 74 POINT SEBAGO RD.

City, Zip Code Casco ME 04015

Telephone number (207)653-3741 Fax _____ E-mail sebago32@yahoo.com

Office Sought REPRESENTATIVE District Number 101

CHECK IF CHANGED
SINCE PREVIOUS
REPORT

Name of TREASURER IAN T. BOSSIE

Mailing address 74 POINT SEBAGO RD.

City, Zip Code CASCO ME 04015

Telephone number (207)653-2277 Fax _____ E-mail sebago32@yahoo.com

CHECK IF CHANGED
SINCE PREVIOUS
REPORT

| | | |
|-----------------------|-----------------|-------------------------------|
| <u>Type of Report</u> | <u>Due Date</u> | <u>Dates of Report Period</u> |
| 42-DAY POST-GENERAL | 12/19/2006 | 10/27/2006 - 12/12/2006 |

- Amendment to: _____
- Other (specify): _____
- Check if campaign had no activity for the reporting period (no other pages are required)

I CERTIFY THAT I HAVE EXAMINED THIS REPORT AND TO THE BEST OF MY KNOWLEDGE IT IS TRUE, CORRECT AND COMPLETE.

| | | | |
|--------------------------|-------------------|--------------------------|-------------------|
| <u>SIGNATURE ON FILE</u> | <u>12/21/2006</u> | <u>SIGNATURE ON FILE</u> | <u>12/21/2006</u> |
| Treasurer's Signature | Date | Candidate's Signature | Date |

THOMAS J. BOSSIE

(Schedule B Only)

CANDIDATE'S FULL NAME

**SCHEDULE B
EXPENDITURES**

- Itemize each expenditure made during the reporting period.
- Enter the date, payee, expenditure type, and amount for each expenditure.
- For expenditure types which require a remark, enter a description of the goods and services purchased.
- Only enter expenditures that have actually been paid. Enter unpaid debts and obligations on Schedule D.

Expenditures paid with non-campaign funds: Whenever an expenditure is made on behalf of a candidate with funds other than campaign funds, the campaign must reimburse that expenditure with campaign funds. Following the instructions above, enter the information for the vendor that actually provided the goods or services. In the remarks section, include the name of the person reimbursed and any other required remarks.

| Expenditure Types Requiring <u>NO</u> Remark | | Expenditure Types Which <u>REQUIRE</u> Remark | |
|--|---|---|---------------------------------------|
| PRT | Print media ads | SAL | Campaign workers' salaries |
| TVN | TV or cable ads, production costs | CNS | Campaign consultants |
| RAD | Radio ads, production costs | PRO | Other professional services |
| LIT | Campaign literature (printing and graphics) | EQP | Equipment |
| POS | Postage for U.S. Mail | FND | Fundraising events |
| MHS | Mail house (all services purchased) | TRV | Travel (fuel, mileage, lodging, etc.) |
| PHO | Phone banks, automated telephone calls | OTH | Other |
| FOD | Food for campaign events, volunteers | | |
| OFF | Office rent and utilities | | |
| WEB | Internet and e-mail | | |
| POL | Polling and survey research | | |
| RTA | Return of authorized MCEA funds | | |
| RTU | Return of unauthorized MCEA funds | | |

| DATE EXPENDITURE MADE | NAME OF EACH PAYEE | EXPENDITURE TYPE (use code from above) | REMARK (if the expenditure type requires a remark, describe all goods and services purchased) | AMOUNT |
|-----------------------|--------------------|--|---|--------|
| | | | | |

Total expenditures (this page only) ⇒

(combined totals from all Schedule B pages must be listed on Schedule F, line 5)

| |
|--------------------|
| Total Expenditures |
|--------------------|

Amended

For Commission use only

data entry _____

proofread _____

follow-up _____

STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES

Mail: 135 State House Station, Augusta, Maine 04333-0135
 Office: 242 State Street, Augusta, Maine
 Tel: (207) 287-4179 Fax: (207) 287-6775
 Website: www.maine.gov/ethics
 Electronic Filing: www.maine.campaignfinance.com

2006 CAMPAIGN FINANCE REPORT
MAINE CLEAN ELECTION ACT CANDIDATES
FOR THE LEGISLATURE

(Please Complete ALL Entries)

Name of CANDIDATE THOMAS J. BOSSIE

Mailing address 74 POINT SEBAGO RD.

City, Zip Code Casco ME 04015

Telephone number (207)653-3741 Fax _____ E-mail scbago32@yahoo.com

Office Sought REPRESENTATIVE District Number 101

CHECK IF CHANGED
SINCE PREVIOUS
REPORT

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Mailing address 74 POINT SEBAGO RD.

City, Zip Code CASCO ME 04015

Telephone number (207)653-2277 Fax _____ E-mail scbago32@yahoo.com

CHECK IF CHANGED
SINCE PREVIOUS
REPORT

Type of Report 42-DAY POST-GENERAL Due Date 12/19/2006 Dates of Report Period 10/27/2006 - 12/12/2006

- Amendment to: _____
- Other (specify): _____
- Check if campaign had no activity for the reporting period (no other pages are required)

I CERTIFY THAT I HAVE EXAMINED THIS REPORT AND TO THE BEST OF MY KNOWLEDGE IT IS TRUE, CORRECT AND COMPLETE.

| | | | |
|-------------------------|-----------|-------------------------|-----------|
| SIGNATURE ON FILE _____ | 2/16/2007 | SIGNATURE ON FILE _____ | 2/16/2007 |
| Treasurer's Signature | Date | Candidate's Signature | Date |

THOMAS J. BOSSIE

(Schedule B Only)

CANDIDATE'S FULL NAME

**SCHEDULE B
EXPENDITURES**

- Itemize each expenditure made during the reporting period.
- Enter the date, payee, expenditure type, and amount for each expenditure.
- For expenditure types which require a remark, enter a description of the goods and services purchased.
- Only enter expenditures that have actually been paid. Enter unpaid debts and obligations on Schedule D.

Expenditures paid with non-campaign funds: Whenever an expenditure is made on behalf of a candidate with funds other than campaign funds, the campaign must reimburse that expenditure with campaign funds. Following the instructions above, enter the information for the vendor that actually provided the goods or services. In the remarks section, include the name of the person reimbursed.

| Expenditure Types Requiring <u>NO</u> Remark | | Expenditure Types Which <u>REQUIRE</u> Remark | |
|--|---|---|---------------------------------------|
| PRT | Print media ads | \$AL | Campaign workers' salaries |
| TVN | TV or cable ads, production costs | CNS | Campaign consultants |
| RAD | Radio ads, production costs | PRO | Other professional services |
| LIT | Campaign literature (printing and graphics) | EQP | Equipment |
| POS | Postage for U.S. Mail | FND | Fundraising events |
| MHS | Mail house (all services purchased) | TRV | Travel (fuel, mileage, lodging, etc.) |
| PHO | Phone banks, automated telephone calls | OTH | Other |
| FOD | Food for campaign events, volunteers | | |
| OFF | Office rent and utilities | | |
| WEB | Internet and e-mail | | |
| POL | Polling and survey research | | |
| RTA | Return of authorized MCEA funds | | |
| RTU | Return of unauthorized MCEA funds | | |

| DATE EXPENDITURE MADE | NAME OF EACH PAYEE | EXPENDITURE TYPE (use code from above) | REMARK (if the expenditure type requires a remark, describe all goods and services purchased) | AMOUNT |
|-----------------------|--------------------|---|--|--------|
| 10/27/2006 | THE COPY CENTER | PRT | POSTCARDS, THE MAINE DEMOCRATIC COMMITTEE. CHECK #524 | 750.00 |
| 10/27/2006 | BRIDGTON NEWS | PRT | 4R INCH AD, THE COMMITTEE TO ELECT TOM BOSSIE. HOUSE FUND | 288.00 |

| | | | | |
|---|-----------------------|-----|--|-----------------|
| 10/30/2006 | MONICA WENDALL | LIT | FROM GRAPHETERIA, POST CARD DESIGN, 2 HOURS. | 50.00 |
| 10/30/2006 | FAITH BAKER | PRT | WRITER, PRESS RELEASE. | 75.00 |
| 11/1/2006 | PICKERING ADVERTISING | PRT | 5 X 7 POSTCARD, 3300 COUNT | 1,200.00 |
| 11/2/2006 | PICKERING ADVERTISING | POS | POSTAGE FOR POST CARDS | 227.50 |
| 11/6/2006 | FAITH BAKER | PRT | WRITING, PRESS RELEASE | 100.00 |
| Total expenditures(this page only) ⇒ <i>(combined totals from all Schedule B pages must be listed on Schedule F,line 5)</i> | | | | 2,690.50 |

Thompson, Sandy*(Unauthorized Funds)*

From: Thompson, Sandy
Sent: Friday, December 01, 2006 4:56 PM
To: 'sebago32@yahoo.com'
Cc: Brown, Nathaniel T
Subject: Please mail check for \$2,866.20 -Return of Unauthorized Matching Funds
Importance: High

Dear Tom Bossie – I left a message for you on your work and home voice mails too. We did not receive a check this week. If you did send it out on Wed, please let Nat Brown know by calling him at 287-7652 or by e-mailing him on Monday (I will be out until Thursday). We will probably receive you check on Monday (no later than Monday) and everything will be okay. If we don't get it, you may have to stop payment and issue new check. Hopefully we will get it on Monday. Thanks.

Sandy Thompson
Candidate Registrar
Maine Commission on Governmental Ethics
and Election Practices
Website: www.maine.gov/ethics

1/2/2007

61-ETH

RECEIVED
JAN 16 2007
COMMISSION ON GOVERNMENTAL ETHICS
& ELECTION PRACTICES-AUGUSTA, ME

I entered

gross return
600 \$

← Remedy

THOMAS J. BOSSIE DBA: HOUSE FUND
74 POINT SEBAGO RD.
CASCO, ME 04015

DATE 1/19/07 532

PAY TO THE ORDER OF ME ETHICS COMMISSION \$ 2866.32

Twenty eight hundred sixty six and 32/100 DOLLARS

MEMO AG Bowen

MEMO # 2112876124 007016097660 0532

25 Riverside Street
Bangor
Portland, Maine 04106
www.bangorcreditunion.org

THOMAS J. BOSSIE DBA: HOUSE FUND
74 POINT SEBAGO RD.
CASCO, ME 04015

DATE 1/19/07 533

PAY TO THE ORDER OF ME Ethics Commission \$ 449.70

four hundred forty eight and 70/100 DOLLARS

MEMO Ballboard Expense

MEMO # 2112876124 007016097660 0533

225 Riverside Street
Bangor
Portland, Maine 04106
www.bangorcreditunion.org

THOMAS J. BOSSIE
74 POINT SEBAGO RD.
CASCO, ME 04015

DATE 1/19/07 3126

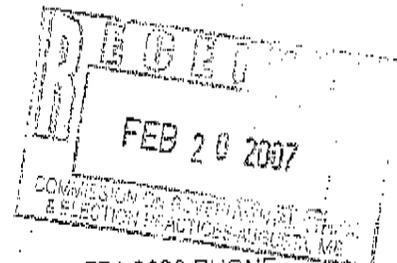
PAY TO THE ORDER OF MCZ A \$ 38.52

Thirty eight dollars and 52/100 DOLLARS

MEMO Interest

MEMO # 2112876124 007016097660 3126

225 Riverside Street
Bangor
Portland, Maine 04106
www.bangorcreditunion.org



207-774-0999 PHONE
207-774-0899 FAX

FAX COVER SHEET

TO: Sandy Thompson FROM: Tony

COMPANY: _____ DATE: _____

FAX NUMBER: _____ TOTAL NO. OF PAGES (INCLUDING COVER): _____

PHONE NUMBER: _____ EXT.: _____

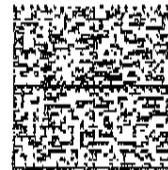
RE: _____

URGENT/PLEASE RUSH FOR REVIEW PLEASE REPLY CONFIDENTIAL

NOTES/COMMENTS:
your copy

Sebaago Rd

204015



| |
|-------------------|
| 015H14113587 |
| HASLER |
| \$0.39 |
| 02/20/07 |
| Mailed From 04102 |

US POSTAGE

*Sandy Thompson
 c/o Maine Ethics Commission
 242 State St.
 Augusta, Me
 04333*

| | | |
|--|---------------------|---------|
| THOMAS J. BOSSIE DBA: HOUSE FUND 74 POINT SEBAGO RD. CASCO, ME 04015 | DATE <u>2/12/07</u> | 534 |
| PAY TO THE ORDER OF <u>Me Ethics Commission</u> | \$ <u>1389.50</u> | |
| <u>Thirteen hundred eighty nine</u> | <u>.50</u> | DOLLARS |
| MEMO <u>Balance Due</u> | <u>TJ Bossie</u> | |
| 1:2112876121: 007016097860# 0534 | | |

RECEIVED
 FEB 20 2007

287-6775

Thompson, Sandy

From: Tom Bossie [tbossie@chlmtg.com]
Sent: Thursday, February 22, 2007 5:50 PM
To: Thompson, Sandy
Subject: RE: Unspent Funds Check

Thank you

-----Original Message-----

From: Thompson, Sandy [mailto:Sandy.Thompson@maine.gov]
Sent: Thursday, February 22, 2007 5:19 PM
To: Tom Bossie
Cc: Lavin, Paul; Wayne, Jonathan
Subject: RE: Unspent Funds Check

Tom - I will give you a call and/or e-mail you tomorrow a.m. and let you know if we have received it. If it's not in the morning mail delivery, I will plan on seeing you sometime before 2 p.m. so that we have the check on Friday.

From: Tom Bossie [mailto:tbossie@chlmtg.com]
Sent: Thursday, February 22, 2007 4:53 PM
To: Thompson, Sandy
Subject: RE: Tom Bossie

Dear Sandy,
Yes, it was mailed to 242 State Street. You'll see, I'm telling the truth. I mailed it in Freeport on Tuesday. If it is not in your office by noon on Friday, then I will hand deliver it by 2:00.
Thanks
Tom

-----Original Message-----

From: Thompson, Sandy [mailto:Sandy.Thompson@maine.gov]
Sent: Thursday, February 22, 2007 2:52 PM
To: Tom Bossie
Subject: RE: Tom Bossie

Dear Tom - I was waiting for the afternoon mail delivery before I e-mailed you. We received the penalty payment check in the morning mail (postage cancellation on 2/21/07). However, we did not receive the return of unspent funds check that was postage metered on 2/20/07. Did the unspent check get mailed on 2/20?

From: Tom Bossie [mailto:tbossie@chlmtg.com]
Sent: Thursday, February 22, 2007 1:22 PM
To: Thompson, Sandy
Subject: RE: Tom Bossie

Did you check the check yet?
Tom

-----Original Message-----

From: Thompson, Sandy [mailto:Sandy.Thompson@maine.gov]
Sent: Wednesday, February 21, 2007 4:22 PM

To: Tom Bossie
Subject: RE: Tom Bossie

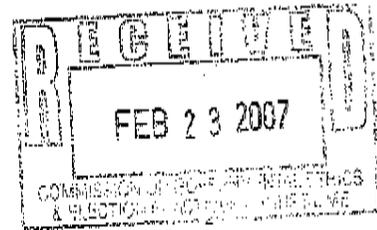
Dear Tom – We didn't receive anything today. I will let you know if we receive anything tomorrow.

From: Tom Bossie [mailto:tbossie@chlmtg.com]
Sent: Wednesday, February 21, 2007 3:05 PM
To: Thompson, Sandy
Subject: Tom Bossie

Dear Sandy,

Have you received any lettered mail from me today?

Tom



THE BACK OF THIS DOCUMENT CONTAINS AN OFFICIAL WATER MARK - HOLD AT AN ANGLE TO VIEW

WESTERN UNION MONEY ORDER **INTEGRATED PAYMENT SYSTEMS INC. - ISSUER**
Greenwood Village, Colorado

show's STAR MARKET (ISSUING AGENT)

AGENT 173545 DATE 022307 TIME 1049 02
085990135211 LOCATION 000482

08-599013521 **490.00** 82-40/1021

PAY EXACTLY ** PAY EXACTLY FOUR HUNDRED NINETY DOLLARS AND NO CENTS ****
PAY TO THE ORDER OF ME ETHICS COMMISSION PAYMENT FOR/ACCT. #

Bossie \$490.00 DRAWER'S ADDRESS [Signature] PURCHASER, SIGNER FOR DRAWER
PURCHASER BY SIGNING YOU AGREE TO THE TERMS ON THE REVERSE SIDE

Western Union Money Order and Design is a service mark of Western Union Holdings, Inc./Payable at Wells Fargo Bank Grand Junction - Downtown, N.A., Grand Junction, Colorado

⑆102100400⑆ 40085990135211⑆

THE BACK OF THIS DOCUMENT CONTAINS AN OFFICIAL WATER MARK - HOLD AT AN ANGLE TO VIEW

WESTERN UNION MONEY ORDER **INTEGRATED PAYMENT SYSTEMS INC. - ISSUER**
Greenwood Village, Colorado

show's STAR MARKET (ISSUING AGENT)

AGENT 173545 DATE 022307 TIME 1049 02
085990135202 LOCATION 000482

08-599013520 **900.00** 82-40/1021

PAY EXACTLY ** PAY EXACTLY NINE HUNDRED DOLLARS AND NO CENTS ****
PAY TO THE ORDER OF ME ETHICS COMMISSION PAYMENT FOR/ACCT. #

Bossie \$900.00 DRAWER'S ADDRESS [Signature] PURCHASER, SIGNER FOR DRAWER
PURCHASER BY SIGNING YOU AGREE TO THE TERMS ON THE REVERSE SIDE

Western Union Money Order and Design is a service mark of Western Union Holdings, Inc./Payable at Wells Fargo Bank Grand Junction - Downtown, N.A., Grand Junction, Colorado

⑆102100400⑆ 40085990135202⑆

11/05/07
2/23/07 - Said that he used M.O. because "didn't have anything with me" (when I emailed him this am)... and wanted to get this paid" ST.
Compare
the two to Merit Check...

Thompson, Sandy

From: Tom Bossie [tbossie@chlmtg.com]
Sent: Friday, January 19, 2007 10:10 AM
To: Thompson, Sandy
Subject: RE: Tom Bossie

Thank you. I shall open that storage bin over the weekend and make sense of it all. And, as always will be in touch with you on Monday. Sorry for the hassle.
Tom

-----Original Message-----

From: Thompson, Sandy [mailto:Sandy.Thompson@maine.gov]
Sent: Friday, January 19, 2007 9:00 AM
To: Tom Bossie
Cc: Wayne, Jonathan
Subject: RE: Tom Bossie

Dear Tom – Because you didn't return your unauthorized matching funds until 3 days ago, you may have not fully understood my phone messages.

You may not have entered all of your expenses because your last report is showing a balance of \$4,080.12. When I left you messages in mid-December concerning the need for you to return the unauthorized funds, I included the need for you to return the unspent amount. I was hoping that you would look at your report and get back to me. Please amend your report by entering the missing expenditures. Based on your message below, line 6 and 8 of the 42-Day Post-General report, should be zero.

A letter is going out today to all candidates who have not returned unspent amounts (amounts on line 6 or 8). You should receive the letter Monday. The deadline for return unspent funds is Friday, January 26, 2007.

As always if you have any questions, please call 287-7651.

From: Tom Bossie [mailto:tbossie@chlmtg.com]
Sent: Friday, January 19, 2007 8:36 AM
To: Thompson, Sandy
Subject: RE: Tom Bossie

Well obviously there is a problem with the accounting. The unauthorized matching funds are in your possession. All other authorized funds were spent on the campaign and this is the first I hear of it. I am shocked. I will review my 42 post election report as something is very wrong. I will plan to call you today. If this is owed, it will be paid. However, all authorized funds were spent on advertising.
Tom

-----Original Message-----

From: Thompson, Sandy [mailto:Sandy.Thompson@maine.gov]
Sent: Wednesday, January 17, 2007 8:58 AM
To: Tom Bossie
Cc: Wayne, Jonathan
Subject: RE: Tom Bossie
Importance: High

Dear Tom – Sorry I missed you yesterday. The three checks you dropped off yesterday

(1/16/2007) were: (1) \$2,866.32 for the unauthorized matching funds; (2) \$448.70 for the unallowable expense on your 6-Day Pre-General report and; (3) \$38.52 for the penalty due to the late filing of your 42-Day Post-General report. Still outstanding is the unspent amount of \$4,080.12, which is found on line 8 of the attached pdf copy of your 42-Day Post-General report.

Please contact me today or tomorrow as to when you plan to return this unspent amount to the Commission. It is important that you contact me since your case is on the agenda for the Commission meeting on Friday (1/19) and the Commission members will be asking questions concerning this. In my recent messages I left you, I stated that both the unauthorized amount and unspent amount needed to be return. Again, please contact me on this. I can be reached at 287-7651. Thank you.

From: Tom Bossie [mailto:tbossie@chimg.com]
Sent: Tuesday, January 16, 2007 6:27 PM
To: Thompson, Sandy
Subject: Tom Bossie

Sandy,

Did you recieve the checks?
Thanks.

Tom

Title 21-A, §1125, Terms of participation

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§1125. Terms of participation

1. Declaration of intent. A participating candidate must file a declaration of intent to seek certification as a Maine Clean Election Act candidate and to comply with the requirements of this chapter. The declaration of intent must be filed with the commission prior to or during the qualifying period, except as provided in subsection 11, according to forms and procedures developed by the commission. A participating candidate must submit a declaration of intent within 5 business days of collecting qualifying contributions under this chapter, or the qualifying contributions collected before the declaration of intent has been filed will not be counted toward the eligibility requirement in subsection 3.

[2005, c. 301, §29 (amd).]

2. Restrictions on contributions for participating candidates. Subsequent to becoming a candidate as defined by section 1, subsection 5 and prior to certification, a participating candidate may not accept contributions, except for seed money contributions. A participating candidate must limit the candidate's seed money contributions to the following amounts:

A. Fifty thousand dollars for a gubernatorial candidate; [IB 1995, c. 1, §17 (new).]

B. One thousand five hundred dollars for a candidate for the State Senate; or [IB 1995, c. 1, §17 (new).]

C. Five hundred dollars for a candidate for the State House of Representatives. [IB 1995, c. 1, §17 (new).]

The commission may, by rule, revise these amounts to ensure the effective implementation of this chapter.

[IB 1995, c. 1, §17 (new).]

3. Qualifying contributions. Participating candidates must obtain qualifying contributions during the qualifying period as follows:

A. For a gubernatorial candidate, at least 2,500 verified registered voters of this State must support the candidacy by providing a qualifying contribution to that candidate; [IB 1995, c. 1, §17 (new).]

B. For a candidate for the State Senate, at least 150 verified registered voters from the candidate's electoral division must support the candidacy by providing a qualifying contribution to that candidate; or [IB 1995, c. 1, §17 (new).]

C. For a candidate for the State House of Representatives, at least 50 verified registered voters from the candidate's electoral division must support the candidacy by providing a qualifying contribution to that candidate. [IB 1995, c. 1, §17 (new).]

A payment, gift or anything of value may not be given in exchange for a qualifying contribution. A candidate may pay the fee for a money order in the amount of \$5, which is a qualifying contribution, as long as the donor making the qualifying contribution pays the \$5 amount reflected on the money order. Any money order fees paid by a participating candidate must be paid for with seed money and reported in accordance with commission rules.

[2001, c. 465, §4 (amd).]

4. Filing with commission. A participating candidate must submit qualifying contributions to the commission during the qualifying period according to procedures developed by the commission, except as provided under subsection 11.

[IB 1995, c. 1, §17 (new).]

Title 21-A, §1125, Terms of participation

5. Certification of Maine Clean Election Act candidates. Upon receipt of a final submittal of qualifying contributions by a participating candidate, the commission shall determine whether or not the candidate has:

- A. Signed and filed a declaration of intent to participate in this Act; [IB 1995, c. 1, §17 (new).]
- B. Submitted the appropriate number of valid qualifying contributions; [IB 1995, c. 1, §17 (new).]
- C. Qualified as a candidate by petition or other means; [IB 1995, c. 1, §17 (new).]
- D. Not accepted contributions, except for seed money contributions, and otherwise complied with seed money restrictions; [2003, c. 270, §1 (amd).]
- D-1. Not run for the same office as a nonparticipating candidate in a primary election in the same election year; and [2003, c. 270, §2 (new).]
- E. Otherwise met the requirements for participation in this Act. [IB 1995, c. 1, §17 (new).]

The commission shall certify a candidate complying with the requirements of this section as a Maine Clean Election Act candidate as soon as possible and no later than 3 business days after final submittal of qualifying contributions.

Upon certification, a candidate must transfer to the fund any unspent seed money contributions. A certified candidate must comply with all requirements of this Act after certification and throughout the primary and general election periods. Failure to do so is a violation of this chapter.

[2005, c. 301, §30 (amd).]

6. Restrictions on contributions and expenditures for certified candidates. After certification, a candidate must limit the candidate's campaign expenditures and obligations, including outstanding obligations, to the revenues distributed to the candidate from the fund and may not accept any contributions unless specifically authorized by the commission. Candidates may also accept and spend interest earned on bank accounts. All revenues distributed to a certified candidate from the fund must be used for campaign-related purposes. The candidate, the treasurer, the candidate's committee authorized pursuant to section 1013-A, subsection 1 or any agent of the candidate and committee may not use these revenues for any but campaign-related purposes. The commission shall publish guidelines outlining permissible campaign-related expenditures.

[2005, c. 542, §3 (amd).]

7. Timing of fund distribution. The commission shall distribute to certified candidates revenues from the fund in amounts determined under subsection 8 in the following manner.

- A. Within 3 days after certification, for candidates certified prior to March 15th of the election year, revenues from the fund must be distributed as if the candidates are in an uncontested primary election. [2001, c. 465, §4 (amd).]
- B. Within 3 days after certification, for all candidates certified between March 15th and April 15th of the election year, revenues from the fund must be distributed according to whether the candidate is in a contested or uncontested primary election. [2001, c. 465, §4 (amd).]
- B-1. For candidates in contested primary elections receiving a distribution under paragraph A, additional revenues from the fund must be distributed within 3 days of March 15th of the election year. [2001, c. 465, §4 (new).]
- C. Within 3 days after the primary election results are certified, for general election certified candidates, revenues from the fund must be distributed according to whether the candidate is in a contested or uncontested general election. [2001, c. 465, §4 (amd).]

Funds may be distributed to certified candidates under this section by any mechanism that is expeditious, ensures accountability and safeguards the integrity of the fund.

[2001, c. 465, §4 (amd).]

7-A. Deposit into account. The candidate or committee authorized pursuant to section 1013-A, subsection 1 shall deposit all revenues from the fund in a campaign account with a bank or other financial institution. The campaign funds must be segregated from, and may not be commingled with, any other funds.

[2005, c. 542, §4 (new).]

Title 21-A, §1125, Terms of participation

8. Amount of fund distribution. By July 1, 1999 of the effective date of this Act, and at least every 4 years after that date, the commission shall determine the amount of funds to be distributed to participating candidates based on the type of election and office as follows.

A. For contested legislative primary elections, the amount of revenues to be distributed is the average amount of campaign expenditures made by each candidate during all contested primary election races for the immediately preceding 2 primary elections, as reported in the initial filing period subsequent to the primary election, for the respective offices of State Senate and State House of Representatives. [2003, c. 453, §1 (amd).]

B. For uncontested legislative primary elections, the amount of revenues distributed is the average amount of campaign expenditures made by each candidate during all uncontested primary election races for the immediately preceding 2 primary elections, as reported in the initial filing period subsequent to the primary election, for the respective offices of State Senate and State House of Representatives. [2003, c. 453, §1 (amd).]

C. For contested legislative general elections, the amount of revenues distributed is the average amount of campaign expenditures made by each candidate during all contested general election races for the immediately preceding 2 general elections, as reported in the initial filing period subsequent to the general election, for the respective offices of State Senate and State House of Representatives. [2003, c. 688, Pt. A, §21 (amd).]

D. For uncontested legislative general elections, the amount of revenues to be distributed from the fund is 40% of the amount distributed to a participating candidate in a contested general election. [2003, c. 453, §1 (amd).]

E. For gubernatorial primary elections, the amount of revenues distributed is \$200,000 per candidate in the primary election. [2003, c. 453, §1 (new).]

F. For gubernatorial general elections, the amount of revenues distributed is \$400,000 per candidate in the general election. [2003, c. 453, §1 (new).]

If the immediately preceding election cycles do not contain sufficient electoral data, the commission shall use information from the most recent applicable elections.

[2003, c. 688, Pt. A, §21 (amd).]

9. Matching funds. When any campaign, finance or election report shows that the sum of a candidate's expenditures or obligations, or funds raised or borrowed, whichever is greater, alone or in conjunction with independent expenditures reported under section 1019-B, exceeds the distribution amount under subsection 8, the commission shall issue immediately to any opposing Maine Clean Election Act candidate an additional amount equivalent to the reported excess. Matching funds are limited to 2 times the amount originally distributed under subsection 8, paragraph A, C, E or F, whichever is applicable.

[2003, c. 688, Pt. A, §22 (rpx).]

10. Candidate not enrolled in a party. An unenrolled candidate certified by April 15th preceding the primary election is eligible for revenues from the fund in the same amounts and at the same time as an uncontested primary election candidate and a general election candidate as specified in subsections 7 and 8. For an unenrolled candidate not certified by April 15th at 5:00 p.m. the deadline for filing qualifying contributions is 5:00 p.m. on June 2nd preceding the general election. An unenrolled candidate certified after April 15th at 5:00 p.m. is eligible for revenues from the fund in the same amounts as a general election candidate, as specified in subsections 7 and 8.

[2001, c. 465, §6 (amd).]

11. Other procedures. The commission shall establish by rule procedures for qualification, certification, disbursement of fund revenues and return of unspent fund revenues for races involving special elections, recounts, vacancies, withdrawals or replacement candidates.

[1B 1995, c. 1, §17 (new).]

12. Reporting; unspent revenue. Notwithstanding any other provision of law, participating and certified candidates shall report any money collected, all campaign expenditures, obligations and related activities to the commission according to procedures developed by the commission. Upon the filing of a final report for any primary election in which the candidate was defeated and for all general elections that candidate shall return all unspent fund revenues to the commission. In developing these procedures, the commission shall utilize existing campaign reporting procedures whenever practicable. The commission shall ensure timely public access to campaign finance data and may utilize electronic means of reporting and storing information.

[1B 1995, c. 1, §17 (new).]

Title 21-A, §1125, Terms of participation

12-A. Required records. The treasurer shall obtain and keep:

A. Bank or other account statements for the campaign account covering the duration of the campaign; [2005, c. 542, §5 (new).]

B. A vendor invoice stating the particular goods or services purchased for every expenditure of \$50 or more; and [2005, c. 542, §5 (new).]

C. A record proving that a vendor received payment for every expenditure of \$50 or more in the form of a cancelled check, receipt from the vendor or bank or credit card statement identifying the vendor as the payee. [2005, c. 542, §5 (new).]

The treasurer shall preserve the records for 2 years following the candidate's final campaign finance report for the election cycle. The candidate and treasurer shall submit photocopies of the records to the commission upon its request. [2005, c. 542, §5 (new).]

13. Distributions not to exceed amount in fund. The commission may not distribute revenues to certified candidates in excess of the total amount of money deposited in the fund as set forth in section 1124. Notwithstanding any other provisions of this chapter, if the commission determines that the revenues in the fund are insufficient to meet distributions under subsections 8 or 9, the commission may permit certified candidates to accept and spend contributions, reduced by any seed money contributions, aggregating no more than \$500 per donor per election for gubernatorial candidates and \$250 per donor per election for State Senate and State House candidates, up to the applicable amounts set forth in subsections 8 and 9 according to rules adopted by the commission. [IB 1995, c. 1, §17 (new).]

14. Appeals. A candidate who has been denied certification as a Maine Clean Election Act candidate, the opponent of a candidate who has been granted certification as a Maine Clean Election Act candidate or other interested persons may challenge a certification decision by the commission as follows.

A. A challenger may appeal to the full commission within 7 days of the certification decision. The appeal must be in writing and must set forth the reasons for the appeal. [2005, c. 301, §32 (amd).]

B. Within 5 days after an appeal is properly made and after notice is given to the challenger and any opponent, the commission shall hold a hearing. The appellant has the burden of providing evidence to demonstrate that the commission decision was improper. The commission must rule on the appeal within 3 days after the completion of the hearing. [IB 1995, c. 1, §17 (new).]

C. A challenger may appeal the decision of the commission in paragraph B by commencing an action in Superior Court according to the procedure set forth in section 356, subsection 2, paragraphs D and E. [IB 1995, c. 1, §17 (new).]

D. A candidate whose certification by the commission as a Maine Clean Election Act candidate is revoked on appeal must return to the commission any unspent revenues distributed from the fund. If the commission or court find that an appeal was made frivolously or to cause delay or hardship, the commission or court may require the moving party to pay costs of the commission, court and opposing parties, if any. [IB 1995, c. 1, §17 (new).]

[2005, c. 301, §32 (amd).]

IB 1995, Ch. 1, §17 (NEW).

PL 2001, Ch. 465, §4-6 (AMD).

PL 2003, Ch. 270, §1,2 (AMD).

PL 2003, Ch. 448, §5 (AMD).

PL 2003, Ch. 453, §1,2 (AMD).

PL 2003, Ch. 688, §A21,22 (AMD).

PL 2005, Ch. 301, §29-32 (AMD).

PL 2005, Ch. 542, §3-5 (AMD).

Title 21-A, §1127, Violations

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§1127. Violations

A **1. Civil fine.** In addition to any other penalties that may be applicable, a person who violates any provision of this chapter or rules of the commission adopted pursuant to section 1126 is subject to a fine not to exceed \$10,000 per violation payable to the fund. The commission may assess a fine of up to \$10,000 for a violation of the reporting requirements of sections 1017 and 1019-B if it determines that the failure to file a timely and accurate report resulted in the late payment of matching funds. This fine is recoverable in a civil action. In addition to any fine, for good cause shown, a candidate, treasurer, consultant or other agent of the candidate or the committee authorized by the candidate pursuant to section 1013-A, subsection 1 found in violation of this chapter or rules of the commission may be required to return to the fund all amounts distributed to the candidate from the fund or any funds not used for campaign-related purposes. If the commission makes a determination that a violation of this chapter or rules of the commission has occurred, the commission shall assess a fine or transmit the finding to the Attorney General for prosecution. Fines paid under this section must be deposited in the fund. In determining whether or not a candidate is in violation of the expenditure limits of this chapter, the commission may consider as a mitigating factor any circumstances out of the candidate's control.

[2005, c. 542, §6 (amd).]

2. Class E crime. A person who willfully or knowingly violates this chapter or rules of the commission or who willfully or knowingly makes a false statement in any report required by this chapter commits a Class E crime and, if certified as a Maine Clean Election Act candidate, must return to the fund all amounts distributed to the candidate.

[IB 1995, c. 1, §17 (new).]

IB 1995, Ch. 1, §17 (NEW).

PL 2003, Ch. 81, §1 (AMD).

PL 2005, Ch. 301, §33 (AMD).

PL 2005, Ch. 542, §6 (AMD).

5. not spend more than the following amounts of Fund revenues on post-election parties, thank you notes, or advertising to thank supporters or voters:

- A. \$250 for a candidate for the State House of Representatives;
- B. \$750 for a candidate for the State Senate; and
- C. \$2,500 by a gubernatorial candidate.

The candidate may also use his or her personal funds for these purposes; and

6. not use revenues distributed from the Fund for the payment of fines, forfeitures, or civil penalties, or for the defense of any enforcement action of the Commission.

SECTION 7. RECORD KEEPING AND REPORTING

1. Record Keeping by Participating and Certified Candidates. Participating and certified candidates must comply with applicable record keeping requirements set forth in Title 21-A, chapter 13, subchapter II [§1016].
 - A. Fiduciary Responsibility for Funds. All funds provided to a certified candidate or to a candidate's authorized political committee must be segregated from, and may not be commingled with, any other funds. Matching fund advance revenues for which no spending authorization has been issued must be deposited in a federally insured financial institution until the candidate receives authorization to spend those funds.
 - B. Meal Expenses. A candidate or treasurer must obtain and keep a record for each meal expenditure of more than \$50. The record must include itemized bills for the meals, the names of all participants in the meals, the relationship of each participant to the campaign, and the specific, campaign-related purpose of each meal.
 - C. Vehicle Travel Expenses. A candidate or treasurer must obtain and keep a record of vehicle travel expenses for which reimbursements are made from campaign funds. Reimbursement may be based using either the standard mileage rate or actual expenses. The candidate must use one method exclusively during an election campaign.
 - (1) Standard Mileage Rate. The standard mileage rate is a set rate per mile that a candidate may use to compute reimbursable vehicle travel expenses. Reimbursement should be calculated using the standard mileage rate currently prescribed for employees of the State of Maine. For each trip for which reimbursement is made, a record should be maintained showing the dates of travel, the number of miles traveled, the origination, destination and purpose of the travel, and the total amount claimed for reimbursement.

- (2) **Actual Expenses.** Actual expenses include the pro rata, campaign-related share of vehicle depreciation or lease payments, maintenance and repairs, gasoline (including gasoline taxes), oil, insurance, and vehicle registration fees, etc. For reimbursement using this method, the candidate must maintain detailed records reflecting use of the vehicle for campaign-related purposes. The records must include the dates the vehicle was used for campaign-related purposes, the total mileage the vehicle was used for campaign-related purposes, the total mileage the vehicle was used for all purposes during the period for which reimbursement is made, and the percentage of total vehicle usage that the vehicle was used for campaign-related purposes.

2. **Reporting by Participating and Certified Candidates.**

- A. **General.** Participating and certified candidates must comply with applicable reporting requirements set forth in Title 21-A, chapter 13, subchapter II [§ 1017].
- B. **Return of Matching Fund Advances and Unspent Fund Revenues.** Matching Fund advance revenues that have not been authorized for spending and unspent Fund revenues shall be returned to the Fund as follows:
 - (1) **Unauthorized Matching Funds.** Candidates must return all Matching Fund advance revenues for which no spending authorization was issued prior to an election to the Commission by check or money order payable to the Fund within 2 weeks following the date of the election.
 - (2) **Unspent Fund Revenues for Unsuccessful Primary Election Candidates.** Upon the filing of the 42-day post-primary election report for a primary election in which a certified candidate was defeated, that candidate must return all unspent Fund revenues to the Commission by check or money order payable to the Fund.
 - (3) **Unspent Fund Revenues for All General and Special Election Candidates.** Upon the filing of the 42-day post-election report for a general or special election, all candidates must return all unspent Fund revenues to the Commission by check or money order payable to the Fund.
- C. **Liquidation of Property and Equipment.** Property and equipment that is not exclusive to use in a campaign (e.g., computers and associated equipment, etc.) that has been purchased with Maine Clean Election Act funds loses its campaign-related purpose following the election. Such property and equipment must be liquidated at its fair market value and the proceeds thereof reimbursed to the Maine Clean Election Fund as unspent fund revenues in accordance with the schedule in paragraph B above.
 - (1) The liquidation of campaign property and equipment may be done by sale to another person or purchase by the candidate.
 - (2) Liquidation must be at the fair market value of the property or equipment at the time of disposition. Fair market value is determined by what is fair,

economic, just, equitable, and reasonable under normal market conditions based upon the value of items of similar description, age, and condition as determined by acceptable evidence of value.

SECTION 8. RECOUNTS, VACANCIES, WRITE-IN CANDIDATES, SPECIAL ELECTIONS

1. Recounts. After a primary election, if there is a recount governed by Title 21- A, chapter 9, subchapter III, article III [§ 737-A], and either the leading candidate or the 2nd-place candidate is a certified candidate, the following provisions will apply:
 - A. If the margin between the leading candidate and the 2nd-place candidate is less than 1% of the total number of votes cast in that race and a recount is presumed necessary, the certified candidate immediately must halt the expenditure of revenues disbursed to the candidate from the Fund upon receiving notice of the recount until the recount is complete.
 - B. If the recount results in a changed winner, the certified candidate who originally received the disbursement must return any unspent distributions from the Fund to the Commission, payable to the Fund. If the new winner is a certified candidate, the Commission will distribute the applicable disbursement amount to the candidate.
 - C. If the margin between the leading candidate and 2nd-place candidate is 1% or greater of the total number of votes cast in that race and the 2nd-place candidate requests a recount, the leading candidate, if a certified candidate, is not required to freeze expenditures of the disbursement.
 - D. If the recount results in a changed winner, the certified candidate must return any unspent distributions from the Fund to the Commission, payable to the Fund. If the new winner is a certified candidate, the Commission will distribute the applicable disbursement amount to the candidate.
2. Death, Withdrawal, or Disqualification of a Candidate During Campaign.
 - A. Death, Withdrawal, or Disqualification Before Primary Election. If a candidate dies, withdraws, or is disqualified before the primary election, the Commission will establish a qualifying period during which any replacement candidate may become a participating candidate, collect qualifying contributions, and apply to become a certified candidate.
 - B. Death, Withdrawal, or Disqualification After the Primary Election and before 5:00 p.m. on the 2nd Monday in July Preceding the General Election. If a candidate dies, withdraws, or is disqualified before 5:00 p.m. on the 2nd Monday in July preceding the general election, any replacement candidate will have a qualifying period from the time of the candidate's nomination until 30 days after the 4th Monday in July as a participating candidate to collect qualifying contributions and request certification.
 - C. Death, Withdrawal, or Disqualification after 5:00 p.m. on the 2nd Monday in July Preceding the General Election. If a candidate dies, withdraws, or is

**STATE OF MAINE
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**EXPENDITURE GUIDELINES FOR 2006
MAINE CLEAN ELECTION ACT CANDIDATES**

Candidates must spend all Maine Clean Election Act (MCEA) funds for campaign-related purposes and not for other purposes such as the candidate's personal benefit, party-building, or to promote another candidate's campaign.

■ Expenditures for "campaign-related purposes" are those which are traditionally accepted as necessary to promote the election of a candidate to political office. Candidates using MCEA funds must also take into account the public nature of the funds, the underlying objectives of the MCEA, and the reasonableness of the expenditures under the circumstances. In Maine, traditional campaign expenses have included:

- Printing and mailing costs;
- Political advertising expenses;
- Campaign communications such as signs, bumper stickers, T-shirts, or caps with campaign slogans, etc.;
- Office supplies;
- Campaign events (e.g., food, rent of tent or hall, etc.);
- Campaign staff expenses; and
- Campaign travel expenses, such as fuel and tolls.

■ MCEA funds may not be spent on personal expenses. Those expenses are for goods and services that the candidate would otherwise purchase independently of the campaign, such as:

- Day-to-day household food items and supplies;
- Vehicle and transportation expenses unrelated to the campaign;
- Mortgage, rent, or utility payments for the candidate's personal residence, even if part of the residence is being used by the campaign; and
- Clothing, including attire for political functions such as business suits or shoes.

■ Maine Clean Election Act funds may not be spent to:

- make independent expenditures supporting or opposing any candidate, ballot measure, or political committee;
- assist in any way the campaign of any candidate other than the candidate for whom the funds were originally designated;
- contribute to another candidate, a political committee, or a party committee, other than in exchange for goods and services;
- pay a consultant, vendor, or campaign staff, other than in exchange for campaign goods or services;
- compensate the candidate for services provided by the candidate;
- pay an entry fee for an event organized by a party committee, charity, or community organization or to place an ad in an event publication, unless the expenditure benefits the candidate's campaign;
- make a donation to a charity or a community organization, other than in exchange for campaign goods or services;
- promote political or social positions or causes other than the candidate's campaign;

- pay civil penalties, fines, or forfeitures to the Commission, or defend the candidate in enforcement proceedings brought by the Commission; or
- assist the candidate in a recount of an election.

■ Guidelines on Selected Issues

- *Electronics and Other Personal Property.* Goods purchased with MCEA funds that could be converted to personal use after the campaign (e.g., computers, fax machines, and cellular telephones) must be reported on Schedule E of the candidate reporting form. No later than 42 days after the general election, the goods must be sold at fair market value and the proceeds returned to the Maine Clean Election Fund. Candidates are welcome to lease electronic and other equipment.
- *Food.* Candidates may spend a reasonable amount of MCEA funds on food for campaign events or to feed volunteers while they are working. Legislative candidates should not use MCEA funds to purchase food that is consumed only by the candidate and/or the candidate's spouse. Gubernatorial candidates may use MCEA funds to purchase meals for the candidate and/or candidate's spouse if associated with travel for campaign purposes.
- *Vehicle Travel.* Candidates may elect to have the campaign reimburse themselves for vehicle travel at the reimbursement rate that is applicable to state government employees or for amounts actually paid for fuel and repairs (pro-rated to reflect only campaign-related usage). Candidates should keep a record for each trip that includes: date of travel, number of miles traveled, origination, destination, and purpose of travel.
- *Lodging.* Candidates may use MCEA funds to pay for lodging if necessary for campaign purposes, but must keep lodging expenses reasonable.
- *Post-Election Notes and Parties.* Candidates may spend up to the following maximum amounts of MCEA funds on post-election parties, thank you notes, or advertising to thank supporters or voters: \$250 for State Representative candidates, \$500 for State Senate candidates, \$2,500 for gubernatorial candidates. Candidates may also use personal funds for these purposes.
- *Campaign Training.* Candidates may use Maine Clean Election Act funds for tuition or registration costs to receive training on campaigning or policy issues.
- *Salary and Compensation.* Candidates may use MCEA funds to pay for campaign-related services by staff or consultants, provided that compensation is made at or below fair market value and sufficient records are maintained to show what services were received. The Commission recommends keeping a record that shows how many hours of services were provided by the staff member or consultant each month, and a description of services provided that month.

■ Enforcement

- The Commission reviews all expenditures disclosed by MCEA candidates in campaign finance reports, and frequently requests additional information from candidates to verify that public funds were spent for campaign-related purposes. Candidates who misuse public funds may be required to repay some or all public funds received, may be liable for civil penalties, and may be referred to the State Attorney General for possible criminal prosecution.