



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

Agenda

Meeting of April 28, 2008

9:00 a.m., Commission Offices, 242 State Street, Augusta, Maine

1. Ratification of Minutes of the March 31, 2008 Meeting

2. Request for Waiver of Late-Filing Penalty/Cape Elizabeth Republican Cmte

When a county or town party committee raises or spends more than \$1,500 in a calendar year, it is required to file campaign finance reports with the Ethics Commission. The Cape Elizabeth Republican Committee was required to file a January 15, 2008 campaign finance report disclosing its contributions and expenditures for the second half of 2007. The report was filed 16 days late on January 31. The preliminary amount of the late-filing penalty is \$120. The current committee treasurer, William H. Gross III, and the former treasurer, Christine Zachman, request a waiver of the penalty because they did not understand that the report was due and for other reasons. The Commission's records indicate that a reminder memo was sent to the former treasurer. *Staff recommendation: the staff recommends assessing the penalty of \$120.*

3. Request for Waiver of Late-Filing Penalty/Cumberland County Republican Cmte

Because it raised \$3,818 during a fundraiser in August 2007, the Cumberland County Republican Committee was required to file a campaign finance report on January 15, 2008 disclosing the committee's contributions and expenditures for 2007. The report was filed on April 8, 2008 after the committee treasurer realized the report was overdue. The maximum late-filing penalty that may be assessed against a county party committee is \$500. The committee treasurer, Brian Bicknell, requests a waiver of the penalty due to turnover in the leadership of the committee, displacement of the committee's records after a fire, lack of notice, and other reasons. *Staff recommendation: the staff recommends assessing the penalty of \$500.*

4. Request for Waiver of Late-Filing Penalty/Lobbyist Juliana L'Heureux

Juliana L'Heureux was hired as the Executive Director of the Maine Association of Mental Health Providers on March 10, 2008. She registered as a lobbyist for the association on March 19. She has not worked previously as a lobbyist. She did not realize that she was required to file a report on April 15, 2008 covering her lobbying activity during the month of March. The report was filed three days late on April 18. The preliminary penalty amount is \$100. Ms. L'Heureux requests a waiver because she misunderstood the requirements as a new lobbyist. *Staff recommendation: the staff recommends assessing a reduced penalty of \$50.*

5. Referral of Civil Penalty to State Attorney General/Alvin Schulman

Alvin Schulman was a candidate for Portland City Council in 2005. After he did not file his post-election campaign finance report, the City Clerk referred the lack of reporting to the Ethics Commission. He filed the report about three months late. At its meeting on April 28, 2006, the Commission assessed a \$100 civil penalty against Mr. Schulman for the late filing of the report. Mr. Schulman has repeatedly promised payment after he finds employment. *Staff recommendation: the staff recommends that the Commission refer this matter to the Attorney General for collection.*

6. Assessment of Civil Penalties/David Hughes

David Hughes was a Maine Clean Election Act (MCEA) candidate for House District 72 in the 2007 special election, after the incumbent, William Walcott, resigned. He received \$4,287 in MCEA funds for his campaign. He was required to file a post-election campaign finance report and return unspent campaign funds by December 18, 2007, but did not do so. *Staff recommendation: the staff recommends assessing penalties totaling \$450 for violations of the Maine Clean Election Act.*

7. Policy on Paying Campaign Funds to Family Members

In the 2008 session, the Maine Legislature enacted two laws (Chapters 567 and 571) relating to candidates who pay campaign funds to member of the candidate's family or household. One of the laws imposes restrictions on when Maine Clean Election Act candidates can pay household members and requires the Commission to establish procedures for the candidate to submit evidence proving the expenditure is permissible. The staff will propose procedures for consideration by the Commission.

Other Business

EXECUTIVE SESSION

If necessary.

ADJOURNMENT