



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

Agenda

Meeting of October 12, 2005

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

ROUTINE BUSINESS

1. Ratification of minutes of the September 21, 2005 meeting

NEW BUSINESS

2. Proposed Guidelines for Maine Clean Election Act Expenditures

The Maine Clean Election Act (MCEA) requires the Commission to publish guidelines for candidates outlining permissible campaign-related purposes for which MCEA funds may be used. The staff requests the Commission’s approval on a revised set of guidelines.

3. Definition of Lobbying for Disclosure Purposes

In response to questions from lobbyists, the staff has intended to publish a set of guidelines regarding what activities fall within the definition of “lobbying.” Leading up to the September 21, 2005 meeting, the staff distributed proposed guidelines to lobbyists and requested comment. Several took issue with the proposed guidelines. More lobbyists have submitted comments since the September meeting. The staff wishes to discuss the proposed guidelines with the Commission members.

4. Request for Waiver of Late Filing Penalty/Mark Horton

Mark Horton was the Green-Independent candidate for House District #19. He participated in the Maine Clean Election Act, and he made \$2,474.98 in expenditures. He filed all four reports late. The preliminary penalties for the late filing under the Election Law are:

Deadline	Filed Date	# of Days Late	Activity for Period	Percentage	Penalty
June 2	July 1	29	\$456	1%	\$132.24
July 20	July 30	10	\$4,032	3%	\$1,209.60
October 27	October 28	1	\$644.06	5%	\$32.20
December 14	December 15	1	\$1,797.62	5%	\$89.88
Total					\$1,463.92

Mr. Horton appeared at the April 8, 2005 meeting to request a waiver. At that meeting, the Commission granted the request and assessed a penalty of \$300. The Election Law states that the Commission shall refer all penalties which remain unpaid for more than 30 days to the State Attorney General's Office. Mr. Horton has paid half of the penalty, and owes \$150. He has had several telephone conversations with the Commission in which he has been told that the staff will recommend his referral to the Attorney General for collection of the remaining amount. *Recommendation: the Commission staff recommends referring Mr. Horton to the State Attorney General for collection of the civil penalty.*

5. Investigative Hearing

The Commission will hold a hearing on the 2004 campaigns of Julia St. James and Sarah Trundy, and literature distributed in connection with the February 2004 special legislative election in Biddeford.

Other

Miscellaneous as needed.

EXECUTIVE SESSION

If necessary.

ADJOURNMENT