



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

Agenda

Meeting of December 7, 2007

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

1. Ratification of Minutes of the October 30, 2007 Meeting

2. Public Hearing on Rulemaking

At the October 30, 2007 meeting, the Commission approved receiving comments on proposed amendments to the Commission rules. The Commission will hold a public hearing to consider oral comments. No written comments have been received to date. The deadline for written comments is December 17.

3. Maine Clean Election Act Violation/Clyde E. Dyar

Clyde E. Dyar was a Maine Clean Election Act (MCEA) candidate in the 2007 special election for District #83. His total campaign spending exceeded his MCEA funding by \$409.71. *Staff recommendation: the staff recommends finding Mr. Dyar in violation of 21-A M.R.S.A. § 1125(6) for spending money other than his MCEA funds to promote his campaign, and assessing a \$50 penalty.*

4. Audit of 2006 Candidate Paul Hatch

Paul Hatch was a Maine Clean Election Act candidate for the Maine Senate in the 2006 elections. He was randomly selected for an audit. The Commission's auditor will present the final audit report to the Commission, which includes proposed findings of violation and penalties.

5. Audit of 2006 Candidate Pamela Hatch

Pamela Hatch was a Maine Clean Election Act candidate for the Maine House of Representatives in the 2006 elections. She was randomly selected for an audit. The Commission's auditor will present the final audit report to the Commission, which includes proposed findings of violation and penalties.

6. Request for Waiver of Late-Filing Penalty/Gary C. Wood

Gary C. Wood is registered as a lobbyist for the City of Portland. He was one day late filing a monthly lobbyist report due October 15, 2007. The amount of the statutory penalty is \$100. He has requested a waiver of the penalty. *Staff recommendation: the staff recommends assessing the \$100 penalty.*

7. Request for Waiver of Late-Filing Penalty/Benjamin T. Collings

Benjamin T. Collings is registered as a lobbyist for the Penobscot Nation. He was 24 minutes late filing a monthly lobbyist report due October 15, 2007. The amount of the

statutory penalty is \$100. He has requested a waiver of the penalty. The Commission has interpreted the lobbyist reporting deadline to be 5:00 p.m., and the past policy of the Commission staff has been not to grant a grace period. *Staff recommendation: the staff recommends assessing the \$100 penalty.*

8. Presentation of Audit Reports for Robert F. Bauer and Sen. Earle L. McCormick

The Commission's auditor will present audit reports for two 2006 legislative candidates, Robert Bauer and Sen. Earle McCormick. Both audits recommend minor findings of violation and assessing no monetary penalties.

9. Guidance on Reporting under 21-A M.R.S.A. § 1056-B

The staff seeks the Commission's approval on further advice to organizations that raise or spend more than \$1,500 to influence a ballot question but do not qualify as political action committees. On November 14, 2007, the staff distributed a notice of opportunity to comment on the proposed guidance. One set of comments was received.

10. Proposed Annual Disclosure Statement for Commission Members

At the October 30, 2007 meeting, the Commission directed the staff to develop a proposed policy for the Commission's consideration under which members would file an annual statement disclosing the member's affiliations or political activities which might be deemed a conflict of interest. On November 15, the staff distributed a notice of opportunity to comment on the draft policy and disclosure statement. One set of comments was submitted.

11. Presentation of Audit Summary Report

The Commission's auditor has prepared a summary report of the 2006 program of auditing Maine Clean Election Act candidates.

12. Report to Oversight Committee on Legislative Ethics

Resolve, Chapter 81 of the Public Laws of 2007 directed the Commission's executive director to submit a report to the Joint Standing Committee on Legal and Veterans Affairs on legislative ethics complaints. The Commission director seeks the Commission's approval on a draft report and proposed legislation.

13. Scheduling Meetings

The Commission will discuss whether to schedule meetings for January through April.

Other Business

EXECUTIVE SESSION

If necessary.

ADJOURNMENT