



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

**AGENDA**

**Meeting of March 14, 2001**

10:00 A.M., First Floor Hearing Room  
242 State Street, Augusta, Maine

ROUTINE BUSINESS

1. Ratification of Minutes of the February 14, 2001 meeting.

OLD BUSINESS

2. Maine Democratic Party Complaint Against Maine Republican Party and Maine GOP Victory 2000/MRP (Tabled from January 2001 meeting):  
**Allegations:** Numerous violations by Maine GOP Victory 2000/MRP of the reporting requirements for independent expenditures contained in 21-A M.R.S.A. § 1019; a violation of the registration requirements for political action committees contained in 21-A M.R.S.A. § 1053; a violation of the disclosure requirements of 21-A M.R.S.A. § 1014(2); and, because independent expenditures were made but not reported in 15 contests involving Maine Clean Election Act candidates, violation of the Maine Clean Election Act on those 15 occasions.  
**Recommendation:** Pending
3. Late Candidate Campaign Finance Report Penalty Determinations:
  - A. Michael A. Vaughan  
6-Day Pre-General Campaign Finance Report  
Due 11/1/00; Filed 11/17/00 - 16 days late  
One (1) Previous Violation  
Penalty: \$1,250.40  
**Recommendation:** Assess penalty of \$1,250.40 (see letters dated February 5, 2001, from Mr. Vaughan and February 13, 2001, from Ms. Georgia G. Chomas, Mr. Vaughan's Treasurer, for mitigating circumstances).

NEW BUSINESS

4. Late Candidate Campaign Finance Report Penalty Determinations:
  - A. Hon. Joseph C. Perry  
6-Day Pre-General Campaign Finance Report  
Due 11/1/00; Filed 11/2/00 - 1 day late  
One (1) Previous Violation  
Penalty: \$143.60  
**Recommendation:** Assess penalty of \$143.60 (see letter dated February 28, 2001, from Representative Perry, requesting penalty payment schedule).

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**AGENDA -- Meeting of February 14, 2001****B. Thomas J. Wright**

6-Day Pre-General Campaign Finance Report

Due 11/1/00; Filed 1/9/01- 69 days late

One (1) Previous Violation

Penalty: \$4,140.00

**Recommendation:** Assess penalty of \$4,140.00 (see letter dated February 6, 2001, for mitigating circumstances).

**C. Hon. Edward R. Dugay**

42-Day Post-General Campaign Finance Report

Due 12/19/00; Filed 1/16/01- 28 days late

One (1) Previous Violation

Penalty: \$1,621.48

**Recommendation:** Assess penalty of \$1,621.48 (see letter dated February 6, 2001, from Wayne L. Crabtree, Treasurer for Representative Dugay, for mitigating circumstances).

**5. Referrals of Unpaid Penalties and Non-Filings of Candidate Campaign Finance Reports:**

The attached tables reflect the status of candidates who have not filed required reports for the 2000 elections and those who have unpaid penalties. The Commission has previously referred to the Attorney General's Office for appropriate action those candidates whose names are followed by an asterisk. Commission Counsel has prepared a briefing of the status of those cases that have been previously referred for action.

**6. Maine Clean Election Act Violation:****A. Eugene J. McLaughlin, Jr.**

Violation of 21-A M.R.S.A. § 1125(6) – making expenditures in the amount of \$839.21 (\$129.10 for payment of late report filing penalty, \$25.00 for return check fee due to account overdraft, and \$685.11 in unexplained expenditures) in excess of MCEA distribution. Mr. McLaughlin spent in excess of the MCEA authorized amount because of a mistake in determining his account balance, relying on his bank account records instead of his checkbook balance. When the error was discovered due to an “insufficient funds” notice, he immediately took steps to identify the problem and paid the bank deficiency from his personal funds. The Maine Clean Election Fund has been fully reimbursed.

**Recommendation:** Note violation, but assess no penalty (see Mr. McLaughlin's letter of January 17, 2001, explaining the circumstances regarding the excess expenditures)

**7. Sumner A. Lymburner's complaint: By letter dated February 10, 2001, Mr. Lymburner requested to have the dollar value of biased newspaper articles added to the reported funding levels of candidates in an attempt to drive elections toward honesty in funding and advertising dollars. Commission direction is requested.**

**AGENDA -- Meeting of February 14, 2001**

8. Comments on Legislation: The following bills have been introduced and have had public hearings before the Legal and Veterans' Affairs Committee at which comments on behalf of the Commission have been presented or will be scheduled for hearings in the future.
  - A. LD 763 -- An Act to Refine the Maine Clean Election Act
  - B. LD 835 -- An Act to Eliminate Funding for Primary Elections Under the Maine Clean Election Act
  - C. LD 1055 -- An Act to Regulate Push Polling
  - D. LD 1101 -- An Act to Bring Fairness to the Maine Clean Elections Act
9. Maine Clean Election Act: Determination of Maine Clean Election Fund distributions for gubernatorial candidates in year 2002 elections.
10. Informational Items:
  - A. Letters to Representatives William J. Schneider and Arthur F. Mayo in response to similar questions concerning the provisions applicable to contributions and expenditures under specific circumstances.
  - B. Letters to Representatives Joseph Brooks and Robert Daigle in response to inquiries regarding the potential for conflicts of interest in employment situations
  - C. *Influence-free voting whets Maine's appetite*, Lance Tapley, CommonWealth, Winter 2001
11. Executive Session: As required.

ADJOURNMENT