



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

Agenda

November 29, 2023, 9:00 a.m.

Note: this meeting will be conducted in person and streamed on the Commission's YouTube channel. A link to the channel may be found at www.maine.gov/ethics.

1. Ratification of the Minutes of the October 25, 2023 Meeting

2. Public Hearing on Rulemaking

At its October 25, 2023 meeting, the Commission decided to initiate a rulemaking on proposed amendments to the Commission's rules. The Commission invited comments on October 31, 2023. The Commission will hold a public hearing for any persons who wish to comment in person or remotely. Written comments are accepted by email through December 15, 2023.

3. Investigations of Alpine Initiatives LLC and Stop the Corridor

On [July 30, 2021](#), the Commission directed staff to investigate Alpine Initiatives LLC. Just before the 2018 general election, Alpine Initiatives made a \$150,000 contribution to the Maine Democratic Party four days after it was created as a limited liability company. On [March 10, 2020](#) and [May 22, 2020](#), the Commission directed staff to investigate whether Stop the Corridor (Clean Energy for ME, LLC) should have registered with the Commission because it had engaged in financial activity to qualify a citizen initiative for the ballot to stop the New England Clean Energy Connect project.

The Commission will discuss both investigations. If necessary, part of the discussion may be conducted in executive session pursuant to 1 M.R.S. §§ 405(6)(E)-(F) & 1005, and 21-A M.R.S. § 1003(3-A). The Stop the Corridor investigation was last considered by the Commission at meetings on [October 30, 2020](#), [June 11, 2021](#), and [June 18, 2021](#).

4. Late Notice by Maine Energy Progress PAC to a Major Contributor

Once a ballot question committee or political action committee (PAC) receives contributions from a source totaling more than \$100,000 to influence a ballot question, the committee must send a notice to the contributor that it is required to file a major contributor report with the Commission. The committee must also send a copy of the notice to the Commission. The Maine Energy Progress PAC received contributions from Versant Power totaling \$257,688.68 as of October 19, 2023 to oppose Question 3. This required the PAC to send a major contributor notice to Versant Power and the Commission by October 24, but the PAC sent the notices three days late on October 27. The preliminary penalty against Maine Energy Progress for sending the notices late is \$25,768.87, which is 10% of the contribution it received from Versant Power. Maine Energy Progress has requested a waiver of the penalty.

5. Late Major Contributor Report – Genuine Parts Company (NAPA)

Genuine Parts Company contributed \$500,000 to promote Question 4, the right to repair initiative. A contributor that has donated more than \$100,000 and received a major contributor notice is required to file a major contributor report with the Commission by the next filing deadline applicable to ballot question committees and PACs. Genuine Parts Company should have filed a major contributor report with the Commission by October 5, 2023, but it filed the report one day late on October 6. The preliminary penalty against Genuine Parts Company for filing the report late is \$50,000, which is 10% of its \$500,000 contribution to promote the initiative. Genuine Parts Company has requested a waiver of the penalty.

6. Late Major Contributor Report – Dorman Products

In 2023, Dorman Products contributed \$150,000 to promote Question 4, the right to repair initiative. It was required to file a major contributor report with the Commission by October 5, 2023, but it filed the report 18 days late on October 23, 2023. The preliminary penalty against Dorman Products for filing the report late is \$15,000, which is 10% of its \$150,000 contribution. Dorman Products has requested a waiver of the penalty.

7. Late Notices to Major Contributors – Maine Automotive Right to Repair Committee

During May to September 2023, the Maine Automotive Right to Repair ballot question committee (BQC) received contributions exceeding \$100,000 from six contributors. It was required to send notices to the major contributors during the period of May 10 - September 6, 2023, and send copies of the notices to the Commission. The BQC was late in sending five notices to the contributors. Most of the notices were sent to contributors one to four weeks late, and one notice was sent to the contributor more than three months late. The BQC was late in sending six copies of the notices to the Commission. The preliminary penalties for sending the notices late total \$240,000, which is 10% of the total received from the six contributors. The BQC has requested a waiver of the penalties.

8. Audits of Maine Clean Election Act Candidates

The Commission audits a random selection of 20% of legislative candidates who participate in the Maine Clean Election Act program. The accounting firm engaged by the Commission will provide an update on the 2022 audits, which are almost complete.

Executive Session

The Commission will meet in executive session pursuant to 1 M.R.S. § 405(6)(F) to consult with its counsel concerning anticipated litigation.

Other Business

ADJOURNMENT