



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

Agenda

November 30, 2022, 9:00 a.m.

Note: this meeting will be conducted in person and streamed on the Commission's YouTube channel, a channel link can be found on our website: www.maine.gov/ethics.

1. Ratification of the Minutes of the September 28 and October 26, 2022 Meetings

2. Public Hearing – Rulemaking

The Commission will hear comments from the public concerning proposed rule amendments relating to the Maine Clean Election Act program and the Commission's hearing procedures. If adopted, the rule amendments would be submitted to the Legislature for its consideration in 2023.

3. Request for Independent Expenditure Determination – Bruce Poliquin for Congress

The congressional campaign committee of Bruce Poliquin has requested a determination that the costs of a television advertisement are not independent expenditures in support of Paul LePage, who was a candidate for Governor. The ad contains brief footage of Bruce Poliquin and Paul LePage walking together, but otherwise does not promote Mr. LePage.

4. Complaint – American Leadership Committee-Maine PAC

On October 26, 2022, the Commission found that mailings and digital ads by the American Leadership Maine-PAC violated Maine Election Law because they did not identify any top funders and the PAC filed a report late. The Commission will consider whether to assess any penalties.

5. Complaint – Contribution Reporting by Maine Families First PAC

The Commission will continue considering contributions reported by the Maine Families First PAC and the timeliness of an independent expenditure report filed by the PAC.

6. Proposed Legislation

The Commission will consider legislation proposed by department staff.

7. Request for Waiver of Late Filing Penalty – We the People PAC

We the People PAC was required to file independent expenditure reports on October 12 and 19, 2022. The PAC filed both reports on October 24th, which was 12 days and 5 days late, respectively. The combined preliminary penalties total \$5,099.96. The PAC requests a waiver of the penalties because the treasurer believed he had filed the reports correctly and on time. In fact, the treasurer did not file either report and had selected wrong transaction type when entering expenditure information.

Staff recommendation: the Commission staff recommends reducing the penalties to a total of \$1,099.96.

8. Request for Waiver of Late Filing Penalty – Planned Parenthood Maine Action Fund (PPMAF)

Planned Parenthood Maine Action Fund PAC (PPMAF) was required to file an independent expenditure report sixty days before the general election on September 9, 2022. The PAC filed the report on October 5th, which was 26 days late. The preliminary penalty for the late report is \$2,433.60. PPMAF requests a waiver of the penalty because the authorized agent filing the report for the PAC was unaware of the 60-day deadline due to inexperience.

Staff recommendation: the Commission staff recommends reducing the penalty to \$750.00.

9. Request for Waiver of Late Filing Penalty – Danielle Fienberg

Danielle Fienberg was a candidate for Senate District 2. She was required to file the 11-Day Pre-General Report on October 28, 2022, but her treasurer filed the report on October 29th, one day late. The preliminary penalty for the late report is \$368.12. Ms. Fienberg requests a waiver of the penalty because a campaign volunteer who was responsible for social media ads was unexpectedly ill and was unavailable to provide details concerning Facebook purchases.

Staff recommendation: the Commission staff recommends no reduction of the \$368.12 penalty.

10. Request for Waiver of Late Filing Penalty – Stephen Hanrahan

Stephen Hanrahan was a candidate for House District 16. He was required to file a 24-Hour Report on October 27, 2022, but filed the report on November 6th, nine days late. The preliminary penalty for the late report is \$423.54. Mr. Hanrahan requests a waiver of the penalty due to inexperience and the relative size of the campaign.

Staff recommendation: the Commission staff recommends reducing the penalty to \$300.00.

11. Request for Waiver of Late Filing Penalty – David Thurston

David Thurston was a candidate for House District 78. He was required to file the 11-Day Pre-General Report on October 28, 2022. Lee Hughes, his treasurer, filed the report one day late. The preliminary penalty for the late report is \$139.82. Ms. Hughes requests a waiver of the penalty due to memory difficulties and a miscommunication with Commission staff.

Staff recommendation: the Commission staff recommends no reduction of the \$139.92 penalty.

12. Request for Waiver of Late Filing Penalty – Scott Gaiason

Scott Gaiason was a candidate for House District 97. He was required to file the 42-Day Pre-General report on September 27, 2022. The report was filed one day late and was substantially incomplete. The preliminary penalty for the late report is \$135.43. Mr. Gaiason requests a waiver of the penalty because he did not know he had to report an unpaid debt to a vendor for \$6,771.37.

Staff recommendation: the Commission staff recommends no reduction of the \$135.43 penalty.

Other Business

ADJOURNMENT