



Minutes of the March 30, 2022 Meeting of the
Commission on Governmental Ethics and Election Practices
45 Memorial Circle, Augusta, Maine

Present: Sarah LeClaire, Esq.; Dennis R. Marble; and William J. Schneider, Esq.

Via Zoom: William A. Lee III, Esq., Chair; and David R. Hastings, Esq.

Staff: Jonathan Wayne, Executive Director; Jonathan R. Bolton, Assistant Attorney General; and Emma Burke, Candidate Registrar.

Commissioner Lee convened the meeting at 9:00 a.m. The meeting was livestreamed via YouTube.

The Commission considered the following items:

1. Ratification of the Minutes of the February 28, 2022 Meeting

Mr. Lee moved to adopt the Minutes. Mr. Schneider seconded the motion. Motion passed 5-0.

2. Annual Statement of Sources of Income – Late Filings by Legislators

Mr. Wayne said legislators are required to file an annual Statement of Sources of Income (SOSOI) by February 15th. Martha Currier, Assistant Director, sent multiple emails and letters to legislators before and after the deadline urging them to file. Three legislators, Chad Grignon, Frances Head and MaryAnne Kinney, filed the statement roughly three weeks after the deadline and multiple notices. They did not respond to notices of recommended penalties. Mr. Wayne provided three options to the Commissioners with respect to the three late filers: 1) take no action, 2) find the legislators in violation, or 3) refer the legislators to the Office of the Attorney General for collection of a civil penalty. He said this was the first time staff had brought late SOSOIs for possible enforcement action by the Commission. The Commission discussed the penalty statute and amount of staff time spent contacting these legislators concerning the filing requirement.

Mr. Lee moved to find that Representatives Chad Grignon, Frances Head and MaryAnne Kinney violated 1 M.R.S. § 1016-G(2) by not filing an annual SOSOI within 15 days of being notified by the Commission and these violations should be referred to the Attorney General's office for imposition of a civil penalty of up to \$100 to be imposed by the Superior Court. Mr. Schneider seconded the motion. Motion passed 5-0.

3. Request for Waiver of Late-Filing Penalty – Piscataquis County Republican Committee

Mr. Wayne said local party committees are required to file campaign finance reports with the Commission if they raise or spend \$1,500 or more in a calendar year. Many committees do not meet this threshold and are not required to file reports. The Piscataquis County Republican Committee was required to file a report on January 18, 2022, but did not file the report until January 25th. The committee's new treasurer contacted the Commission as soon as she realized the committee needed to file a report. The preliminary penalty is \$500.

Johanna Turner, treasurer for the committee, appeared before the Commission to request a waiver of the \$500 penalty. She became the treasurer in 2019. The committee was largely dormant until a new chair was appointed in 2021.

The Commissioners discussed the hardship of a \$500 penalty for this committee, and the issue that turnover in officers of local party committees can lead to a lack of awareness of filing requirements.

Mr. Lee moved to reduce the statutorily calculated penalty of \$500 for the late filing to \$100 as recommended by the Commission staff. Mr. Marble seconded the motion. Motion passed 5-0.

4. Request for Waiver of Late-Filing Penalty – Lobbyist Marta Nelson - *Withdrawn*

5. Overview of Maine Clean Election Act (MCEA) Program

Emma Burke, Candidate Registrar, provided an overview of the MCEA program.

Executive Session

Mr. Lee moved to go into executive session pursuant to 1 M.R.S. § 1013(3-A) to discuss a complaint against a legislator. Mr. Schneider seconded the motion. Motion passed 5-0.

After returning to public session, Mr. Lee moved that there are insufficient grounds to commence an investigation of the complaint against the legislator. Mr. Marble seconded the motion. Motion passed 5-0.

Adjournment

Mr. Lee made a motion, seconded by Ms. LeClaire, to adjourn. The motion passed. The meeting adjourned at 12:20 p.m.

Respectfully submitted,
/s/ Jonathan Wayne
Jonathan Wayne, Executive Director