



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

Agenda

Meeting of September 29, 2008

9:00 a.m., Room 208, Burton M. Cross Office Building,
111 Sewall Street, Augusta, Maine

1. Ratification of Minutes of the August 25 and September 2, 2008 Meetings

2. Request for Waiver of Late-Filing Penalty/Charles R. Bearce

Charles R. Bearce is a candidate for the House of Representatives, District 15. He was required to file a post-primary election campaign finance report on July 22, 2008. He filed it six days later on July 28, 2008. Based on the formula in the statute, the amount of the preliminary penalty is \$248.64. Mr. Bearce requests a waiver of the penalty based on a medical condition within his family. *Staff recommendation: the staff recommends a partial waiver of the penalty because he is a first-time candidate and because the amount of \$248.64 is disproportionate to the harm suffered by the public from the lack of disclosure.*

3. Request for Waiver of Late Filing Penalty/Candidate Geraldine Randall

Geraldine Randall is a candidate for the House of Representatives, District 13. She was required to file a post-primary election campaign finance report on July 22, 2008. She had difficulty filing the report on the deadline because of the internet browser she used. She filed the report one day late on July 23. The amount of the preliminary penalty is \$41.44, which she has paid. After further consideration, her campaign requests a waiver of the penalty because of the browser problem and a refund of her penalty payment. The Commission staff is actively working with the Commission's technology contractor to resolve the browser issue. *Staff recommendation: the staff recommends waiving the penalty entirely and refunding her penalty payment because the candidate made a bona fide effort to file on the deadline but was prevented by the browser issue.*

4. Public Hearing on Proposed Change to Commission Rules

At the Commission's July 28, 2008 meeting, it decided to accept public comment on a proposed change to the Commission's rules that would increase the maximum amount of seed money contributions which gubernatorial candidates seeking Maine Clean Election Act funding could receive from \$50,000 to \$100,000. The Commission will hear public comment from interested parties. Written comments may be submitted until October 14, 2008.

5. Payments of Maine Clean Election Act Funds to Family Member/Robert Zabierek

House candidate Robert Zabierek wishes to use Maine Clean Election Act funds to hire a band to perform at a campaign event. His son is a member of the band and would receive \$100 in income from the engagement. He has provided information to the Commission to demonstrate that the proposed expenditure satisfies the criteria enacted in 2008 for payments of public campaign funds to family members.

6. Update on 2008 Audits

The Commission's auditor will update the Commission on audits of Maine Clean Election Act candidates who were defeated in the 2008 primary election. He has completed audits of three candidates, and found no violations.

Other Business

EXECUTIVE SESSION

If necessary.

ADJOURNMENT