

Agenda

Item #3



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

To: Commissioners
From: Jonathan Wayne, Executive Director
Date: June 14, 2010
Re: Request by Julius Erdo to Investigate Piscataquis Democratic County Committee
and Sharon Libby Jones

On April 15, 2010, the Ethics Commission received a letter from Julius Erdo requesting an investigation of the Piscataquis County Democratic Committee (PCDC) and the 2006 campaign spending by candidate Sharon Libby Jones. Mr. Erdo sent a follow-up letter dated June 4, 2010 which mostly repeats his April 15 allegations. The PCDC and Ms. Libby Jones have submitted responses.

Mr. Erdo has had a long-running dispute with individuals leading the PCDC. In their responses, the PCDC and Sharon Libby Jones state that they have been pursued and harassed by Mr. Erdo since he was removed as chair of the PCDC about four years ago. They view Mr. Erdo's request for a Commission investigation as a misuse of public resources.

The Commission staff does not wish to take sides in the dispute, but does note a personal tone in Mr. Erdo's request that is unusual and regrettable. Some of the reporting omissions relate to 2004 and 2006, and are, thus, rather old. To the best of my knowledge, he has never filed a written complaint before this year. Nevertheless, because Mr. Erdo has raised specific compliance concerns, we have analyzed them in this memo.

Allegations against the PCDC

Reporting Requirements for Party Committees

Some activists within the Democratic, Green, and Republican parties have established committees at the municipal or county level to promote local candidates (*e.g.*, the Bangor Republican Committee, or the Knox County Democratic Committee). Unless exempt from reporting (see next paragraph), these "local party committees" have been required to file two to four campaign finance reports per year. The purpose of the campaign finance reporting for local committees is to publicly disclose how money is being raised and spent to influence municipal, county, and legislative elections. The reporting obligations for state and local party committees are contained within a single section of statute, 21-A M.R.S.A. § 1017-A (attached).

If a local party committee raises and spends less than \$1,500 in a calendar year, the committee is exempt from filing campaign finance reports for that year. (21-A M.R.S.A. § 1017-A(7)) Some local party committees, therefore, do not file campaign finance reports every year. For example, a committee might be required to file reports for one busy election year, and then be exempt from filing reports for the following three years.

In the experience of the Commissions staff, the treasurers for county and municipal party committees are almost always volunteers. There is frequent turnover in these positions. There is a wide variation in the treasurers' understanding of the reporting requirements. The Commission staff is firm that campaign finance reports must be filed on time. We have, however, tended to be lenient concerning amending reports when a treasurer has omitted a transaction or didn't understand the reporting requirements.

Party committees only have to itemize contributions from sources who have given more than \$200 in a calendar year. (21-A M.R.S.A. § 1017-A(1)) The committees may report contributions of \$200 or less in a lump sum.

Local party committees are not required to use the Commission's electronic filing system which is web-based. They may file reports using the Commission's paper forms. If they file "on paper," the Commission staff enters the contribution and expenditure data into the Commission's website.

One feature of the Commission's public disclosure website is that it does not carry-forward a party committee's cash balance from year to year in the summary schedule of financial activity (Schedule F). So, it is possible for someone such as Mr. Erdo to critically examine the financial reporting by a party committee, and to wonder why the committee's expenditures (cash out) exceed the committee's contributions (cash in). One possible explanation is that the committee has been spending a reserve of cash that it has leftover from a previous year and that is not reflected in the Commission's public disclosure website.¹

In the staff's experience, local party committees do not typically receive or spend money specifically to promote federal candidates. (Local party committees are more often focused on municipal, county, and legislative races.) In rare instances in which a local party committee has raised or spent money to promote a federal candidate, the committee's financial disclosure would be governed by federal reporting requirements. Maine state law (21-A. M.R.S.A. § 1017-A) is silent as to whether local party committees must report any money received to promote federal candidates.

¹ The current Commission staff inherited an electronic filing system that was designed by previous employees in 2000. We have been enhancing the system in the last few years, but some quirks remain. Mr. Erdo's complaint underscores that this is an area that needs improvement.

Mr. Erdo's Allegations

2004 and 2006 Contributions to Committee

Mr. Erdo states that he provided the following funds to the PCDC, which are not accounted for in the PCDC's campaign finance reports:

- On October 6, 2004, he provided a check in the amount of \$250 to the PCDC for the John Kerry presidential campaign.
- On March 28, 2006, he made a \$500 contribution to the PCDC.
- On May 8, 2006, he made a \$500 loan to the PCDC "with cash on hand."
- On May 30, 2006, he made a \$500 loan to the PCDC.

Difference between reported contributions and expenditures for 2006-2009

Mr. Erdo added together the sum of contributions reported by the PCDC for the period of 2006-2009 and compared them to the sum of its expenditures. Because the expenditures exceeded the contributions, Mr. Erdo accuses the PCDC of errors in their reporting.

Response by PCDC

Treasurer Patsy Fortier and Assistant Treasurer Sylvia Johnson were responsible for the PCDC's campaign finance reports for the four-year period of 2006-2009. In response to Mr. Erdo's request, they have compared the PCDC's campaign finance reports to its bank account statements. They were assisted by attorney Michael V. Saxl of Verrill Dana LLP.

The PCDC explains that Ms. Fortier and Ms. Johnson were volunteers who attempted to comply with the law to the best of their ability. The committee concedes, however, that they made errors in their reporting (*see* bullet points at top of page 3 of Michael Saxl's June 11 memo). With assistance from PAC/Party/Lobbyist Registrar Cindy Sullivan, the PCDC has amended its reports to cure these errors.

With respect to the money which Mr. Erdo says he provided to the PCDC in 2004 and 2006, the committee has reported receiving two contributions from Mr. Erdo dated October 6, 2004 and May 31, 2006. (The pages from the PCDC's reports are attached, with handwritten asterisks to note these two contributions.) I believe that the PCDC maintains that these are the only sums received from Mr. Erdo in 2004 and 2006. If you would like further information, I am hopeful that the PCDC can reply further at your June 24 meeting. We recommend focusing on the overall completeness of the PCDC reports, rather than these disputed transactions from four years ago.

Analysis by Commission Staff

PAC/Party/Lobbyist Registrar Cindy Sullivan prepared a chart to provide the Commission with the total receipts and expenditures reported by the PCDC for each reporting period during 2006-2009. (Please see attached chart entitled Campaign Finance Reports filed by PCDC – Before and After Amendments) The shaded columns show the total receipts and expenditures in the reports after they were amended in May 2010 to cure the PCDC's reporting errors.

When looking at the PCDC's reporting as a whole, Ms. Sullivan's opinion is that Patsy Fortier and Sylvia Johnson intended to correctly report the PCDC's finances and some of the reports were complete. Nevertheless, the treasurer and assistant treasurer

- occasionally did not report all contributions received during a reporting period,
- occasionally did not report all expenditures made during a reporting period, and
- incorrectly reported one 2009 contribution as an expenditure.

Recommended Finding of Late Filing by Commission Staff

Under 21-A M.R.S.A. § 1020-A(2) (attached), a campaign finance report is not timely filed unless it "substantially conform[s] to the disclosure requirements" The Commission staff acknowledges that most of the PCDC's reports were substantially complete and filed on time. Nevertheless, in order to encourage complete reports by all party committees, we recommend that the Commission view four reports of the PCDC as late because they didn't substantially conform to the reporting requirements: October 27, 2006, May 30, 2008, October 24, 2008, and July 15, 2009, and July 15, 2009.

In making this recommendation, we have used a benchmark that a report does not substantially conform if:

- the amendment of the report increased the reported contributions or expenditures by at least 20%, and
- the unreported amount exceeded \$500.

Cindy Sullivan's comparison of the bank account statements to the PCDC's originally filed reports suggest the following specific errors in the originally filed reports:

Errors in 10/27/06 Report:

- The PCDC did not report three deposits of \$974, \$40 and \$400, for a total of \$1,414 in missing contributions. (In addition, the PCDC also amended this report to disclose as a "contribution" a \$500 transfer from the PCDC's savings account to its checking account. We do not believe that the PCDC was required to disclose this transfer as a contribution, but it will help give the public a better understanding of the PCDC's finances.)

- The PCDC did not report five expenditures, for a total of \$1,280.62.

Errors in 5/30/08 Report:

- The PCDC did not report a total of \$650 of contributions under \$200.

Errors in 10/24/08 Report:

- The PCDC did not include a deposit of \$741.40 and a deposit for \$272.55 into checking account, for a total of \$1,013.95 in missing contributions.
- The PCDC did not include four expenditures totaling \$803.67.

Errors in 7/15/09 Report:

- The PCDC did not include a \$100 deposit and \$236 deposit, for a total of \$336 in missing contributions.
- The PCDC received a \$1,619.35 contribution, but reported it as an expenditure.

In Mr. Saxl's memo, the PCDC argues that you should not find that these reports were late. The PCDC notes that the Commission received the reports on time and the treasurer and assistant treasurer tried in good faith to file complete reports. You certainly could accept these arguments consistently with the Commission's statutes and past practice. Nevertheless, we recommend finding that four of the PCDC's reports were late under 21-A M.R.S.A. § 1020-A(2) in order to underscore to all local party committees that their reports should be substantially correct on the first filing.

If you accept the staff recommendation that these four reports were filed late, the preliminary penalty amount for each of the four late reports would be \$500, the maximum penalty under 21-A M.R.S.A. § 1020-A(5-A)(D). The total preliminary penalty for the four late reports would be \$2,000.

The staff believes a penalty of \$2,000 would be grossly disproportionate. We agree with the arguments of the PCDC that any penalty should be waived because of the mitigating circumstances and proportionality concerns in 21-A M.R.S.A. § 1020-A(2):

- The PCDC made a good faith effort to file the reports on time, but they made some omissions.
- The harm to the public from the late disclosure was moderate.

Because of the good faith of the committee, the Commission staff recommends a 90% reduction of the preliminary penalty, which would be \$50 per late report, for a total of \$200.

Allegations against Sharon Libby Jones

Sharon Libby Jones was the Democratic nominee for State Senate, District #27 in the 2006 general election. She participated in the Maine Clean Election Act program. Her campaign expenditures totaled \$26,849. I have attached a chart of her 2006 campaign expenditures, sorted by expenditure type.

To the best of my knowledge, Mr. Erdo did not complain in writing about Ms. Libby Jones' expenditures in 2006, 2007, 2008, or 2009. He does not explain why he has waited four years to complain about them now.

In the body of his April 13, 2010 request for an investigation, Mr. Erdo does not provide any affirmative reason to believe that she failed to comply with the requirements for Maine Clean Election Act candidates. Instead, he attached four pages from the Commission's public disclosure website, and he:

- placed a checkmark next to selected expenditures with the notation "✓QUESTIONED!" but he provided no basis for any allegation of non-compliance, and
- notes that there are no expenditures associated with 24 plywood campaign signs or with a "Kubota 6wheel utility ATV in parades."

Under Chapter 1, Section 4(2)(C) of the Commission's rules (attached), requests for investigation must set forth such facts with sufficient details as are necessary to specify the alleged violation. Mr. Erdo may not have met this burden. Nevertheless, I reviewed all of the 2006 expenditures reported by Ms. Libby Jones and I interviewed her by telephone. I also asked her to respond to the following ten questions.

ATV Used in Parades (referred to by Julius Erdo)

1. If an ATV was used in parades for campaigning, who owns the ATV?
2. Was there any expense associated with using it in parades?

24 Plywood Campaign Signs (referred to by Julius Erdo)

3. Did the campaign use 24 plywood campaign signs?
4. Where did the campaign get the wood?
5. Other than the wood, was there any expense associated with the campaign signs?

Travel

6. Did the candidate keep a log of campaign-related travel?
7. Please explain why there were four payments for fuel that approached or were over \$200?
8. The campaign paid \$1,824.59 for fuel. Can the Commission be confident that all of this amount was used for campaign purposes, and no portion was used for the candidate's personal travel?
9. What was the campaign purpose for the four payments to Gateway Inn?

Payments to Verizon (\$867.56 + \$130.51) and to Unicel (\$94.64)

10. Is there any possibility that some portion of these were for personal use, rather than campaign use?

Ms. Libby Jones responded in a letter dated June 4, 2010, which is attached.

Based on Ms. Libby Jones' responses, it appears to me that she substantially complied with the Commission's 2006 expenditure guidelines (attached). The Commission staff recommends that you take no action with regard to her 2006 campaign.

Ms. Libby Jones' expenditures were consistent with those traditionally made by candidates for the Maine State Senate. The firm of Ourso Beychok in Baton Rouge, Louisiana is a legitimate campaign consulting firm that has designed campaign literature for dozens of Democratic nominees for State Senate in 2006 and 2008. The expenditures for Verizon and Unicel were for a campaign office, not the candidate's personal use. Under the 2006 guidelines, the candidates were permitted to spend MCEA funds for accommodations, so the four stays at the Gateway Inn were legitimate.

The campaign paid a total of \$1,824.50 in MCEA funds for fuel. Under the Commission's 2006 procedures,² that amount could acceptably reimburse the candidate for 5,068 miles of campaign-related travel. That is a significant amount, but it is not surprising given the very large size of the Senate district and the 7½ month period during which Ms. Libby Jones was an MCEA candidate. (See attached map) It equates to roughly 27 round trips from Greenville (the candidate's home town) to Millinocket (near the eastern border of the district). Of course, for campaigning purposes the candidate would have presumably needed to travel not just to Millinocket, but also to most towns in the Senate district.

With respect to campaign signs, a candidate may use campaign signs or other communications to voters (e.g., literature, buttons) that they obtained during a previous election. So, Ms. Libby Jones' 2006 campaign did not need to pay for plywood she purchased in a 1998 campaign for county commissioner. The Commission staff sees no

² During the 2006 election, candidates could use MCEA funds to reimburse themselves for vehicle travel at a rate of \$0.36 per mile (the same rate as Maine state employees are reimbursed for work-related travel).

basis to require the campaign to reimburse the candidate for her own equipment used to erect the signs.

In my view, the candidate's largest fault is that she did not keep a log of her campaign travel that would document a specific number of miles traveled for campaign purposes. In 2006, when the Commission staff first began to systematically audit MCEA candidates, we found a widespread lack of awareness among MCEA candidates that they were required by Commission rule to keep a travel log if they used MCEA funds to reimburse themselves for travel. Accordingly, we have emphasized the travel log to candidates in the 2008 and 2010 elections. In 2006, the Commission staff took no action against audited MCEA candidates who did not keep a travel log, provided that the amount of travel seemed reasonable for their districts. Consistent with the Commission's auditing policy in 2006, the staff recommends no action against Ms. Libby Jones for the failure to keep a travel log.

The only other possible fault that I would mention is the campaign's use of the utility vehicle and utility trailer in two parades. These vehicles are owned by Jones Seasonal Services. Ms. Libby Jones states that she and her husband own the company. If Jones Seasonal Services is a legal entity separate from Ms. Libby Jones and her husband, it is arguable that the campaign was required to reimburse the company to avoid receiving an in-kind contribution. Nevertheless, this is an easy mistake for the candidate to have made. It is not infrequent for candidates who have access to larger trucks or other equipment to use them to advertise their campaigns, and many do not think that reimbursement might be required if they do not personally own the vehicles.

The Commission staff believes Mr. Erdo has not provided sufficient evidence to believe that a violation may have occurred. So, pursuant 21-A M.R.S.A. § 1003(2), the staff recommends not authorizing any further investigation into Sharon Libby Jones' 2006 campaign.

Thank you for your consideration of this memo.

Maine Commission for
Ethics and Election Regulations
135 State House Station
Augusta, Maine 04333

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APR 15 2010

MAINE ETHICS COMMISSION

Attn: Jonathan Wayne and Cindy Sullivan
RE. Your advisory letter of Feb. 3, 2010

First, I want to thank both of you for all your help in sending me the PDF Files of Ethics Reports for the Piscataquis County Democratic Committee. Along with all those, which I could find on your website, containing many major inaccurate and deceiving practices in their required Ethics Reports.

Since your letter it was necessary to leave the state on Feb. 19, 2010 for personal and surgical reasons returning March 20, 2010 and since my phone call to Cindy I'm getting back to my normal schedule.

As per Cindy's letter, I am requesting a formal investigation into their erroneous filed reports, which are contrary and unacceptable to Ethics Rules and Regulations.

As a candidate for the State House in 2006 and again in 2007 for a Special Election, I am fully aware of these requirements for accurate filing, which is easily done as long as your records are correct!

My first acquaintance with the Committee was back in Oct. 6, 2004, when I made a \$250.00 contribution to them to be used for the "Kerry Campaign" (enclosed). I doubt if that ever happened in any fashion. After finding all their faults since I was the chairman in 2006, I went back on line to 2004 only to find out they didn't list my check even then or list the expend type, which happens often and it gets progressively worse!

I basically didn't know the committee or its record until I was invited to a "Special meeting" on Jan. 26, 2006 when 8 people elected me chair. The officers were Vice Chair – Theresa Mudgett who was also DSC Secretary, Patsy Fortier – Treasurer, Sylvia Johnson – Asst. Treasurer, and Sharon Jones known as the Constant Candidate, these (4) are known as the Fabulous Four in the County.

"2006" – On March 28th I contributed \$500.00 which was listed in their report, but with the wrong date. On May 8th I was asked to lend the committee \$500.00 which I did with cash on hand – that never made it into the report, nor did anyone know where it went! In a conversation with Jeremy Brown he believed that in a report filed on Jan. 16, 2007 period

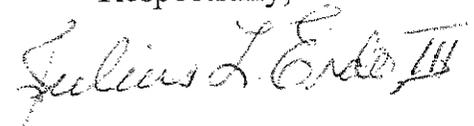
ending Dec. 31, 2006 he noted an illegal contribution dated Oct. 31, 2006 from the committee to itself for \$928.00 probably contained that \$500.00 he felt! Again on May 30th the Treasurer requested another \$500.00 loan, which I again gave. This one did get put on record as a loan, but with the wrong date, which they had somehow transposed them! Then to make things more alarming was the fact that the \$500.00 loan was listed as \$492.22, I guess she got a Pizza on her way home – but it doesn't end there! In the amended version, of the amended version, of the amended version dated Jan. 11, 2007 for the reporting period Jan. 1, 2006 to June 30, 2006 in schedule C loan transactions – we find by some mysterious action they have “FORGIVEN” the loan to a zero balance. But – to make things even more bizarre they used it as expenditure to nowhere gaining \$1,000.00 by magic unique bookkeeping!

Accordingly going through all of their required reports since I became chair in 2006 to their last report filed Jan. 19, 2010 for July 1, 2009 to Dec. 31, 2009 both regular and amended, there appears to be many errors and omissions to be questioned with concerns. Especially when their total reported receipts were \$16,334.04 and their total reported expenditures was \$23,185.72. An overage of < \$6,851.68 >, which is a major reason why there should be an ending balance and also a starting balance, for the commission to easily observe, rather than committee's ability to just winging their numbers!

These Fabulous (4) have been in control of the committee over 20 years and have never had an audit, and who have been using same as their own Piggy Bank in many ways! One such example of many is Patsy's own expenditure on Feb. 9, 2006 Type FOD for \$47.00. It was a Friday, no meetings were held before or after, it was just her weekend food, as so many often are! This has been a long-term scam. I know the same is true for Sharon Jones and her return with missing issues and very questionable expenditures as noted.

Dated April 13, 2010

Respectfully,



Julius L. Erdo, III

Oct. 6, 2004

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APR 16 2010

MAINE FINANCIAL SERVICES CORPORATION

AD-Automatic Deposit AP-Automatic Payment ATM-Teller Machine DC-Debit Card T-Tax Deductible TT-Telephone Transfer

NUMBER OR CODE	DATE	TRANSACTION DESCRIPTION	PAYMENT AMOUNT	✓	FEE	DEPOSIT AMOUNT	\$ BALANCE
8-31		Home Depot Mkt.	3,122.66	✓			
9-1		Home Depot Mkt.	1,116.63	✓			19,412.79
9-5		BSB Deposport	200.00	✓			
9-5		Hannafords	74.27	✓			
9-6		Walmart	98.79	✓			
9-6		Walmart	52.57	✓			19,010.27
9-11		Home Depot	149.35	✓			
9-11		Shaws Mkt	187.67	✓			
9-22		Home Depot	307.53	✓	9.27		
9-22		What on Earth	99.55	✓		1368-	
9-27		BSB Dine	100.00	✓			
9-28	149	M.M.A. Transfer	10,000	✓			
9-30		IGA FOOD	51.22	✓			10,360.8-
10-4		U.S. Postal Service	111.00	✓	103	1267-	11,292.43
10-6	150	Kenny Lampson	250.00	✓			
10-6		Hennings Bros.	25.30	✓			
10-6		IGA FOOD	70.58	✓			
10-7		DOUKE TRU VALVE	41.99	✓			10,905.72
10-12		Graves Mkt.	86.67	✓			
10-15		Verizon Phone chg.	6.75	✓			
10-20	151	Moore Millennium Assoc	5,000.00	✓			
10-20		Bob's Hardware	55.96	✓			
10-20	152	BSB Deposport	200.00	✓			
10-22		Delia's Food	59.75	✓			
10-22		Columbia Mkt	68.58	✓		1368.00	
10-26		BSB Deposport	200.00	✓		100.00	
10-27		Hannafords Machine	69.31	✓			
10-28		Church's Hardware	72.42	✓			

PROTECT YOUR PRIVACY - SHRED CANCELLED CHECKS, WRITTEN DEPOSIT TICKETS AND BANK STATEMENTS WHEN DISPOSING.



JULIUS L. ERDO III
 135 NORTONS CORNER RD. 207-997-3226
 P.O. BOX 339
 GUILFORD, ME 04443

62-7438/2112
 2010044464

150

DATE Oct 6, 2004

PAY TO THE ORDER OF

P.C.D. Co

\$ 250.00

Two Hundred & Fifty

DOLLARS

RIO



BANGOR, MAINE BRANCH

MEMO

Kerry Campaign Julius L. Erdo, III

⑆ 21127438 ⑆ 2010044464 ⑆ 0150

⑆0000025000⑆

Check: 150 Amount: \$250.00 Date: 10/8/2004
 Run: 1, Batch: 1, Seq: 2201290

1049472130

10/07/2004
 7661034380
 FKT - 6

ENC FKT - 000

0102201290 10-08-04 INC

FOR DEPOSIT ONLY #203

FOR DEPOSIT ONLY
 PISCATAQUIS COUNTY
 DEMOCRATIC COMMITTEE
 ACCT# 609413

Check: 150 Amount: \$250.00 Date: 10/8/2004
 Run: 1, Batch: 1, Seq: 2201290



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MAINE COMMISSION ON
**Governmental Ethics
& Election Practices**

MAINE ELECTION COMMISSION

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Candidate Summary
Libby Jones, Sharon

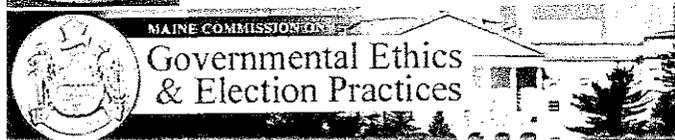
P.O. Box 1191	(207)695-2604
Greenville, ME 04441	sljones@midmaine.com
Office Sought:	Senate District 27
Party Affiliation:	Democratic
Financing:	MCEA
Treasurer Name:	Whitney, Carol
Committee Name:	Sharon Libby Jones Senatorial Campaign Committee
Financial Summary for 2006	
Seed Money Contributions:	\$28,193.09
In-Kind Seed Money Contributions:	\$0.00
Maine Clean Election Act Payments & Authorizations:	\$0.00
Campaign Property Sales:	\$0.00
Other Cash Receipts:	\$0.00
Expenditures:	\$26,849.00
Unpaid Debts and Obligations:	\$0.00



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Contributions for Libby Jones, Sharon

Records found: 18

Output Data

Click on a column heading to sort the data.

Privately financed candidates may raise general election funds prior to the primary election. The "Election" column indicates whether the candidate has designated a contribution to be used for the primary or general election.

Date	Contributor	Election	City	State	Zip	Occupation	Employer	Type	Amount
4/19/2006	MEC-Funds			ME	04333			Maine Clean Election Act	\$1,899.40
1/12/2006	Jones, Ronald S.		Greenville	ME	04441			Candidate and Spouse	\$20.00
2/22/2006	Stanley, Stephen S.		Medway	ME	04450	mill worker	Katahdin Paper Co	Other Individuals	\$100.00
3/8/2006	Clark, Sylvia C.		Greenville	ME	04441	retired		Other Individuals	\$100.00
3/8/2006	Almy, R. C.		Bangor	ME	04401	D.A.	Penobscot and Piscataquis co.	Other Individuals	\$25.00
4/3/2006	Rogers, Ted W.		No. Windham	ME	04062	doctor	self	Other Individuals	\$50.00
4/3/2006	Michaud, Michael H.		Eas Millinocket	ME	04430	congressman	United States Government	Other Individuals	\$100.00
4/6/2006	Bedell, George D.		Camden	ME	04843	retired		Other Individuals	\$100.00
4/6/2006	Rand, Miriam		Portland	ME	04103	retired		Other Individuals	\$40.00
4/7/2006	Munster, Elizabeth A.		Rockwood	ME	04478	Real estate broker	self	Other Individuals	\$50.00
4/12/2006	McPherson, Ewan		Greenville Jct.	ME	04442	retired		Other Individuals	\$50.00
4/8/2006	Libby, Ronald		Hollandale Beach	FL	33009	retired		Other Individuals	\$25.00
6/14/2006	MEC-Fund, .			ME	04333			Maine Clean Election Act	\$20,082.00
11/1/2006	Matching Funds, ..		Augusta	ME	04333			Maine Clean Election Act	\$2,500.00
11/3/2006	Matching Funds, ..		Augusta	ME	04333			Maine Clean Election Act	\$620.00
10/31/2006	Matching Funds, ..		Augusta	ME	04333			Maine Clean Election Act	\$338.64
10/13/2006	Matching Funds, ..		Augusta	ME	04333			Maine Clean Election Act	\$75.00
10/26/2006	Matching Funds, ..		Augusta	ME	04333			Maine Clean Election Act	\$2,018.05
									\$28,193.09

Expenditures for Libby Jones, Sharon

QUESTIONED!

Records found: 92

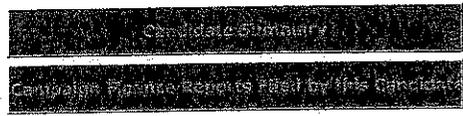
Click on a column heading to sort the data.

Output Data	
▼	≡

Date	Payee	Type	Amount
4/10/2006	Chase	Campaign literature (printing and graphics)	\$188.27
4/17/2006	Chase	Campaign literature (printing and graphics)	\$238.20
10/30/2006	Anita, Jondro	Other	\$15.88
11/1/2006	Rite Aid	Other	\$22.76
12/3/2006	Johnson, Sylvia	Other	\$196.42
11/7/2006	Beaunot, Gagne H.	Other	\$158.77
7/24/2006	SPILLER'S	Print media ads	\$10.50
9/5/2006	The Eastern Gazette	Print media ads	\$640.00
9/27/2006	The Eastern Gazette	Print media ads	\$55.00
10/25/2006	The Eastern Gazette	Print media ads	\$384.00
10/11/2006	Moosehead Messenger	Print media ads	\$203.00
10/23/2006	Moosehead Messenger	Print media ads	\$406.40
10/19/2006	Kathadin Press	Print media ads	\$124.16
10/20/2006	Piscataquis Observer	Print media ads	\$392.40
10/24/2006	Piscataquis Observer	Print media ads	\$216.90
10/20/2006	WDME Radio	Radio ads, production costs	\$502.00
10/25/2006	Chase	Campaign literature (printing and graphics)	\$197.04
10/25/2006	Chase	Campaign literature (printing and graphics)	\$235.58
9/22/2006	AMB Signs	Campaign literature (printing and graphics)	\$1,000.00
8/18/2006	SPILLER'S	Campaign literature (printing and graphics)	\$1,398.38
7/31/2006	The ADVG Specialists of ME INC	Campaign literature (printing and graphics)	\$194.83
8/14/2006	The ADVG Specialists of ME INC	Campaign literature (printing and graphics)	\$152.17
10/2/2006	USPS	Postage for U.S. Mail	\$39.00
10/11/2006	USPS	Postage for U.S. Mail	\$39.00
10/16/2006	USPS	Postage for U.S. Mail	\$156.00
10/23/2006	USPS	Postage for U.S. Mail	\$156.00
10/2/2006	OURSO BEYCHOK JOHNSON	Mail house (all services purchased)	\$4,420.00
10/19/2006	OURSO BEYCHOK JOHNSON	Mail house (all services purchased)	\$4,420.00
9/23/2006	Indian Hill Trading Post	Food for campaign events, volunteers	\$80.00
10/25/2006	The Johnson Group	Internet and e-mail	\$175.00
8/25/2006	Exxon Mobil	Travel (fuel, mileage, lodging, etc.)	\$60.03
9/15/2006	Exxon Mobil	Travel (fuel, mileage, lodging, etc.)	\$256.52
10/14/2006	Exxon Mobil	Travel (fuel, mileage, lodging, etc.)	\$299.99
10/23/2006	Exxon Mobil	Travel (fuel, mileage, lodging, etc.)	\$271.54
8/30/2006	RH Foster Energy	Travel (fuel, mileage, lodging, etc.)	\$101.74
8/14/2006	GATEWAY INN	Travel (fuel, mileage, lodging, etc.)	\$194.85
8/20/2006	GATEWAY INN	Travel (fuel, mileage, lodging, etc.)	\$69.50
10/26/2006	GATEWAY INN	Travel (fuel, mileage, lodging, etc.)	\$88.49
7/24/2006	Maine Highlands FCU	Other	\$2.00
8/30/2006	Maine Highlands FCU	Other	\$2.00
9/30/2006	Chase	Other	\$140.85
8/7/2006	UNICEL	Other	\$94.64
8/7/2006	LeeAnn LaFleur Studios	Other	\$319.00
8/7/2006	Verizon	Other	\$867.56
4/17/2006	Whitney, Carol	Postage for U.S. Mail	\$26.00
4/17/2006	USPS	Postage for U.S. Mail	\$78.00
4/17/2006	Exxon Mobil	Travel (fuel, mileage, lodging, etc.)	\$29.15
1/18/2006	Maine Highlands FCU	Other	\$10.98
1/28/2006	Maine Highlands FCU	Other	\$2.00
2/28/2006	Maine Highlands FCU	Other	\$2.00
3/9/2006	Maine Highlands FCU	Other	\$1.00
3/31/2006	Maine Highlands FCU	Other	\$2.00
4/17/2006	Maine Highlands FCU	Other	\$2.00
4/8/2006	Town of Wellington	Other	\$15.00
4/11/2006	Town of Atkinson	Other	\$10.00
3/3/2006	Liberty Enterprises	Other	\$27.80
5/31/2006	Maine Highlands FCU	Other	\$2.00
6/6/2006	AMB Signs	Print media ads	\$882.00
6/20/2006	AMB Signs	Print media ads	\$134.40
6/28/2006	SPILLER'S	Print media ads	\$995.38
6/30/2006	SPILLER'S	Print media ads	\$10.50
7/17/2006	Caron Signs	Print media ads	\$40.00
7/17/2006	Exxon Mobil	Travel (fuel, mileage, lodging, etc.)	\$97.31
6/8/2006	RH Foster Energy	Travel (fuel, mileage, lodging, etc.)	\$229.05
7/17/2006	RH Foster Energy	Travel (fuel, mileage, lodging, etc.)	\$152.97
6/6/2006	Maine Highlands FCU	Other	\$2.00
7/18/2006	Maine Highlands FCU	Other	\$2.00
6/28/2006	Piscataquis County Democratic Committee	Other	\$500.00

10/28/2006	Chase	Print media ads	\$320.76
11/2/2006	Chase	Print media ads	\$929.88
11/2/2006	Chase	Print media ads	\$412.56
11/6/2006	The Eastern Gazette	Print media ads	\$192.00
10/27/2006	Moosehead Messenger	Print media ads	\$101.20
11/3/2006	Katahdin Press	Print media ads	\$298.32
11/1/2006	WDME Radio	Radio ads, production costs	\$394.00
10/31/2006	Katahdin Communications, Inc. WSYY-AM/FM	Radio ads, production costs	\$342.00
10/27/2006	USPS	Postage for U.S. Mail	\$156.00
10/31/2006	USPS	Postage for U.S. Mail	\$156.00
11/2/2006	USPS	Postage for U.S. Mail	\$156.00
11/6/2006	USPS	Postage for U.S. Mail	\$78.00
11/5/2006	Subway	Food for campaign events, volunteers	\$57.72
11/7/2006	Beckwith, Pammie	Food for campaign events, volunteers	\$75.00
12/10/2006	Carol, Whitney	Other professional services	\$200.00
10/28/2006	Exxon Mobil	Travel (fuel, mileage, lodging, etc.)	\$91.74
11/5/2006	Exxon Mobil	Travel (fuel, mileage, lodging, etc.)	\$99.11
12/10/2006	Exxon Mobil	Travel (fuel, mileage, lodging, etc.)	\$135.44
11/2/2006	GATEWAY INN	Travel (fuel, mileage, lodging, etc.)	\$74.85
12/10/2006	Maine Highlands FCU	Other	\$2.00
12/10/2006	Maine Highlands FCU	Other	\$2.00
12/10/2006	Maine Highlands FCU	Other	\$2.00
12/10/2006	Maine Highlands FCU	Other	\$2.00
12/10/2006	Verizon	Other	\$130.51
			\$26,849.00

- 1,344.09



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~ ISSUES MISSING ~

NEW KUBOTA 6 wheel UTILITY ATV
w/ "GET-R-DONE" HEADER SIGN ON CAB,
4'x8' CAMPAIGN SIGN ON DECK, DBL
SIDED "JONES FOR SENATE" WITH ALL
THE LIGHTS, BELLS & WHISTLES, FOR PARADES.

(24) DBL SIDED 4'x8' PLYWOOD CAMPAIGN SIGNS
PLACED THROUGHOUT THE COUNTY, DISTRICT 27.
THE LARGE SIGNS PLUS 3 MEN AND EQUIPMENT
POST HOLE DIGGERS, SHOVELS, POSTS, BRACES &
STAKES, SLEDGE HAMMERS AND POWER TOOLS,
PLUS TRUCKS TO HAUL, INSTALL AND REMOVE
ALL THESE SIGNS!

NOTE! REPAYMENT TO MEC OF \$1,344.09



2004 CAMPAIGN FINANCE REPORT FOR PARTY COMMITTEES

COMMITTEE INFORMATION		
PISCATAQUIS COUNTY DEMOCRATIC COMMITTEE P.O. BOX 44 GUILFORD, ME 04443		TEL: (207)876-4531 FAX: E-MAIL:
TREASURER		
		TEL: FAX: E-MAIL:
TYPE OF REPORT	DUE DATE	REPORTING PERIOD
6-DAY PRE-ELECTION	10/27/2004	7/1/2004 - 10/22/2004
NO FINANCIAL ACTIVITY IN THIS REPORTING PERIOD FOR SCHEDULES A1, C, D		
CERTIFICATION		
I, , CERTIFY THAT THE INFORMATION CONTAINED IN THIS REPORT IS TRUE, ACCURATE AND COMPLETE TO THE BEST OF MY KNOWLEDGE. REPORT FILED BY: REPORT FILED ON: 10/26/2004 IF THIS REPORT IS FILED BY AN AUTHORIZED AGENT OF THE COMMITTEE, THE TREASURER AND AGENT ARE LIABLE FOR ANY VIOLATIONS OF MAINE CAMPAIGN FINANCE LAW (21-A M.R.S.A. CHAPTER 13) AND THE COMMISSION'S RULES THAT MAY RESULT FROM THE FILING OF A FALSE OR INACCURATE REPORT.		

UNSWORN FALSIFICATION IS A CLASS D CRIME (17-A M.R.S.A. § 453).

**SCHEDULE A
CASH CONTRIBUTIONS**

- For contributors who gave more than \$200, the name, address, occupation, and employer must be reported. If "information requested" is listed instead of occupation and employer, the committee is waiting to receive that information.
- Cash contributions of \$200 or less can be added together and reported as a lump sum.
- Contributor Types
 - 1 - Individuals
 - 2 - Commercial Sources
 - 3 - Political Action Committees
 - 4 - Party Committees
 - 5 - Candidate Committees
 - 6 - Unitemized Contributions

DATE RECEIVED	CONTRIBUTOR	OCCUPATION AND EMPLOYER	TYPE	AMOUNT
10/22/2004			6.00	\$2,405.00
TOTAL CASH CONTRIBUTIONS ⇨				\$2,405.00

**SCHEDULE B
EXPENDITURES TO SUPPORT OR OPPOSE**

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

DATE OF EXPENDITURE	PAYEE	REMARK	TYPE	AMOUNT
09/09/2004	WDME RADIO STATION ME 00000			\$49.00
	, N/A, DISTRICT: 1			
09/22/2004	WDME RADIO STATION ME 00000			\$400.00
	, N/A, DISTRICT: 1			
TOTAL EXPENDITURES ⇒				449.00

PISCATAQUIS COUNTY DEMOCRATIC COMMITTEE

SCHEDULE B-1 ONLY

**SCHEDULE B - 1
OPERATING EXPENDITURES**

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

DATE OF EXPENDITURE	PAYEE	REMARK	TYPE	AMOUNT
07/21/2004	THERESA MUDGETT MILO, ME 04463			\$200.56
08/04/2004	US POSTAL ., ME 00000			\$111.00
08/15/2004	SALLY FARRAND ., ME 00000			\$186.90
08/19/2004	DONALD CROSSMAN MILO, ME 04463			\$77.83
08/22/2004	THERESA MUDGETT MILO, ME 04463			\$75.00
08/26/2004	PISCATAQUIS VALLEY FAIR DOVER-FOXCROFT, ME 00000			\$100.00
08/26/2004	CUPE OF BASIL CAFE DOVER-FOXCROFT, ME 00000			\$25.00
08/26/2004	SAM'S CLUB BANGOR, ME 00000			\$70.00

09/01/2004	BRUCE TOWL DOVER-FOXCROFT, ME 00000			\$100.00
08/31/2004	PATSY FORTIER GUILFORD, ME 00000			\$112.80
09/02/2004	PATSY FORTIER GUILFORD, ME 00000			\$20.98
09/19/2004	MOOSEHEAD MAINE MUSEUM GREENVILLE, ME 00000			\$750.00
09/21/2004	MARLENE STEVENS GREENVILLE, ME 00000			\$36.58
09/21/2004	THERESA MUDGETT MILO, ME 04463			\$65.93
09/21/2004	JUDY MERCK DOVER-FOXCROFT, ME 00000			\$117.55
09/21/2004	POSTMASTER GUILFORD, ME 00000			\$74.00
09/29/2004	VERIZON , ME 00000			\$350.00
09/30/2004	KEVIN DONOVAN DOORE DOVER-FOXCROFT, ME 00000			\$385.00
10/12/2004	AMB PRINTING DOVER-FOXCROFT, ME 00000			\$450.00
10/22/2004	VERIZON , ME 00000			\$350.00
10/22/2004	POSTMASTER AUGUSTA, ME ,04330			\$1,127.00
10/22/2004	AUGUSTA PRINT SHOP AUGUSTA, ME 04330			\$226.80
TOTAL EXPENDITURES →				\$5,012.93

**SCHEDULE F
SUMMARY SCHEDULE**

CASH ACTIVITY		
RECEIPTS	TOTAL FOR THIS PERIOD	TOTAL FOR THE YEAR
1. CASH CONTRIBUTIONS (Schedule A)	\$2,405.00	\$2,405.00
2. OTHER CASH RECEIPTS (interest, etc.)	\$0.00	\$0.00
3. LOANS (Schedule C, new loans and additional amounts loaned)	\$0.00	\$0.00
4. TOTAL RECEIPTS (lines 1+2+3)	\$2,405.00	\$2,405.00
EXPENDITURES		
5. EXPENDITURES TO SUPPORT OR OPPOSE (Schedule B)	\$449.00	\$449.00
6. OPERATING EXPENDITURES (Schedule B-1)	\$5,012.93	\$5,012.93
7. LOAN REPAYMENTS (Schedule C)	\$0.00	\$0.00
8. TOTAL PAYMENTS (lines 5+6+7)	\$5,461.93	\$5,461.93
OTHER ACTIVITY		
	TOTAL FOR THIS PERIOD	TOTAL FOR THE YEAR
9. IN-KIND CONTRIBUTIONS (Schedule A-1)	\$0.00	\$0.00
10. TOTAL LOAN BALANCE AT END OF PERIOD (Schedule C)	\$0.00	
11. TOTAL UNPAID DEBTS AT END OF PERIOD (Schedule D)	\$0.00	



2004 CAMPAIGN FINANCE REPORT FOR PARTY COMMITTEES

COMMITTEE INFORMATION		
PISCATAQUIS COUNTY DEMOCRATIC COMMITTEE P.O. BOX 44 GUILFORD, ME 04443	TEL: (207)876-4531 FAX: E-MAIL:	
TREASURER		
PATRICIA FORTIER P.O. BOX 44 GUILFORD, ME 04443	TEL: (207)876-4531 FAX: E-MAIL:	
TYPE OF REPORT	DUE DATE	REPORTING PERIOD
JANUARY QUARTERLY (MUNICIPAL,	01/18/2005	10/23/2004 - 12/31/2004
NO FINANCIAL ACTIVITY IN THIS REPORTING PERIOD FOR SCHEDULES A1, B, D		
CERTIFICATION		
I, PATRICIA FORTIER, CERTIFY THAT THE INFORMATION CONTAINED IN THIS REPORT IS TRUE, ACCURATE AND COMPLETE TO THE BEST OF MY KNOWLEDGE. REPORT FILED BY: FORTIER REPORT FILED ON: 02/22/2005 IF THIS REPORT IS FILED BY AN AUTHORIZED AGENT OF THE COMMITTEE, THE TREASURER AND AGENT ARE LIABLE FOR ANY VIOLATIONS OF MAINE CAMPAIGN FINANCE LAW (21-A M.R.S.A. CHAPTER 13) AND THE COMMISSION'S RULES THAT MAY RESULT FROM THE FILING OF A FALSE OR INACCURATE REPORT.		

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**SCHEDULE A
CASH CONTRIBUTIONS**

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- Cash contributions of \$200 or less can be added together and reported as a lump sum.
- **Contributor Types**
 - 1 - Individuals
 - 2 - Commercial Sources
 - 3 - Political Action Committees
 - 4 - Party Committees
 - 5 - Candidate Committees
 - 6 - Unitemized Contributions

DATE RECEIVED	CONTRIBUTOR	OCCUPATION AND EMPLOYER	TYPE	AMOUNT
12/31/2004			6.00	\$157.00
TOTAL CASH CONTRIBUTIONS ⇨				\$157.00

PISCATAQUIS COUNTY DEMOCRATIC COMMITTEE

SCHEDULE B - 1 ONLY

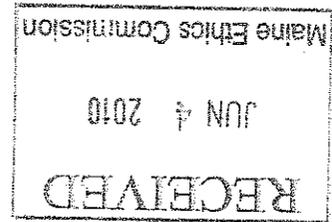
**SCHEDULE B - 1
OPERATING EXPENDITURES**

EXPENDITURE TYPES	
CNS Campaign consultants	POL Polling and survey research
CON Contribution to other candidate, party, committee	POS Postage for U.S. Mail and mail box fees
EQP Equipment (office machines, furniture, cell phones, etc.)	PRO Other professional services
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OFF Office rent, utilities, phone and internet services, supplies	TVN TV or cable ads, production costs
OTH Other	WEB Website design, registration, hosting, maintenance, etc.
PHO Phone banks, automated telephone calls	
<i>Only these expenditure types require a remark: CNS, OTH, PRO.</i>	

DATE OF EXPENDITURE	PAYEE	REMARK	TYPE	AMOUNT
10/25/2004	THE EASTERN GAZETTE DEXTER, ME 04930			\$204.00
10/27/2004	WDME RADIO STATION DOVER FOXCROFT, ME 04426			\$170.00
10/30/2004	ABBOT VILLAGE BAKERY ABBOT, ME 04406			\$59.50
10/30/2004	EAST SANGERVILLE GRANGE SANGERVILLE, ME 04426			\$50.00
11/01/2004	HUDSON AVENUE FLORIST GUILFORD, ME 04443			\$10.71
11/01/2004	THERESA MUDGETT MILO, ME 04463			\$28.75
11/17/2004	ELAINE DOORE DOVER-FOXCROFT, ME 04426			\$125.35
11/17/2004	THERESA MUDGETT MILO, ME 04463			\$80.41

11/17/2004	VERIZON PORTLAND, ME 04104			\$340.44
11/19/2004	AMERICAN LEGION POST 29 DOVER-FOXCROFT, ME 04426			\$75.00
12/15/2004	DEXTER REGIONAL CREDIT GUILFORD, ME 04443			\$6.00
12/15/2004	VERIZON PORTLAND, ME 04104			\$12.89
12/31/2004	DEXTER REGIONAL CREDIT GUILFORD, ME 04443			\$3.00
TOTAL EXPENDITURES ⇨				\$1,166.05

Maine Commission for
Ethics and Election Regulations
135 State House Station
Augusta, Maine 04333



Dear Cindy Sullivan

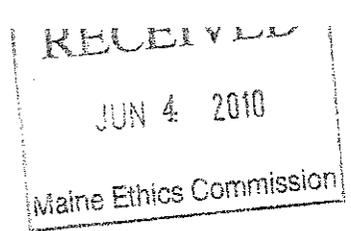
Ref: Reports, Chronology for Review -

Please excuse this handwritten note, since we spoke on May 19th I had to leave for a while, and just catching up.

When we spoke I mentioned I was working on a Chronology of Reports, which would benefit all concerned about a fair review of what has been taking place for many long years, even beyond the start of these Reports.

I hope these facts assist you and the panel for the Commission to bring about an accurate resolve! Again I wish to thank you for all your help.

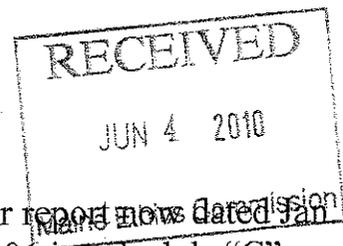
Sincerely
Julius L. Erdo, III



Chronology of Reports "Ethics Commission Review"

I first became aware that the Piscataquis County Democratic Committee was filing inaccurate and deceiving reports, failing to report in any manner the monies that were spent on the New Headquarters, by Martha Demeritt on Aug. 22, 2006. Then again on Jan. 21, 2007 by Jeremy Brown, when I was searching for the \$500.00 loan which was never reported.

1. First occurrence, on Oct. 6, 2004 I made a \$250.00 contribution to the committee for the sole use on the "Kerry Campaign". It was never listed on their report, nor was it ever applied?
2. I was invited to a "Special Meeting" on Jan. 26, 2006 when 8 people elected me chair against my wishes! They said, I had to do it!
3. Within a month, I received a phone call from Vice Chair – Theresa Mudgett that we need a "New Headquarters" and Sylvia Johnson was looking.
4. After securing a building, which I found and did all the work on, by their request and promise of repayment. On Mar. 28, 2006 I contributed \$500.00 to help meet the lease, which was on their report, but – with the wrong date!
5. About a month later I was asked by Patsy Fortier to loan the committee \$500.00 for expenses, which I did with cash of 5 - \$100 bills on May 8, 2006 on her kitchen counter – this loan was never reported nor did anyone know wherever it went? Jeremy Brown in our talk, believed that in their report filed on Jan. 16, 2007 period ending Dec. 31, 2006 – he noted an illegal contribution dated Oct. 31, 2006 from the County Committee to itself for \$928.00 probably contained that \$500.00 loan – Which was Missing - he felt!
6. Then again on May 30, 2006 Treasurer Patsy Fortier requested another \$500.00 loan to help them out, which I again gave with cash. This one did get put on their report as a loan, but with the wrong date – which they had somehow transposed! Then to make it even worse was the fact that the \$500.00 loan was listed as \$492.22, I guess she got a pizza on her way home – but it doesn't end there!



In their final very much amended versions of their report now dated Jan 11, 2007 for the period Jan. 1, 2006 to June 30, 2006 in schedule "C" loan transactions – we find by some mysterious action they have "FORGIVEN" the loan to a "ZERO" balance. But – to make things even more "BIZARRE" they used it as an expenditure to "NOWHERE" gaining \$1,000.00 by their unique magic bookkeeping! This must be the only committee that uses it's mind's ability to constantly absolve themselves from the need to file Honest & Accurate reports, as they should. Hey – "WHO WILL EVER KNOW!"

7. 2007 – July Semi., 1-1-2007 to 6-30-2007 schedule "A" lists (3) illegal contributions from the Committee to itself: 4-25-2007 \$208.00, 5-22-07 \$242.50, 5-30-07 \$240.00, HOW?
Jan. Semi., 7-1-2007 to 12-31-2007 schedule "B" lists (2) expenditures for Representative – District #1 which is the Fort Kent section of Aroostock Cty. for \$510.76?
8. 2008 – 11 day Pre Primary 1-1-2008 to 5-27-2008 schedule "F" list a loan for \$600.00 omitting schedule "C" or "D" in their report, and no lender listed!
11 day Pre General 7-1-2008 to 10-21-2008 schedule "A" on 10-21-2008 type 6 contributions for \$3,682.00 is questioned! Then schedule "F" lists a loan for \$616.40 without a schedule "C", then a loan repayment of \$616.40 omitting schedule "D" and the lender's identity! But – does continue to carry a loan balance of \$600.00.
9. 2009 July Semi. 1-1-2009 to 6-30-2009 schedule "B-1" expenditures 1-09-09 Democratic Campaign (OFF) \$1,619.35? 6-01-09 Piscataquis County Dems. (FND) \$336.00? 1-09-09 Patsy Fortier (LIT) \$400.00? The Schedule "F" which carried a \$600.00 loan balance from 2008 has disappeared – to where? With no schedule "D" or lender!
NOTE! Throughout these years and all the reports, I have not found in any place, any entries for all their received stipends sent by the Democratic State Committee. Nor any transfers to the savings account or any withdrawals from same!
10. 2006 Sharon L. Jones, considered as the constant candidate and very relied on advisor to the committee and part of the Fab (4) group.

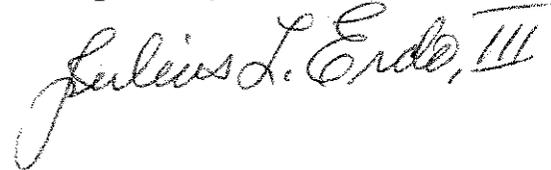
RECEIVED
JUN 4 2010
Maine Ethics Commission

“SHARON LIBBY JONES”, Candidate for “2006” State Senate, District #27, “Financial Summary”. This summary caught my attention and focus as to the reason why it was so very difficult to find. Especially due to the very confusing manner and the intentional way which she had it listed “LIBBY JONES, SHARON”! Beside the concerns of the “MISSING ISSUES”, the Kubota utility ATV, and the 4’ x 8’ double sided Campaign signs, also the repayment of MCE Funds of \$1,344.09. Some of the reported expenses are very questioned – one of which stood out above the others is the “OURS BEYCHOK JOHNSON” listed for \$8,840.00.

I recently went on-line to their website based in Baton Rouge, La. to their Customer listing search. All the requested info was entered, a search came back “NO RECORD FOUND”! I hope the candidate has her records intact!

Dated June 3, 2010

Respectfully Submitted,



Julius L. Erdo, III



ourso beychok johnson Search

About 284 results (0.10 seconds) Advanced search

Everything

More

Show search tools

OBJ Mail

Ourso Beychok Johnson, Inc. is a direct mail consulting firm specializing in persuasion direct mail. Trey Ourso, Michael Beychok, and Wooten Johnson combine ...
www.objmail.com/ - Cached - Similar

Ourso Beychok Johnson in Baton Rouge.

LA Louisiana Yellow Pages ...
Baton Rouge LA Louisiana Nonclassifiable Establishments General. Find **Ourso Beychok Johnson** phone number, maps, and driving directions on YellowPages.
yellowpages.livedeal.com/.../ourso-beychok-johnson-1307510.html - Cached

Ourso Beychok Johnson Inc. - Executive and Business Contacts ...

Company: **Ourso Beychok Johnson Inc.** Location: Baton Rouge, LA Industry: Non-Profit & Professional Orgs. ID:2722117.
www.netprospex.com/company/.../Ourso-Beychok-Johnson?... - Cached

:: Baton Rouge Business Report :: Trey Ourso, Managing partner ...

Nov 18, 2008 ... **Ourso Beychok Johnson** specializes in direct mail, and it generally likes to send five or more pieces to a given target group. ...
www.businessreport.com/.../trey-ourso-managing-partner-ourso-beychok-johnson/ - Cached - Similar

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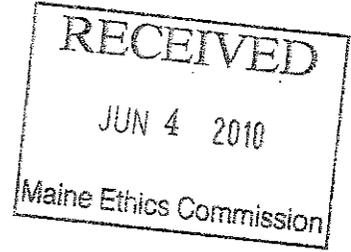
Article: Ourso Beychok Johnson Inc.

(changes name and appoints ...
Free article about **Ourso Beychok Johnson Inc.** (changes name and appoints Wooten Johnson as partner)(Brief Article) at AccessMyLibrary.com.
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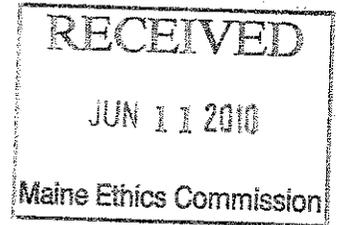
Money Out (Contributions): Ourso Beychok

Johnson Inc

Ourso Beychok Johnson Inc. Industry: Advertising/PR/Direct Mail/Marketing. Location: Baton Rouge, LA. Money Out - Campaign Contributions ...
www.vpap.org/donors/profile/index/171586



Verrill Dana_{LLP}
Attorneys at Law



Michael V. Saxl, Esq.
Of Counsel

45 Memorial Circle
AUGUSTA, ME 04332-5307
207-622-7432
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To: Maine Commission on Governmental Ethics and Election Practices
From: Michael V. Saxl, Esq.
Re: Complaint of Mr. Julius Erdo against Patsy Fortier and Sylvia Johnson
Date: June 11, 2010

Introduction

Thank you for the opportunity to answer Mr. Erdo's claims of wrongdoing. As background, Mr. Erdo has been relentlessly pursuing and accusing members of the Piscataquis County Democratic Committee (hereinafter "PDCC") since he was removed as Chairman of the Committee approximately four years ago.

Mr. Erdo's claims against Mrs. Patsy Fortier, and Mrs. Sylvia Johnson (hereinafter "Patsy and Sylvia") are complete fabrications. He is using this forum to settle personal scores and not to advance the public's interest.

That said, through this process we have identified several mistakes in PDCC reporting that require amendments to past reports. These mistakes are inadvertent and are completely unrelated to Mr. Erdo's claims.

Though they have made mistakes in their reporting, Patsy and Sylvia always filed their reports and to the best of their knowledge they were always complete and accurate. During the past few weeks they have been cooperating fully with Commission staff in order to accurately reconcile their reports.

Background

Mr. Erdo has had a payment dispute with the PDCC and has been using the Commission on Governmental Ethics and Election Practices (hereinafter "the Commission") as a means of harassing Patsy and Sylvia. The Court dismissed the bulk of his claim, and agreed to a partial payment on the basis of the legal doctrine of *Quantum Meruit*.¹ (See Appendix A for District Court Decision and Judgment).

¹ See Appendix A

The Court found that Mr. Erdo “engaged in inappropriate behavior after this controversy erupted,”² which included interactions with Patsy and Sylvia. While his actions did not meet the legal standard of Intentional Infliction of Emotional Distress, Commission staff can likely confirm that their experiences with Mr. Erdo’s complaints are less about serving the public good and more about settling personal scores with Patsy and Sylvia. We believe this venue should not be misused for such personal attacks.

Filing Errors

That said, through this process Patsy and Sylvia, with the assistance of Commission staff, have identified a number of serious errors in recording both contributions and expenditures. We are in complete agreement with the mistakes identified in Ms. Sullivan’s June 4 letter. As Ms. Sullivan can attest, Patsy and Sylvia tried to reconcile their books on their own, and when they were having difficulty they came to Augusta with bank statements and their check register. Through a long day, Patsy and Sylvia, with help from me and Ms. Sullivan discovered the above referenced errors. These mistakes were inadvertent. Thankfully, the filing mistakes, though serious and upsetting to Patsy and Sylvia, had no impact on the disbursement of matching funds and no impact on candidate elections.

As volunteer Treasurer and Assistant Treasurer of the PDCC, Patsy and Sylvia have made every effort to comply with the letter of the law. They both believe in the law, and have brought good will to their efforts. As evidence of that good will, Patsy and Sylvia opened their books to Commission staff and spent numerous hours reconstructing their reports. Through that open exchange it became clear that Patsy and Sylvia fell short of their obligation and made several errors. It also became clear, that the accusations by Mr. Erdo, of embezzlement and wrongful expenditures and irreconcilable books are also false.

Through our efforts we identified several unrecorded transfers from the PDCC savings account to the checking account. These transfers were not recorded. Since there is no requirement for the PDCC to file a report if they do not make an expenditure which exceeds \$1,500³, the savings account had accrued a substantial balance over the years, which augmented the PDCC’s efforts.

Although we amended the reports to show this revenue, Maine law is not clear that a transfer of money from a savings account to a checking account is a mandatory reportable transaction. This ambiguity may be something the Commission should consider in future refinements of the law.

² See, *Julius Erdo vs. Piscataquis County Democratic Committee et al*, Civil Action Docket NO CV-09-052 at p. 6.

³ Democratic, Republican, and Green Independent party committees that raise or spend \$1,500 or more in a calendar year must file campaign finance reports with the Commission. <http://www.maine.gov/ethics/party/reporting.htm> .

In addition there were other errors including:

- transcription errors which denoted contributions as expenditures (7/15/09),
- transcription errors and mistakes which underreported expenditure or which denoted expenditures as contributions (10/24/08 and 10/27/06),
- failure to include finance charges in accounting in early reports, and
- mistakes in correctly adding cash contributions (5/30/08).

Through our work at reconciling the books and the checking statement with the reports filed with the Commission, we were able to balance the books. The above amendments, when taken into account with previous revenue not required to be filed by Maine law, result in a balanced account.

Maine Law

Ms. Sullivan's memo is silent regarding the validity of Mr. Erdo's claims, instead concentrating on the mistakes in reporting made by Patsy and Sylvia. We infer from this that Ms. Sullivan agrees that Mr. Erdo's claims are completely without merit. If the Commission has further questions about this, please let us know and we will provide detailed responses.

On the subsequent matter, regarding the mistakes and filing we believe that the reports were filed in a timely manner, and even if they weren't filed in a sufficiently complete form, we ask the Commission to consider a waiver of penalties as provided in law.

The law cited by Ms. Sullivan states the following:

§1020-A. Failure to file on time

2. Campaign finance reports. A campaign finance report is not timely filed unless a properly signed or electronically submitted copy of the report, substantially conforming to the disclosure requirements of this subchapter, is received by the commission by 11:59 p.m. on the date it is due. Except as provided in subsection 7, the commission shall determine whether a report satisfies the requirements for timely filing. *The commission may waive a penalty in whole or in part if the commission determines that the penalty is disproportionate to the size of the candidate's campaign, the level of experience of the candidate, treasurer or campaign staff or the harm suffered by the public from the late disclosure.* The commission may waive the penalty in whole or in part if the commission determines the failure to file a timely report was due to mitigating circumstances. For purposes of this section, "mitigating circumstances" means:

A. A valid emergency determined by the commission, in the interest of the sound administration of justice, to warrant the waiver of the penalty in whole or in part; [1999, c. 729, §5 (AMD).]

B. An error by the commission staff; [1999, c. 729, §5 (AMD).]

C. Failure to receive notice of the filing deadline; or [1999, c. 729, §5 (AMD).]

D. *Other circumstances determined by the commission that warrant mitigation of the penalty, based upon relevant evidence presented that a bona fide effort was made to file the report in accordance with the statutory requirements, including, but not limited to, unexplained delays in postal service or interruptions in Internet service.* [2009, c. 190, Pt. A, §13 (AMD).]

[2009, c. 190, Pt. A, §13(AMD).]⁴

Here reports were each filed according to law on a timely basis. Neither Patsy nor Sylvia knowingly failed to report contributions. We have worked to understand their errors, and have worked with Commission staff to amend those reports. The errors were limited in number and did not harm or alter an election. We believe that they substantially conform to the requirements of law and as a result, with the amendments we recently filed, the PDCC reports are accurate and that should resolve this matter.

If, however, the Commission determines that these reports do not substantially conform to law and are therefore late, we ask the Commission to use the latitude it has under law to waive all penalties. As stated above, Maine law states:

*The commission may waive a penalty in whole or in part if the commission determines that the penalty is disproportionate to the size of the candidate's campaign, the level of experience of the candidate, treasurer or campaign staff or the harm suffered by the public from the late disclosure.*⁵

- Patsy and Sylvia are volunteers.
- They have complied with the law to the best of their ability.
- The amounts of money distributed by the campaign are small and the expenditures are used to off-set the costs of offices and events.
- There was no public harm from their mistakes and they are truly sorry.
- Both have already paid substantial penalties related to the court action which totals \$1,726.72.
- They are not individuals of means and these penalties would represent substantial hardship to them.
- Finally, both Patsy and Sylvia have agreed to resign their posts. They acknowledge that these mistakes have undermined their confidence in their ability to accurately file these reports in the future.

If the Commission can not see their way clear on the law to acknowledge these reports as being filed, though flawed, in a timely manner. Please at least consider waiving the penalties since the harm done has been in large part to these two wonderful volunteers who have found themselves over their heads with their current roles.

⁴ <http://mainelegislature.org/legis/Statutes/21-A/title21-Asec1020-A.html>

⁵ Id.

Conclusion

Both Patsy and Sylvia take their role as PDCC officers seriously. They believe in the law requiring them to file accurate reports. They made their best effort to file accurate and timely reports. The reports were always timely, but unfortunately they were not always accurate. They fell short of their goal, and both deeply regret those mistakes.

As a result of learning of their errors, both have resigned their posts as Treasurer and Assistant Treasurer. In addition, as part of the Court Case, both participated in paying Mr. Erdo \$1,726.72 for materials related to an open house at the PDCC headquarters and the repayment of a loan. Together with the current proceeding, Patsy and Sylvia have been through a public ordeal that has caused them great distress and upset, as well as financial hardship.

We ask the Commission to either ask the filing of the amendments as satisfying Maine law, or in the alternative to waive the penalties because the harm was minor and the expertise of the treasurers was lacking as well.

Thank you for your consideration.

Appendix A

STATE OF MAINE
PISCATAQUIS, SS.

DISTRICT COURT
CIVIL ACTION
DOCKET NO CV-09-052

JULIUS ERDO,

Plaintiff,

v.

PISCATAQUIS COUNTY
DEMOCRATIC COMMITTEE, et al.,

Defendant.

DECISION and JUDGMENT

RECEIVED & FILED

MAR 30 2010

PISCATAQUIS COUNTY
Clerk's Office

Hearing was held on the plaintiff's complaint and defendant's counterclaim on March 22, 2010. The plaintiff was present, pro se while the defendants were present and represented by Willis Higgins, Esq., who also is a named defendant. In his complaint, the plaintiff alleges that he should recover sums from the defendant, alleging breach of contract, as well as the equitable claims of quantum meruit and unjust enrichment. The defendants have answered and counterclaimed, alleging harassment and intentional infliction of emotional distress. The claims arise from plaintiff's actions during his brief tenure as chair of the committee in 2006. He alleges he loaned money to the defendant and was not repaid, gave a donation that he wants refunded, and incurred expense and performed services for the committee for which he should receive compensation.

1. LOANS, DONATIONS

Clearly, the plaintiff gave \$500 to the defendant committee in March of 2006. Additionally, he testified that he gave an additional \$1,000 to the committee in May, in two separate payments. The defendant testified that the March payment was a donation but the May payments were loans, however there is no note or other writing defining the nature of the obligation. The defendant has submitted P-5 of his ex. #1, a copy of a check book register and a diary entry evidencing the March payment and has also

presented a record indicating he wrote a check to cash in the amount of \$1,000 on May 8, 2006 with a notation that \$450 was for "David", \$500 was for the committee, and \$50 was for himself. In the same exhibit, he also produced two additional diary entries, one on May 8 indicating a \$500 cash loan to the defendant, and one on May 30, indicating "PCDC-500 cash." Witnesses, including the defendant's treasurer and assistant treasurer for 2006 have no memory of having received the two loans, but acknowledge receipt of a \$500 donation. A campaign finance report for 2006, part of def. ex. #1, however, notes a \$500 contribution from Mr. Erdo on May 31, 2006 and notes a loan for \$492.22, received on March 24, 2006 from Mr. Erdo, however the same report indicates that the loan was forgiven. Because of the lack of any specificity concerning the existence of two loans, the court finds that the plaintiff has failed to prove that one of them existed. Mainly because a donation and loan were acknowledged in the finance report, the Court finds that plaintiff made one \$500 loan that has not been repaid and for which he has not forgiven repayment¹ and also finds that he made a separate \$500 donation. The donation is a completed gift and no legal doctrine or principle permits the court to order its return.

2. BREACH of CONTRACT, QUANTUM MERUIT, UNJUST ENRICHMENT

a. Breach of Contract

Initially, plaintiff attempts to prove that the Committee was contractually obligated to reimburse the expenses described in P-3 of his exhibit #1 by referring to a conversation that he had with three members of the executive committee at the new Party Headquarters. After plaintiff had agreed to be the Committee Chair, and having

¹ The only evidence that the loan was forgiven is in the Campaign Finance Report, dated 1/11/07. No witness testified that it was forgiven and the hostile relationship between the parties precludes a finding that it was forgiven after August of 2006, when it was still listed as a liability in the quarterly reports dated 8/1/06 and amended, 8/10/06.

been requested to locate a rental unit suitable for a Headquarters, he located such a unit and met there with Committee members, Sylvia Johnson, Theresa Mudgett, and Patsy Fournier. They discussed the need to refurbish the building and plaintiff indicated he had an agreement with the owner that the owner would supply certain materials and plaintiff would supply labor. As the building was being refurbished the group planned for an opening to take place in May and they discussed what purchases would have to be made before that event. Although they discussed the issue of expenditures, the plaintiff has failed to prove the existence of an actual contract in which the Committee agreed to pay for what the Chair decided to purchase or any other specific agreement concerning payment for purchases. As a result, the controlling section, Article VII, of the by-laws, def. ex. #2, that provides that "no bills shall be contracted by any member of the County Committee unless authorized by vote of the County Committee or the Executive Board", remained the governing provision concerning such expenditures. Although it could be thought that Article VII requires prior approval of bill, plaintiff did not present the bills for payment under its provisions because the relationships between the parties became so strained so quickly.

b. Quantum Meruit

The plaintiff also argues that he is entitled to reimbursement under the equitable doctrine of quantum meruit. To prevail on this claim, plaintiff must prove that he provided services and materials to the defendant, at the defendant's request or with its knowledge and consent, and that the circumstances in which plaintiff rendered the service made it reasonable for plaintiff to expect that he would receive compensation. If the claim were proven, plaintiff would be entitled to the value the services and materials provided under these circumstances. *Runnells v. Quinn*, 2006 ME 7, ¶ 10.

Plaintiff made most of the relevant expenditures early in his tenure as Chair of the Committee. After attaining the post, he pursued his duties industriously and with exuberance, but did not pay close attention to the requirements of the by-laws. On July 1, 2006, plaintiff submitted a list of expenditures for which he sought reimbursement, (p-2 of pl. ex. #1). With two exceptions, he proved at trial that these expenditures benefited the Committee, having been incurred to announce the opening of the Headquarters, announce that the Governor was attending, and to pay for banners and flags to display at the opening. The exceptions are the July 4th advertisement, for which there was no proof as to purpose, and likewise, the U.S. Postal Service expenditure. This list was prepared before any conflict arose and Mr. Erdo believed, as a result of general conversation with committee members and the circumstances that existed at the time, that he would be reimbursed for the expenditures. In fact, the Court finds that he made the expenditures with the defendant's knowledge and consent. Although the members may not have known exactly what banners and flags would be purchased, or exactly what advertisement would be placed, they had a general knowledge of such expenditures. He had at least discussed his plans and how else were these materials and advertisements going to be obtained? Simultaneous with his purchase of banners listed in the exhibit, plaintiff donated (described by defendant as a loan) \$500 to the Committee, demonstrating his belief that the Committee would be paying the bill, in part with his donation. Finally, the Court finds that the circumstances in which the plaintiff made these expenditures made it reasonable for him to expect to receive reimbursement. The Court finds that he is entitled to reimbursement for the above expenditures, minus \$454.50 for flags that he now possesses, \$180 for Fourth of July advertising, and 97.00 in Postal Service expense. The total of these expenditures, therefore, is \$1,226.72.

Once the conflict erupted, plaintiff forwarded a bill for payment of additional expenditures. These include payment for labor, a table, a formica counter, a podium that he built himself, and food, beverages, and supplies. The Court finds that the defendant failed to prove that he made these expenditures and performed the labor expecting reimbursement, because if that had been his expectation, he would have included these items in his initial bill. It is more likely that he intended to donate the goods and services when purchased and rendered, and changed his characterization later, after his initial billing had been questioned. Additionally, he continues to possess the podium and committee table.

c. Unjust Enrichment

The doctrine of unjust enrichment applies when a benefit is conferred on defendant by plaintiff, there is an appreciation or knowledge by the defendant of the benefit, and retention of the benefit occurs under circumstances that make it inequitable for the defendant to retain benefit without payment the value of the benefit conferred. *See Howard and Bowie v. Collins, 2000 ME 148 ¶ 13.* Since the Court has already ordered reimbursement for the goods and services that plaintiff provided to defendant that the Court did not characterize as donations, there is no need to apply this additional equitable remedy. Additionally, the plaintiff has not proved that the retention of most of the value was inequitable, in light of the Committee's traditional penchant for frugality.

Finally, against whom should this judgment be entered? The evidence concerning the legal nature of Democratic Committee is sparse, but the Court concludes that at most it is a voluntary unincorporated nonprofit association. As such, an individual member is not liable for the debts of the association merely because of the person's status as a member and a person is not liable under contract unless that

member authorized, assented to, or ratified the contract in question. *Karl Rove & Co. v. Thornburgh*, 39 F.3d 1273,1284 (Cir.). Here, recovery was based not on contract, but on quantum meruit, and the service and materials that were furnished benefited the Committee, and not any particular members. Additionally, no particular members caused the plaintiff to make the expenditures, or encouraged him to do so. Under these circumstances, only the Committee has liability.

Intentional Infliction of Emotional Distress, Harassment

Although Mr. Erdo engaged in inappropriate behavior after this controversy erupted, the plaintiff's have failed to prove a requirement of the tort of intentional infliction of emotional distress. In this context, the emotional distress must be serious and of the type that no reasonable person could be expected to endure. To prove this claim, counterclaimant must prove that Mr. Erdo's conduct was so extreme and outrageous as to exceed all possible bounds of decency and must be regarded as atrocious and utterly intolerable. *Vogt v. Churchill*, 679 A.2d 1135, 1139 (Me. 1996). Counterclaimants have failed to meet this standard.

Finally, counterclaimants assert a claim of harassment. This court has not been able to identify the existence of such a tort in Maine. *See generally*, Simmons, et al., *Maine Tort Law* (4th ed. 2004).

This Court Orders that Judgment be entered for the plaintiff and against the Piscataquis County Democratic Committee in the amount of \$1726.72 , plus interest and costs on Count II of his complaint and that judgment be entered for defendants Donald J. Crossman, Willis E. Higgins, Richard A. Johnson, Theresa Mudgett, Patsy Fortier, Sylvia Johnson, and Sharon L. Jones on that count. The Court Orders that Judgment be

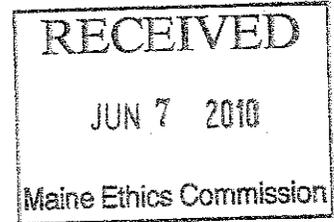
entered for all defendants on Counts I and III and for Counterclaim defendant on the counterclaim.

The clerk is directed to incorporate this Judgment into the docket by reference.

Dated: March 29, 2010


WILLIAM ANDERSON
JUSTICE, SUPERIOR COURT

Sharon Libby Jones
PO Box 1191
Greenville, ME 04441
207-695-2604



June 4, 2010

Maine Commission on
Governmental Ethics &
Election Practices
Jonathan Wayne
Executive Director
135 State House Station
Augusta, ME 04333

RE: Ethics Hearing on June 24, 2010

Dear Mr. Wayne:

Please find enclosed my written responses for the hearing on the 24th.

As indicated in my enclosed remarks I am thankful for the opportunity to review my campaign report with the Commission.

Sincerely,

A handwritten signature in cursive script that reads "Sharon Libby Jones".

Sharon H. Libby Jones

Sharon H. Libby Jones
PO Box 1191
Greenville, ME 04441

Maine Ethic's Commission Questions

for

June 24, 2010

Introduction:

I am thankful to be able to participate in this ethics hearing today. I have always believed it was an honor to serve the people of the State of Maine. The Ethic's process is important and I have always taken it very seriously. Please let me apologize to the Commission if there are errors in the campaign report. As we review my report I hope the Commission will see how outrageous some of the claims are in Mr. Erdo's complaint. Mr. Erdo is misusing the public process for his personal effort at retribution for a previous disagreement. The public should not have to pay for this nor should the people like me have to go through this.

My husband and I most of our lives have worked two jobs. Both of us worked for the public and own Jones Seasonal Services. Jones Seasonal Services is a small business. We do lawn care and do snowplowing. There are no employees except for the two of us. Each year our taxes are done by an accounting firm in Bangor.

- 1. Jones Seasonal Services owned a 2006 Utility Kubota. This is a utility vehicle with a small dump on the back. We used it for lawn care. We used it in two parades. It was hauled on a utility trailer in the Millinocket parade. It rained that day so we did not use it but hauled it behind our truck. It was used to haul the utility trailer in the Homecoming Parade in Dover-Foxcroft, ME. I had a broken right shoulder and couldn't walk. We used 2'X4' marine plywood signs on the side of the utility trailer and not the Kubota. They said "Sharon Libby Jones for Senate." The two signs did have disclaimers. The campaign paid for the fuel costs.**
- 2. I had run a previous Senate race and we put new reflector District numbers on the original signs. We did use two vehicles which is fuel costs. We indicate the expenses in our campaign report.**
- 3. I have never owned 24 4'X 8' marine plywood signs. The District has 67 Towns and it was cost prohibitive.**
- 4. The first campaign I ever ran was for a County Commissioner's Seat in 1996. I then ran a successful House Race in 1998. The plywood was purchased at Hammond Lumber in Greenville. The plywood was an expense on my campaign reports.**

5. My husband and I put up our own signs and took them down. We did purchase in the beginning (16) 4X4X10 posts. We repainted them each campaign usually with paint we owned. We used hand posthole digger and crowbar which we owned.
6. I did not use a mileage log and I apologize for that mistake. This District is the second largest District east of the Mississippi. The District includes the Counties of Piscataquis, Northern Penobscot and a portion of Somerset. My home is in Greenville. We used a 2004 Dodge diesel truck and a 2004 Kia Amanti. My husband and I traveled extensively throughout the District on campaign business. Ethics in 2006 did ask me how I was keeping track of my mileage. I did tell Ethics I had set up fuel account and was submitting the actual charge slips. I did parades, events, and door to door.
7. The payment of fuel that is over \$200.00 was an accumulation of many charges slips.
8. I had a separate charge account for campaign fuel.
9. I did stay at the Gateway Inn in Millinocket four times. I live in Greenville and just to get to Patten is 116 miles. I had a campaign plan and that plan coordinated doors and events in an area. It made no sense to drive back forth to Greenville, so after a long day I did stay at the Gateway.
10. Verizon and Unicef bills were strictly campaign bills. My campaign office needed to be centrally located. In rural Maine we had limited DSL service. I did speak with Ethics prior to hooking up DSL. I was concerned about the high cost of setting up the account. We used a VAN system daily which required a DSL system.

Conclusion:

You will note that my Treasurer for this campaign was Carol Whitney. She was at one time the State Comptroller. She and I would never compromise our careers and reputations. I want to assure the Ethics Commission that we both tried to adhere to the rules and regulations of the campaign laws.

Mr. Erdo since 2006 has harassed me verbally intimidated me and went door to door telling constituents that I was bipolar. He has left several threatening voice mails. He has lied in numerous articles including the recent one in the Bangor Daily News.

A court case just was completed against the Piscataquis County Democratic Committee that included me. As Chair of the Piscataquis County Committee, Mr. Erdo never followed the Committees spending by-law guidelines. He was forced to resign and has been vindictive since 2006. This hearing today is all about bitterness,

bullying and further intimidation from Mr. Erdo. I don't feel confident that Mr. Erdo will stop harassing me. He will indeed continue even after the Ethics Commission rules on this complaint. I want to request the Ethics Commission to please stop this man's blatant harassment of me in regards to my campaign reports.

Again, I apologize to the Commission if there are errors and omissions in my report.

21-A MRSA § 1017-A. REPORTS OF CONTRIBUTIONS AND EXPENDITURES BY PARTY COMMITTEES

(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)

1. Contributions. A party committee shall report all contributions in cash or in kind from a single contributor that in the aggregate total more than \$200. The party committee shall report the name, mailing address, occupation and place of business of each contributor. Contributions of \$200 or less must be reported, and these contributions may be reported as a lump sum.

[2009, c. 190, Pt. A, §8 (AMD) .]

2. Expenditures to support or oppose candidates, others. A party committee shall report all expenditures made to support or oppose a candidate, political committee, political action committee or party committee registered under this chapter. The party committee shall report:

A. The name of each candidate, political committee, political action committee or party committee; [2007, c. 443, Pt. A, §17 (AMD) .]

B. The office sought by a candidate and the district that the candidate seeks to represent; and [1991, c. 839, §23 (NEW); 1991, c. 839, §33 (AFF) .]

C. The date, amount and purpose of each expenditure. [2007, c. 443, Pt. A, §17 (AMD) .]

[2009, c. 190, Pt. A, §9 (AMD) .]

3. Other expenditures. Operational expenses and other expenditures that are not made to support or oppose a candidate, committee, political action committee or party committee must be reported separately. The party committee shall report:

A. The name and address of each payee ; [2009, c. 190, Pt. A, §10 (AMD) .]

B. The purpose for the expenditure; and [2007, c. 443, Pt. A, §17 (AMD) .]

C. The date and amount of each expenditure. [1993, c. 715, §2 (NEW) .]

[2009, c. 190, Pt. A, §10 (AMD) .]

4. Filing schedule.

[2003, c. 302, §2 (RP) .]

4-A. Filing schedule. A state party committee shall file its reports according to the following schedule.

A. Quarterly reports must be filed by 11:59 p.m.:

(1) On January 15th and must be complete up to December 31st;

(2) On April 10th and must be complete up to March 31st;

(3) On July 15th and must be complete up to June 30th; and

(4) On October 10th and must be complete up to September 30th. [2009, c. 190, Pt. A, §11 (AMD) .]

B. General and primary election reports must be filed by 11:59 p.m.:

(1) On the 11th day before the date on which the election is held and must be complete up to the 14th day before that date; and

(2) On the 42nd day after the date on which the election is held and must be complete up to the 35th day after that date. [2007, c. 443, Pt. A, §17 (AMD) .]

C. Reports of spending to influence special elections, referenda, initiatives, bond issues or constitutional amendments must be filed by 11:59 p.m.:

(1) On the 11th day before the date on which the election is held and must be complete up to the 14th day before that date; and

(2) On the 42nd day after the date on which the election is held and must be complete up to the 35th day after that date. [2007, c. 443, Pt. A, §17 (AMD) .]

D. A state party committee that files an election report under paragraph B or C is not required to file a quarterly report under paragraph A when the deadline for that quarterly report falls within 10 days of the filing deadline established in paragraph B or C. [2003, c. 302, §3 (NEW) .]

E. A state party committee shall report any expenditure of \$500 or more made after the 14th day before the election and more than 24 hours before 5:00 p.m. on the day of the election within 24 hours of that expenditure. [2007, c. 443, Pt. A, §17 (AMD) .]

[2009, c. 190, Pt. A, §11 (AMD) .]

4-B. Filing schedule for municipal, district and county party committees. Municipal, district and county party committees shall file reports according to the following schedule.

A. Reports filed during an election year must be filed with the commission by 11:59 p.m. on:

(1) July 15th and be complete as of June 30th;

(2) The 11th day before the date on which the general election is held and must be complete up to the 14th day before that date; and

(3) January 15th and be complete as of December 31st. [2009, c. 190, Pt. A, §12 (AMD) .]

B. Reports filed during a nonelection year must be filed by 11:59 p.m. on:

(1) July 15th and be complete as of June 30th; and

(2) January 15th and be complete as of December 31st. [2007, c. 443, Pt. A, §17 (AMD) .]

C. Any expenditure of \$1,000 or more made after the 14th day before any election and more than 24 hours before 11:59 p.m. on the day of the election must be reported within 24 hours of that expenditure. [2007, c. 443, Pt. A, §17 (AMD) .]

[2009, c. 190, Pt. A, §12 (AMD) .]

4-C. Electronic filing. State party committees shall file each report required by this section through an electronic filing system developed by the commission. The commission may make an exception to this electronic filing requirement if a party committee submits a written request that states that the party committee lacks access to the technology or the technological ability to file reports electronically. The request for an exception must be submitted by March 1st of the election year. The commission shall grant all reasonable requests for exceptions.

[2007, c. 443, Pt. A, §17 (AMD) .]

5. Penalties. A party committee is subject to the penalties in section 1020-A, subsection 4-A.

[2003, c. 1, §13 (COR) .]

6. Notice; forms. A state party committee shall notify all county, district and municipal party committees of the same political party of the party committee reporting requirements. The party committees shall obtain the necessary forms from the commission to complete the filing requirements.

[1991, c. 839, §23 (NEW); 1991, c. 839, §33 (AFF) .]

7. Exemption. Any party committee receiving and expending less than \$1,500 in one calendar year is exempt from the reporting requirements of this section for that year.

[1991, c. 839, §23 (NEW); 1991, c. 839, §33 (AFF) .]

8. (TEXT EFFECTIVE UNTIL 8/1/11) Municipal elections. When a party committee makes contributions or expenditures on behalf of a candidate for municipal office subject to this subchapter, it shall file a copy of the reports required by this section with the clerk in that candidate's municipality.

[1995, c. 483, §10 (NEW) .]

8. (TEXT EFFECTIVE 8/1/11) Municipal elections. When a party committee makes contributions or expenditures on behalf of a candidate for municipal office in a town or city that has chosen to be governed by this subchapter, it shall file a copy of the reports required by this section with the clerk in that candidate's municipality.

[2009, c. 366, §4 (AMD); 2009, c. 366, §12 (AFF) .]

SECTION HISTORY

2007, c. 443, Pt. A, §17 (AMD). 2009, c. 190, Pt. A, §§8-12 (AMD). 2009, c. 366, §4 (AMD). 2009, c. 366, §12 (AFF).

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**Campaign Finance Reports Filed by PCDC --
Before and After Amendments**

Year	Receipts prior to Amendments	Receipts After Amendments	Expenditures Prior to Amendments	Expenditures After Amendments	Cash Balance Prior to Amendments	Cash Balance After Amendments
2006						
7/17/06 report	\$1,694.22	\$1,769.25	\$1,627.74	\$1,792.60	\$66.48	-\$23.35
10/27/06 report*	\$1,515.00	\$3,429.00	\$1,130.13	\$2,410.75	\$384.87	\$1,018.25
1/16/07 report	\$2,428.00	\$2,428.00	\$1,289.81	\$1,289.81	\$1,138.19	\$1,138.19
2007					\$0.00	
7/16/07 report	\$1,173.50	\$1,416.50	\$3,936.43	\$4,024.83	-\$2,762.93	-\$2,608.33
1/15/08 report	\$783.22	\$997.68	\$869.53	\$869.53	-\$86.31	\$128.15
2008					\$0.00	
5/30/08 report*	\$2,341.70	\$2,991.70	\$1,179.66	\$1,179.66	\$1,162.04	\$1,812.04
7/15/08 report	\$550.00	\$950.00	\$438.96	\$438.96	\$111.04	\$511.04
10/24/08 report*	\$4,298.40	\$5,312.35	\$4,176.91	\$4,980.58	\$121.49	\$331.77
1/15/2009 report	\$150.00	\$150.00	\$1,268.30	\$1,268.30	-\$1,118.30	-\$1,118.30
2009					\$0.00	
7/15/09 report*	\$600.00	\$2,555.35	\$4,889.26	\$3,269.91	-\$4,289.26	-\$714.56
1/19/10 report	\$800.00	\$807.93	\$1,909.86	\$2,009.86	-\$1,109.86	-\$1,201.93
Totals	\$16,334.04	\$22,807.76	\$22,716.59	\$23,534.79	-\$6,382.55	-\$727.03

*Commission staff recommends finding that these four reports were filed late, because they did not substantially conform to the disclosure requirements for party committees.

**SCHEDULE A
CASH CONTRIBUTIONS**

- For contributors who gave more than \$200, the name, address, occupation, and employer must be reported. If "information requested" is listed instead of occupation and employer, the committee is waiting to receive that information.
- Cash contributions of \$200 or less can be added together and reported as a lump sum.
- Contributor Types
 - 1 - Individuals
 - 2 - Commercial Sources
 - 3 - Political Action Committees
 - 4 - Party Committees
 - 5 - Candidate Committees
 - 6 - Unitemized Contributions

DATE RECEIVED	CONTRIBUTOR	OCCUPATION AND EMPLOYER	TYPE	AMOUNT
10/06/2004	JULIUS ERDO PO BOX 339 GUILFORD, ME 04333	RETIRED	1.00	\$250.00
10/21/2004			6.00	\$20.00
TOTAL CASH CONTRIBUTIONS ⇒				\$270.00

PISCATAQUIS COUNTY DEMOCRATIC COMMITTEE

SCHEDULE A ONLY

**SCHEDULE A
CASH CONTRIBUTIONS**

- For contributors who gave more than \$200, the name, address, occupation, and employer must be reported. If "information requested" is listed instead of occupation and employer, the committee is waiting to receive that information.
- Cash contributions of \$200 or less can be added together and reported as a lump sum.
- Contributor Types

1 - Individuals	4 - Party Committees
2 - Commercial Sources	5 - Candidate Committees
3 - Political Action Committees	6 - Unitemized Contributions

DATE RECEIVED	CONTRIBUTOR	OCCUPATION AND EMPLOYER	TYPE	AMOUNT
05/31/2006	JULIUS L ENDS, III P.O. BOX 268 GUILFORD, ME 04441	RETIRED		\$500.00
06/28/2006	SHARON LIBBY JONES P.O. BOX 1191 GREENVILLE, ME 04441	CANDIDATE		\$500.00
06/30/2006			6.00	\$202.00
02/09/2006			6.00	\$100.00
06/28/2006			6.00	\$67.25
06/28/2006	PISCATAQUIS COUNTY DEMOCRATIC COMMITTEE PO BOX 44 GUILFORD, ME 04443		2.00	\$400.00
TOTAL CASH CONTRIBUTIONS ⇒				\$1,769.25

21-A MRSA § 1020-A. FAILURE TO FILE ON TIME

(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)

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

[1995, c. 483, §15 (NEW) .]

 **2. Campaign finance reports.** A campaign finance report is not timely filed unless a properly signed or electronically submitted copy of the report, substantially conforming to the disclosure requirements of this subchapter, is received by the commission by 11:59 p.m. on the date it is due. Except as provided in subsection 7, the commission shall determine whether a report satisfies the requirements for timely filing. The commission may waive a penalty in whole or in part if the commission determines that the penalty is disproportionate to the size of the candidate's campaign, the level of experience of the candidate, treasurer or campaign staff or the harm suffered by the public from the late disclosure. The commission may waive the penalty in whole or in part if the commission determines the failure to file a timely report was due to mitigating circumstances. For purposes of this section, "mitigating circumstances" means:

A. A valid emergency determined by the commission, in the interest of the sound administration of justice, to warrant the waiver of the penalty in whole or in part; [1999, c. 729, §5 (AMD) .]

B. An error by the commission staff; [1999, c. 729, §5 (AMD) .]

C. Failure to receive notice of the filing deadline; or [1999, c. 729, §5 (AMD) .]

 D. Other circumstances determined by the commission that warrant mitigation of the penalty, based upon relevant evidence presented that a bona fide effort was made to file the report in accordance with the statutory requirements, including, but not limited to, unexplained delays in postal service or interruptions in Internet service. [2009, c. 190, Pt. A, §13 (AMD) .]

[2009, c. 190, Pt. A, §13 (AMD) .]

3. (TEXT EFFECTIVE UNTIL 8/1/11) Municipal campaign finance reports. Municipal campaign finance reports must be filed, subject to all the provisions of this subchapter, with the municipal clerk on forms prescribed by the Commission on Governmental Ethics and Election Practices. The municipal clerk shall send any notice of lateness required by subsection 6 and shall notify the commission of any late reports subject to a penalty.

[1995, c. 625, Pt. B, §5 (AMD) .]

3. (TEXT EFFECTIVE 8/1/11) Municipal campaign finance reports. Municipal campaign finance reports must be filed, subject to all the provisions of this subchapter, with the municipal clerk in a town or city that has chosen to be governed by this subchapter on forms prescribed by the Commission on Governmental Ethics and Election Practices. The municipal clerk shall send any notice of lateness required by subsection 6 and shall notify the commission of any late reports subject to a penalty.

[2009, c. 366, §6 (AMD); 2009, c. 366, §12 (AFF) .]

4. Basis for penalties.

[2001, c. 470, §7 (AMD); T. 21-A, §1020-A, sub-§§4, 5 (RP) .]

4-A. Basis for penalties. The penalty for late filing of a report required under this subchapter, except for accelerated campaign finance reports required pursuant to section 1017, subsection 3-B, is a percentage of the total contributions or expenditures for the filing period, whichever is greater, multiplied by the number of calendar days late, as follows:

A. For the first violation, 1%; [2001, c. 714, Pt. PP, §1 (NEW); 2001, c. 714, Pt. PP, §2 (AFF) .]

B. For the 2nd violation, 3%; and [2001, c. 714, Pt. PP, §1 (NEW); 2001, c. 714, Pt. PP, §2 (AFF) .]

C. For the 3rd and subsequent violations, 5%. [2001, c. 714, Pt. PP, §1 (NEW); 2001, c. 714, Pt. PP, §2 (AFF) .]

Any penalty of less than \$10 is waived.

Violations accumulate on reports with filing deadlines in a 2-year period that begins on January 1st of each even-numbered year. Waiver of a penalty does not nullify the finding of a violation.

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

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

The penalty for late filing of an accelerated campaign finance report as required in section 1017, subsection 3-B may be up to but no more than 3 times the amount by which the contributions received or expenditures obligated or made by the candidate exceed the applicable Maine Clean Election Fund disbursement amount, per day of violation. The commission shall make a finding of fact establishing when the report was due prior to imposing a penalty under this subsection. A penalty for failure to file an accelerated campaign finance report must be made payable to the Maine Clean Election Fund. In assessing a penalty for failure to file an accelerated campaign finance report, the commission shall consider the existence of mitigating circumstances. For the purposes of this subsection, "mitigating circumstances" has the same meaning as in subsection 2.

[2007, c. 443, Pt. A, §22 (AMD) .]

5. Maximum penalties.

[2001, c. 470, §8 (AMD); T. 21-A, §1020-A, sub-§5 (RP) .]

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

A. Five thousand dollars for reports required under section 1017, subsection 2, paragraph B, C, D, E or H; section 1017, subsection 3-A, paragraph B, C, D, D-1 or F; section 1017, subsection 4; and section 1019-B, subsection 3; [2009, c. 190, Pt. A, §14 (AMD) .]

B. Five thousand dollars for state party committee reports required under section 1017-A, subsection 4-A, paragraphs A, B, C and E; [2003, c. 628, Pt. A, §4 (AMD) .]

C. One thousand dollars for reports required under section 1017, subsection 2, paragraphs A and F and section 1017, subsection 3-A, paragraphs A and E; [2003, c. 628, Pt. A, §4 (AMD) .]

 D. Five hundred dollars for municipal, district and county committees for reports required under section 1017-A, subsection 4-B; or [2003, c. 628, Pt. A, §4 (AMD).]

E. Three times the unreported amount for reports required under section 1017, subsection 3-B, if the unreported amount is less than \$5,000 and the commission finds that the candidate in violation has established, by a preponderance of the evidence, that a bona fide effort was made to file an accurate and timely report. [2001, c. 714, Pt. PP, §1 (NEW); 2001, c. 714, Pt. PP, §2 (AFF).]

[2009, c. 190, Pt. A, §14 (AMD) .]

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

[2009, c. 302, §5 (RPR) .]

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

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

[2009, c. 302, §6 (AMD) .]

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

[2007, c. 443, Pt. A, §25 (AMD) .]

8-A. Penalties for failure to file report. The penalty for failure to file a report required under this subchapter may not exceed the maximum penalties as provided in subsection 5-A.

[2003, c. 628, Pt. A, §6 (NEW) .]

9. List of late-filing candidates. The commission shall prepare a list of the names of candidates who are late in filing a report required under section 1017, subsection 2, paragraph C or D or section 1017, subsection 3-A, paragraph B or C within 30 days of the date of the election and shall make that list available for public inspection.

[1995, c. 483, §15 (NEW) .]

10. Enforcement. A penalty assessed pursuant to this section that has not been paid in full within 30 days after issuance of a notice of the final determination may be enforced in accordance with section 1004-B.

[2009, c. 302, §7 (RPR) .]

SECTION HISTORY

1995, c. 483, §15 (NEW). IB 1995, c. 1, §15 (AMD). 1995, c. 625, §B5 (AMD). RR 1995, c. 1, §10 (COR). RR 1995, c. 2, §38 (COR). 1999, c. 426, §§32,33 (AMD). 1999, c. 729, §5 (AMD). 2001, c. 470, §§7,8 (AMD). 2001, c. 714, §PP1 (AMD). 2001, c. 470, §11 (AFF). 2001, c. 714, §PP2 (AFF). 2003, c. 302, §4 (AMD). 2003, c. 448, §4 (AMD). 2003, c. 628, §§A3-6 (AMD). RR 2003, c. 1, §14 (COR). 2007, c. 443, Pt. A, §§21-25 (AMD). 2009, c. 190, Pt. A, §§13, 14 (AMD). 2009, c. 302, §§5-7 (AMD). 2009, c. 366, §6 (AMD). 2009, c. 366, §12 (AFF). MRSA T. 21-A, §1020-A, sub-§4 (AMD). MRSA T. 21-A, §1020-A, sub-§5 (AMD).

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2006 Expenditures by Sharon Libby Jones

Date	Payee	Expenditure Type	Remark	Amount
4/10/2006	Chase	Campaign literature (printing and graphics)	campaign literature and internet (WEB)	\$188.27
4/17/2006	Chase	Campaign literature (printing and graphics)	copying service	\$238.20
7/31/2006	The ADVG Specialists of ME INC	Campaign literature (printing and graphics)		\$194.83
8/14/2006	The ADVG Specialists of ME INC	Campaign literature (printing and graphics)		\$152.17
8/18/2006	SPILLER'S	Campaign literature (printing and graphics)		\$1,398.38
9/22/2006	AMB Signs	Campaign literature (printing and graphics)		\$1,000.00
10/25/2006	Chase	Campaign literature (printing and graphics)		\$197.04
10/25/2006	Chase	Campaign literature (printing and graphics)		\$235.58
9/23/2006	Indian Hill Trading Post	Food for campaign events, volunteers		\$80.00
11/5/2006	Subway	Food for campaign events, volunteers		\$57.72
11/7/2006	Pammie Beckwith	Food for campaign events, volunteers		\$75.00
10/25/2006	The Johnson Group	Internet and e-mail		\$175.00
10/2/2006	OURSO BEYCHOK JOHNSON	Mail house (all services purchased)		\$4,420.00
10/19/2006	OURSO BEYCHOK JOHNSON	Mail house (all services purchased)		\$4,420.00
1/18/2006	Maine Highlands FCU	Other	checks	\$10.98
1/28/2006	Maine Highlands FCU	Other	s/c	\$2.00
2/28/2006	Maine Highlands FCU	Other	s/c	\$2.00
3/3/2006	Liberty Enterprises	Other	pre-inked stamp	\$27.80
3/9/2006	Maine Highlands FCU	Other	High Yield check fee	\$1.00
3/31/2006	Maine Highlands FCU	Other	s/c	\$2.00
4/8/2006	Town of Wellington	Other	voting list	\$15.00
4/11/2006	Town of Atkinson	Other	voting list	\$10.00
4/17/2006	Maine Highlands FCU	Other	s/c	\$2.00
5/31/2006	Maine Highlands FCU	Other	s/c	\$2.00
6/6/2006	Maine Highlands FCU	Other	S/C	\$2.00
6/28/2006	Piscataquis County Democratic Committee	Other	June/July Office Supplies and Copying	\$500.00
7/18/2006	Maine Highlands FCU	Other	s/c	\$2.00
7/24/2006	Maine Highlands FCU	Other	S/C	\$2.00
8/7/2006	UNICEL	Other	Cell Phone	\$94.64
8/7/2006	LeeAnn LaFleur Studios	Other	Campaign Photo Session/CD	\$319.00
8/7/2006	Verizon	Other	Web/Internet and Deposit plus monthly billing into November	\$867.56
8/30/2006	Maine Highlands FCU	Other	August S/C	\$2.00
9/30/2006	Chase	Other	Copying/Domain Registration/Phone System	\$140.85

2006 Expenditures by Sharon Libby Jones

Date	Payee	Expenditure Type	Remark	Amount
10/30/2006	Jondro Anita	Other	Reimbursement for buying Office Supply Labels	\$15.88
11/1/2006	Rite Aid	Other	Mailing Labels	\$22.76
11/7/2006	Gagne Hutch Jeanot	Other	Electrical for Phone Jacks in Campaign Office	\$158.77
12/3/2006	Sylvia Johnson	Other	Mailing Labels, Ink Cartridges and Paper from Staples	\$196.42
12/10/2006	Maine Highlands FCU	Other	August S/C	\$2.00
12/10/2006	Maine Highlands FCU	Other	September S/C	\$2.00
12/10/2006	Maine Highlands FCU	Other	October S/C	\$2.00
12/10/2006	Maine Highlands FCU	Other	November S/C	\$2.00
12/10/2006	Verizon	Other	Final Phone Bill for Verizon	\$130.51
12/10/2006	Whitney Carol	Other professional services	Accountanting Fee	\$200.00
4/17/2006	Carol Whitney	Postage for U.S. Mail	postage and envelopes	\$26.00
4/17/2006	USPS	Postage for U.S. Mail	postage	\$78.00
10/2/2006	USPS	Postage for U.S. Mail		\$39.00
10/11/2006	USPS	Postage for U.S. Mail		\$39.00
10/16/2006	USPS	Postage for U.S. Mail		\$156.00
10/23/2006	USPS	Postage for U.S. Mail		\$156.00
10/27/2006	USPS	Postage for U.S. Mail		\$156.00
10/31/2006	USPS	Postage for U.S. Mail		\$156.00
11/2/2006	USPS	Postage for U.S. Mail		\$156.00
11/6/2006	USPS	Postage for U.S. Mail		\$78.00
6/6/2006	AMB Signs	Print media ads	Signs/Parade Banners	\$882.00
6/20/2006	AMB Signs	Print media ads	RE-Lettering Banner	\$134.40
6/28/2006	SPILLER'S	Print media ads	Letterhead/Stationary	\$995.38
6/30/2006	SPILLER'S	Print media ads	Copying	\$10.50
7/17/2006	Caron Signs	Print media ads	Re-Touch Signs	\$40.00
7/24/2006	SPILLER'S	Print media ads		\$10.50
9/5/2006	The Eastern Gazette	Print media ads		\$640.00
9/27/2006	The Eastern Gazette	Print media ads		\$55.00
10/11/2006	Moosehead Messenger	Print media ads		\$203.00
10/19/2006	Kathadin Press	Print media ads		\$124.16
10/20/2006	Piscataquis Observer	Print media ads		\$392.40
10/23/2006	Moosehead Messenger	Print media ads		\$406.40
10/24/2006	Piscataquis Observer	Print media ads		\$216.90

2006 Expenditures by Sharon Libby Jones

Date	Payee	Expenditure Type	Remark	Amount
10/25/2006	The Eastern Gazette	Print media ads		\$384.00
10/27/2006	Moosehead Messenger	Print media ads		\$101.20
10/28/2006	Chase	Print media ads		\$320.76
11/2/2006	Chase	Print media ads		\$412.56
11/2/2006	Chase	Print media ads		\$929.88
11/3/2006	Kathadin Press	Print media ads		\$298.32
11/6/2006	The Eastern Gazette	Print media ads		\$192.00
10/20/2006	WDME Radio	Radio ads, production costs		\$502.00
10/31/2006	Katahdin Communications, Inc. WSYF-AM/FM	Radio ads, production costs		\$342.00
11/1/2006	WDME Radio	Radio ads, production costs		\$394.00
4/17/2006	Exxon Mobil	Travel (fuel, mileage, lodging, etc.)	fuel	\$29.15
6/8/2006	RH Foster Energy	Travel (fuel, mileage, lodging, etc.)	Fuel Bill	\$229.05
7/17/2006	Exxon Mobil	Travel (fuel, mileage, lodging, etc.)	Fuel	\$97.31
7/17/2006	RH Foster Energy	Travel (fuel, mileage, lodging, etc.)	Fuel	\$152.97
8/14/2006	GATEWAY INN	Travel (fuel, mileage, lodging, etc.)	Lodging	\$194.85
8/20/2006	GATEWAY INN	Travel (fuel, mileage, lodging, etc.)	Lodging	\$69.50
8/25/2006	Exxon Mobil	Travel (fuel, mileage, lodging, etc.)	Fuel	\$60.03
8/30/2006	RH Foster Energy	Travel (fuel, mileage, lodging, etc.)	Fuel	\$101.74
9/15/2006	Exxon Mobil	Travel (fuel, mileage, lodging, etc.)	Fuel	\$256.52
10/14/2006	Exxon Mobil	Travel (fuel, mileage, lodging, etc.)	Fuel	\$299.99
10/23/2006	Exxon Mobil	Travel (fuel, mileage, lodging, etc.)	Fuel	\$271.54
10/26/2006	GATEWAY INN	Travel (fuel, mileage, lodging, etc.)	Lodging	\$88.49
10/26/2006	Exxon Mobil	Travel (fuel, mileage, lodging, etc.)	Fuel	\$91.74
11/2/2006	GATEWAY INN	Travel (fuel, mileage, lodging, etc.)	Lodging	\$74.85
11/5/2006	Exxon Mobil	Travel (fuel, mileage, lodging, etc.)	Fuel	\$99.11
12/10/2006	Exxon Mobil	Travel (fuel, mileage, lodging, etc.)	Fuel	\$135.44
Total expenditures				\$26,849.00

2. **Election Campaign Reporting and Maine Clean Election Act Violations**

- A. **Report Review.** The Commission staff will review all reports filed pursuant to 21-A M.R.S.A., chapters 13 and 14 to verify compliance with the reporting requirements set by statute or rule. Notice of any omission, error, or violation will be given by mail to the filer and a copy of the notice and any other communication made to or from the filer relating to the problem(s) will be placed in the filer's record. The Commission staff will establish a reasonable time period for the filer to remedy any omission or error. If the filer fails to respond within that time frame, the Commission staff may extend the time period within which the filer must comply or place the matter on the agenda of the next Commission meeting, along with all documents relating to the case. Additionally, any apparent violations or occurrences of substantial nonconformance with the requirements of the law will be placed on the agenda of the next meeting.
- B. **Late Reports and Registrations.** Where required by statute, notice of failure to file a required report will be timely sent by Commission staff. When a report or registration is filed late, the Director's recommendations will be based on the following considerations:
- (1) Lateness of report or registration,
 - (2) Reason for lateness,
 - (3) Kind of report (more stringent application for pre-election reports),
 - (4) Amount of campaign funds not properly reported,
 - (5) Previous record of the filer,
 - (6) Good faith effort of the filer to remedy the matter; and
 - (7) Whether the late filing had an effect on a certified candidate's eligibility for matching funds.
- C. Reports of noncompliance with the provisions of the campaign registration and reporting laws or the Maine Clean Election Act that may come to the attention of the Commission staff from any source other than review of the reports filed will be reported to the Commission Chair. Any person (as defined in 21-A M.R.S.A. §1001) may make an official request for a Commission investigation or determination by filing a written request at the Commission's office, setting forth such facts with sufficient details as are necessary to specify the alleged violation. Statements should be made upon personal knowledge. Statements which are not based upon personal knowledge must identify the source of the information which is the basis for the request, so that respondents and Commission staff may adequately respond to the request. A copy of any such written request will be promptly mailed to the candidate or organization alleged to have violated the statutory requirements. An official request will be placed on the agenda of the next Commission meeting.
- D. An oral report of a violation, or a written request containing insufficient detail to specify the violation charged, does not constitute an official request for a



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES

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Website: www.maine.gov/ethics

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

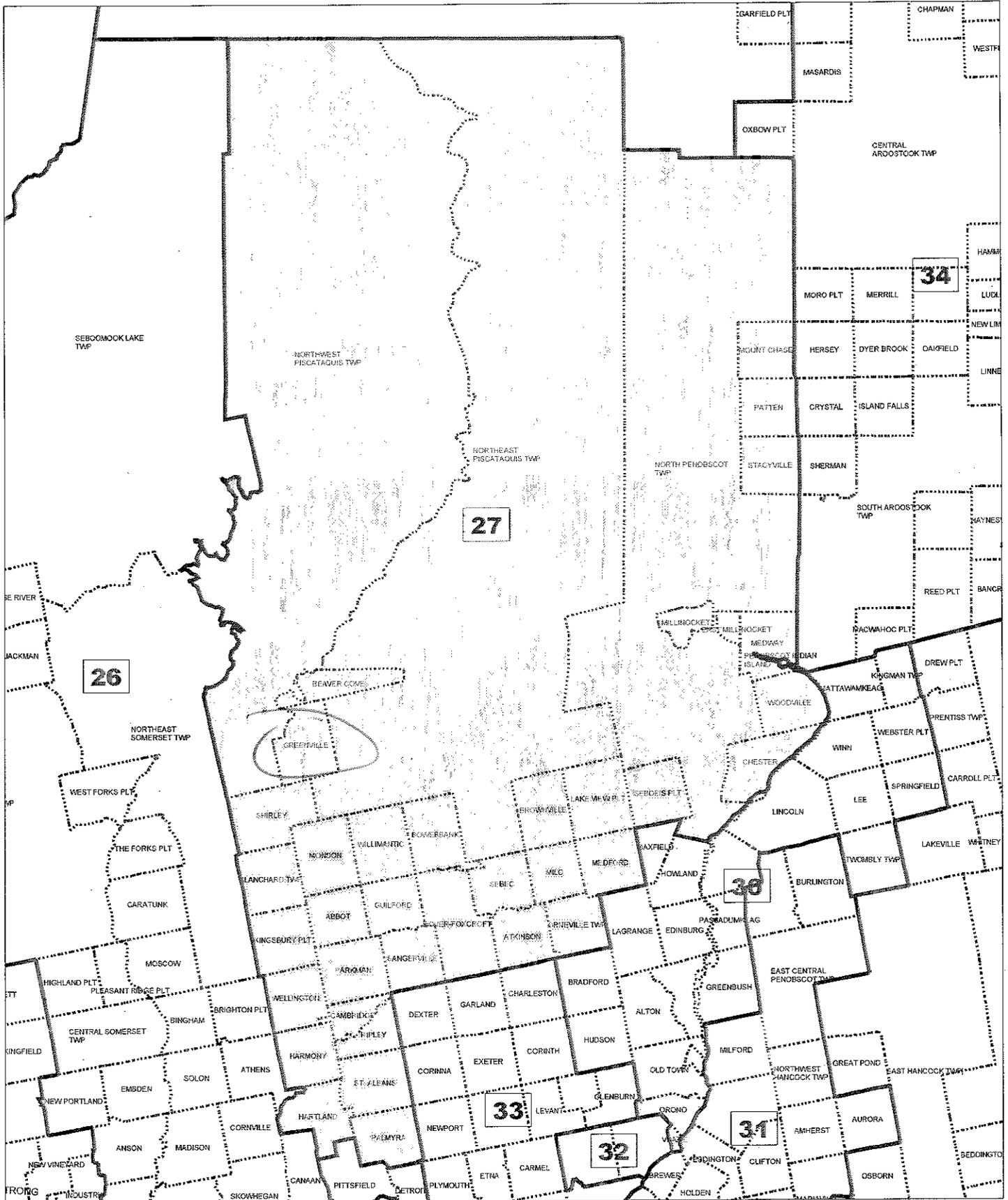
- *Electronics and Other Personal Property.* Goods purchased with MCEA funds that could be converted to personal use after the campaign (e.g., computers, fax machines, and cellular telephones) must be reported on Schedule E of the candidate reporting form. No later than 42 days after the general election, 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.

Senate District 27

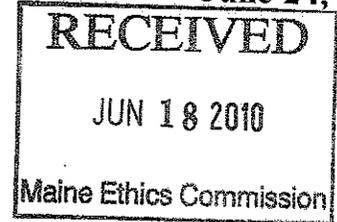
Senate District 27 is shaded area



June 24, 2010

Verrill Dana^{LLP}

Attorneys at Law



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To: Maine Commission on Governmental Ethics and Election Practices
From: Michael V. Saxl, Esq.
Re: Response to Request for Additional Information Regarding Complaint of Mr. Julius Erdo against Patsy Fortier and Sylvia Johnson
Date: June 17, 2010

Introduction

In a June 14, 2010 email, Mr. Wayne asked us to provide additional information regarding the complaint filed by Mr. Erdo. In particular, he asked us to respond to:

Question: Do you have any idea why the committee didn't report the \$250 received from Mr. Erdo? Could it be because it was related to a federal campaign, and this was a report was for state elections?

Question: please explain which of these amounts did Mr. Erdo give the committee in 2006. Is the information currently in e-filing correct (that the committee received a \$500 contribution from Mr. Erdo in May 2006 and nothing else from Mr. Erdo in 2006)?

We try to break down these questions into five parts below. Please let us know if we can provide additional information.

Additional Information

1. *Did you report the \$250. Mr. Erdo donated to the PCDC in October, 2004?*

Mr. Erdo presented the \$250 check in October, 2004 to Patsy Fortier at the PCDC headquarters on E. Main Street in Dover-Foxcroft. This check was inadvertently left off the 2004 October filing, as we mistakenly only pulled income figures through September 30, 2004. This contribution was included in the subsequent filing.

2. *Was the contribution intended to be given to Kerry for President?*

At the time of the gift, we believe that the check had no indicia on it to direct it be given to the Kerry Campaign. While the PCDC did make expenditures during that reporting period that helped both federal and state candidates, this contribution was not passed-thru to the Kerry Campaign, but was used as part of the PCDC's efforts to support all democratic candidates on the local ballot.

- 3. Please explain the timing of the filing of the \$500 contribution Mr. Erdo gave to the committee in 2006.*

Mr. Erdo gave the PCDC a \$500 contribution on March 28, 2006, which was deposited into the PCDC checking account on March 31, 2006. PCDC typically handwrites reports for filing. At the time of filing the Ethics Commission transcribes those filings so they can be accessed electronically. We feel that a mistake may have occurred during transcription in which our hand-written "March 31, 2006" was mistakenly transcribed as "May 31, 2006" and subsequently included it in our January 1, 2006–June 30, 2006 reporting period.¹

- 4. Mr. Erdo claims he loaned the PCDC \$500 on May 8, 2006 and again on May 30, 2006. Please explain.*

We have no record of the two \$500 cash loans that Mr. Erdo claims. Mr. Erdo has provided no record, or verification of such loans. If he had made those loans, we feel that he certainly would have requested receipts for any monies in this amount. \$500 is a very large contribution for the PCDC and we believe we would remember large amounts of money such as this. To double check our recollection, the reports we filed were reconciled with both the register on our checkbook and the statements from our checking account, we again found no record indicating that any loans were made at this time from Mr. Erdo.

- 5. Please explain the loan of \$492.22 and the removal of such loan from the filing.*

We initially showed the \$492.22 as a loan. This was an amount of a private expenditure by Mr. Erdo without the approval of the PDCC on behalf of the PDCC for an office opening celebration. The nature of this expenditure reached such a high level of contention that it was contested in court and resolved recently.

Initially, unsure of how to record the contested amount, we filed the \$492.22 as a loan. Recently, our counsel, Mr. Saxl, after consultation with Commission staff, changed the amount from a loan to a contribution in an amended report. The confusion was about how to report a contested amount; whether to claim it as a loan, a contribution, or whether it should be handled in some other way.

¹ Both dates are within the January 1 – June 30 filing period.

After further consultation with the Commission, we agreed to restore the original amount of \$492.22 as a loan. We decided that a loan was likely a better characterization of the money since the Court identified a small amount of Mr. Erdo's claims as having value to the PCDC under the legal doctrine of *quantum meruit*. We decided that since the court determined that the PCDC did receive a benefit, it is best to call that a loan.

Recently as a result of the court case, Mr. Erdo was repaid. As a result, the PCDC's July 2010 report will show the loan repayment.

The PCDC received no other contributions from Mr. Erdo in May, 2006.