



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

**Agenda**

**Meeting of August 23, 2006**

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

**ROUTINE BUSINESS**

**1. Ratification of minutes of the July 19, 2006 meeting and public workshop on legislative communications**

**NEW BUSINESS**

**2. Request to Investigate Possible Seed Money Violation by Barbara E. Merrill**

Gubernatorial candidate John M. Michael has filed a request for an investigation against Barbara E. Merrill's campaign. He alleges that Ms. Merrill impermissibly used \$9,800 in Maine Clean Election Act (MCEA) funds to reimburse two campaign workers for their work during the qualifying period, and that any payments to them should have been made with seed money contributions. Mr. Michael argues that if he had hired two campaign workers who ultimately were paid with MCEA funds, he could have easily qualified for public funding. The Merrill campaign responds that the two workers volunteered their time during the qualifying period, and that the payments to the campaign workers were for work to be performed during the general election period. *Staff recommendation: the staff recommends that the Commission's resolution of this matter should depend on its assessment of the facts based on testimony it receives at the August 23 meeting.*

**3. Request to Investigate Merrill-Woodcock Qualifying Contributions**

On March 25, 2006, gubernatorial candidates Chandler E. Woodcock and Barbara E. Merrill accepted \$5 qualifying contributions from each other to qualify for public funding under the Maine Clean Election Act. The Maine Democratic State Committee has requested that the Ethics Commission investigate whether the qualifying contributions were prohibited by the MCEA, which forbids a candidate from giving something of value in exchange for receiving a qualifying contribution. The campaigns have responded that the contributions were a token of good will among the candidates and within the spirit of the MCEA. *Staff recommendation: the staff believes no violation has occurred and recommends that the Commission take no action in this matter.*

**4. Request to Investigate Alleged Push Poll/Maine Democratic Party**

Candidate for Governor Barbara E. Merrill has requested that the Commission investigate a telephone survey sponsored by the Maine Democratic Party to determine whether it constituted a push poll, as defined under Maine Election Law. The Maine Democratic Party has denied that the survey was a push poll and states that the survey was designed to collect information on voter attitudes. *Staff recommendation: the staff has concluded that the survey was not a push poll and recommends no further investigation.*

**5. Proposed Penalty for Late Report/Maine Democratic Party**

Republican consultant Roy Lenardson filed a formal complaint regarding literature mailed in mid-July on behalf of Legislators Lynn Bromley and Walter Ash. The Maine Democratic Party responded that it ordered the literature from Bridge Communications in Connecticut, and amended its July 25 report to show \$22,539.48 in unpaid obligations to the company. *Staff recommendation: the Commission staff recommends that because the July 25 report omitted \$22,539.48 in obligations, the report should be considered late and the Commission should assess a civil penalty of \$5,000.*

**6. Complaint against Maine Economic Research Institute**

John R. Hanson, Executive Director of the Maine State Building and Construction Trades Council, filed a complaint against the Maine Economic Research Institute (MERI) regarding its publication, Roll Call 2006. Mr. Hanson states that the publication does not contain the specific legislation which is the basis for the legislative ratings in the publication. He also contends that the publication should acknowledge that MERI is a political organization, and that the publication should contain the "disclaimer" required for political communications. *Staff recommendation: the Commission staff recommends dismissing the complaint, unless Mr. Hanson can point to a specific requirement which is violated by the publication.*

**7. Complaint by Anne Jenness****8. Dates for Commission Meetings in September and October****EXECUTIVE SESSION**

If necessary

**ADJOURNMENT**