



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

**SECOND Amended Agenda  
Meeting of October 27, 2008**

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

**1. Ratification of Minutes of the September 29 and October 10, 2008 Meetings**

**2. Request for Waiver of Late-Filing Penalty/Maine Democratic Party**

The Maine Democratic Party filed an independent expenditure report 20 days late, and requests a waiver of a \$5,000 late-filing penalty.

**3. Rule-Making on Seed Money Maximum for Gubernatorial Candidates**

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 received oral and written comments on the proposed change. *Staff recommendation: based on the fundraising by recent traditionally financed candidates for governor, the staff recommends increasing the maximum to \$150,000.*

**4. Update on Criminal Prosecutions of Debra Reagan and Bruce Ladd**

2006 candidate Debra Reagan was indicted in July 2008 for theft and misuse of entrusted property in connection with her spending of Maine Clean Election Act funds. 2008 candidate Bruce Ladd was indicted in July 2008 for two counts of aggravated forgery and a third count of attempted theft by deception for his activities in attempting to qualify for public financing earlier this year. The Commission's counsel will provide an update on the criminal prosecutions.

**4A. Complaints regarding Sponsorship Disclosure and Joint Advertising**

The Commission received four complaints from Democratic candidates against Senator Douglas M. Smith and House candidate Paul T. Davis regarding a joint advertisement and missing disclosure on road signs. The complaints have been mostly withdrawn, but the Commission may wish to provide more specific guidance regarding the issues raised in the complaints.

#### **4B. Complaint Regarding Campaign Literature and Signs**

House candidate James Martin filed a complaint against his opponent, Thomas Mooney, regarding his campaign signs, campaign expenditures, and the content of his palm card.

#### **4C. Request for Additional MCEA Funds as a Contested Candidate/Rep. Patsy Crockett**

Rep. Patsy Crockett is a Maine Clean Election Act candidate for re-election to the House of Representatives in District 57, who is opposed only by a write-in candidate. She requests additional Maine Clean Election Act funds as a contested candidate.

#### **5. 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.

#### **6. Supreme Judicial Court Decision on Constitutionality of Endorsements Statute**

On October 21, 2008, the Maine Supreme Judicial Court issued a decision striking the State's endorsements statute (21-A M.R.S.A. § 1014-A) as unconstitutional.

#### **7. Schedule for Commission Meetings in 2009**

#### **8. Complaint Regarding Use of Somerset County Resources for Filing Independent Expenditure Reports with the Ethics Commission**

Chuck Quintero has filed a complaint that the Maine Republican Party filed three independent expenditure reports with the Ethics Commission using a facsimile machine belonging to the Somerset County Jail. He asks that the Commission consider whether this is an appropriate use of public resources.

#### **9. Complaint by Maine Democratic Party Concerning Business Advertising**

The Maine Democratic Party filed a complaint against House candidates William C. Dow and Les Fossel. The complaint argues that advertising featuring the names and photographs of the candidates paid for by their businesses should be considered contributions to their political campaigns, and should result in matching funds to the Democratic opponents.

#### **10. Complaint by Maine Democratic Party Concerning Expenditures by Maine Senate Republican Committee and Others**

The Maine Democratic Party has filed a complaint regarding campaign expenditures by the Maine Senate Republican Committee (MSRC), missing disclosure from a mailing by Sen. Lois Snowe-Mello, and a reimbursement made to the MSRC by Senate candidate Tom Dunne.

#### **11. Request for Advice Regarding Use of Maine Clean Election Act Funds to Rent a Shuttle Bus for Transporting Voters**

House candidate Belinda Gerry inquires whether she and other Maine Clean Election Act candidates in the Auburn-Lewiston area may use public campaign funds to rent a shuttle

bus to transport voters to polling places. *Staff recommendation: without further supporting information from the candidate, the staff recommends against permitting this use of Maine Clean Election Act funds.*

**12. Complaint Regarding Use of Recreational Vehicle with Advertising to Promote Candidate's Campaign**

House candidate Stanley Ginish complains that advertising on a motor home or trailer that he alleges was purchased or rented for campaign purposes constitutes a contribution to the campaign of his opponent, DeAnne Rogan. Ms. Rogan responds that her mother put two signs purchased by the campaign on her recreational vehicle, and the advertising involved no further expenditures. *Staff recommendation: unless the complainant provides further evidence of expenditures made to promote Ms. Rogan's campaign, the staff recommends dismissing this complaint.*

**Other Business**

**EXECUTIVE SESSION**

If necessary

**ADJOURNMENT**