

Agenda

Item #7



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

MEMORANDUM

TO: Members of the Commission

DATE: January 12, 2012

SUBJECT: Audit Reports Transmittal

The Commission staff has completed the 2010 campaign audits listed below in the current reporting period.

Candidate	Contest	Election	Status
H. Sawin Millett	Senate 14	General	No Exceptions
Mark L. Chizmar	House 71	General	One Deficiency Finding

Respectfully submitted,

Vincent W. Dinan
Commission Auditor



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AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
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To: Commissioners
From: Jonathan Wayne, Executive Director
Date: January 16, 2012
Re: Recommending Finding of Violation/Mark L. Chizmar

Mark L. Chizmar was a candidate for the Maine House of Representatives in the 2010 elections, who financed his campaign with Maine Clean Election Act (MCEA) funding. His campaign finance reporting indicated that he had \$270.75 in unspent MCEA funds remaining in his campaign after the 2010 general election. He was required to return those funds by December 14, 2010. After some reminding by the Commission staff, he returned the unspent funds on April 29, 2011.

His campaign was selected for an audit. The Commission's auditor found no evidence that the campaign misspent MCEA funds or made other significant violations of law.

The Commission staff recommends finding that Mr. Chizmar violated 21-A M.R.S.A. § 1125(12) by not returning all unspent MCEA funds by the December 14, 2010 deadline. The staff is not recommending a civil penalty for the violation, because the late return of funds does not seem connected to any more serious problem. Based on our experience in assisting Mr. Chizmar in meeting the 2010 campaign finance reporting requirements, he is someone who does not always attend to deadlines. While this can require extra work for the Commission staff, it does not require a civil penalty, in our view.

Thank you for your consideration of this memo.