



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

Agenda

Meeting of August 13, 2007

9:00 a.m., Commission Offices, 242 State Street, Augusta, Maine

1. Ratification of Minutes of the July 16 Meeting

2. Request for Waiver of Late-Filing Penalty/House Republican Fund PAC

The House Republican Fund PAC requests a waiver of a late-filing penalty of \$51.05 because of an error contained in a reminder e-mail sent by Commission staff. The e-mail stated that the deadline fell on a Tuesday, when it was in fact a Monday. *Staff recommendation: the staff recommends granting a waiver of the penalty because of the error.*

3. Audit Findings/Hon. Philip A. Cressey

Representative Philip A. Cressey ran for re-election as a Maine Clean Election Act candidate in 2006. In the audit of his campaign, he was unable to produce documentation of a reported expenditure of \$517.63 to Staples for printing and cardstock. In addition, he purchased a flash drive for \$62.50. The Commission rules may have required him to sell the flash drive and return the proceeds to the Maine Clean Election Fund. At the May 14, 2007 meeting, the Commission postponed its consideration of the audit to provide Rep. Cressey with more time to explain the \$517.63 payment to Staples. He has provided an e-mail explanation of the expenditure.

4. Audit Finding/Hon. Glenn Cummings

Rep. Glenn Cummings was a 2006 candidate for re-election to the House of Representatives. The audit of his campaign disclosed that a reimbursement to himself of \$335 for postage was in fact a reimbursement for three smaller expenditures for postage and other goods. One vendor who received a payment of \$130 did not provide the agreed-upon services and did not cash the payment check. *Staff recommendation: the staff recommends that the Commission find the campaign in violation for not reporting the three expenditures with separate payees and amounts. Because of the minor nature of the violation, the staff recommends no penalty.*

5. Audit Findings/Hon. Chandler E. Woodcock

Former State Senator Chandler E. Woodcock was the 2006 Republican nominee for Governor, who received \$1,303,727 in Maine Clean Election Act funds. Overall, the campaign was very compliant, but the audit disclosed two minor findings. First, the campaign did not report the expenditure of about \$300 in private campaign funds used to purchase money order transaction fees. Second, the audit acknowledges that the

campaign staff made significant efforts to sell computer and other electronic equipment after the election, but questions whether the campaign obtained fair market value for the goods. Compared to the size of the campaign, the amount of the goods in question is relatively small. *Staff recommendation: the staff recommends that the Commission find the campaign in violation and assess a \$100 penalty for not accurately reporting money order transaction fees and consider whether the campaign complied with the Commission rule about selling equipment at fair market value.*

6. Audit Findings/David Feeney

David Feeney was a candidate for the Maine House of Representatives in the 2006 elections. Beginning in June and July 2006, he deposited his Maine Clean Election Act (MCEA) payments into a bank account with personal funds. He did not make his first campaign expenditure until September 15, 2006. He used MCEA funds for short term personal expenditures, although the candidate fully reimbursed the state of Maine for all funds not used for campaign purposes. There is no evidence that he intended to keep MCEA funds. *Staff recommendation: the staff recommends that the Commission find the candidate in violation for commingling MCEA and personal funds and for using MCEA funds for personal expenses. The staff also recommends the assessment of \$850 in penalties.*

7. Request for Waiver of Late-Filing Penalty/Lobbyist Sebastian Belle

Sebastian Belle is a lobbyist for the Maine Aquaculture Association. On June 17, 2007, he filed a monthly lobbyist report two days late. Mr. Belle requests a waiver of the preliminary penalty of \$100 because of his good record of filing reports on time. *Staff recommendation: because the Commission members decided in 2004 to discontinue reducing penalties by 50% for first-time late filers, the staff recommends no waiver of the penalty.*

8. Consideration of Legislation re: Payments of Maine Clean Election Act Funds to Family Members

At its July 16 meeting, the Commission members postponed discussion of introducing legislation concerning candidates' paying Maine Clean Election Act funds to relatives. The Commission may wish to introduce an agency bill for the 2008 session.

9. Request for Appropriation for Maine Clean Election Fund

The staff recommends that the Commission request two transfers from the General Fund to the Maine Clean Election Fund in 2010 to finance the Maine Clean Election Act program in the 2010 elections.

10. Presentation of Audit Reports

The Commission's auditor will present two "no exception" audit reports concerning candidates Hon. Richard G. Woodbury and Beth P. Turner whose audits disclosed no findings of non-compliance.

11. Selection of Date for September Meeting

Other Business

EXECUTIVE SESSION

If necessary.

ADJOURNMENT