



July 30, 2009

To: Maine Commission on Governmental Ethics and Election Practices

Re: Agenda Item #5, Proposed Update to Commission's Policy on Candidates' Payments of Campaign Funds to Family and Household Members

This proposal does not adequately clarify the timing of submission of evidence that would demonstrate that a payment to a family or household member is in compliance with the statute.

We suggest that documentation be submitted when the expenditure is reported unless the Commission requests it sooner – if there was a complaint, for example. We also suggest dropping the language explaining the Commission's process. Compliance with and enforcement of this statute should proceed just like any other. We don't see any problem with the Commission staff dealing with the report or a complaint and bringing it to the Commission if appropriate just as they do with other matters of compliance and enforcement.

We offer the following language as replacement for the two sections titled, "Timing of Submitting Evidence; Procedure for Commission Action" and "Evidence Submitted."

Timing and Content of Evidence Submitted

The candidate shall provide documentary evidence that the expenditure complies with the statute at the time the expenditure is reported or when the Commission requests such evidence, whichever is sooner. This evidence must consist of documentation that the payee currently is employed by or engaged in a business that provides the goods or services provided; justification for the amount of the expenditure including the usual price paid by other clients; and an explanation of why the expenditure is campaign-related.

Thank you for your consideration.

Alison Smith
Co-chair

Member Organizations

AARP Maine, Common Cause Maine, EqualityMaine, League of Women Voters of Maine, League of Young Voters, Maine AFL-CIO, Maine Council of Churches, Maine People's Alliance/Maine People's Resource Center, Maine Women's Lobby, NAACP-Portland, Natural Resources Council of Maine, Peace Action Maine