

# Agenda

## Item #12



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

To: Commissioners  
From: Emma Burke, Candidate Registrar  
Date: January 14, 2015  
Re: Request for Waiver of Late-Filing Penalties by Eliot Cutler Campaign

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In the 2014 general election, Eliot Cutler was a candidate for Governor of Maine. The Cutler campaign was late in filing two reports:

- Mr. Cutler was required to file a 42-Day Post-General Report by 11:59 p.m. on December 16, 2014, but the report was not filed until the morning of December 17, 2014.
- During the period of October 22<sup>nd</sup>-November 3<sup>rd</sup>, all candidates were required to file 24-Hour Reports within one day of accepting a contribution or making an expenditure of \$1,000 or more. The Cutler campaign failed to file a timely report for an expenditure of \$2,877.80 for automated phone calls that took place on October 23, 2014. The report was filed on December 17, 2014 – 54 days late.

### LEGAL REQUIREMENTS

Candidates are required to file a report on the 42<sup>th</sup> day after the date on which an election is held. (21-A M.R.S.A. § 1017(3-A)(D)) Also, candidates are required to report any single contribution received or single expenditure made of \$1,000 or more during the 13 days before an election within 24 hours of that transaction. (21-A M.R.S.A. § 1017(3-A)(C)) If the candidate is late in filing a report, the amount of the penalty is set by a formula which takes into consideration a percentage of the total contributions or expenditures, whichever is greater, the number of prior violations within a two-year period, and the number of days the report is late. (21-A M.R.S.A. § 1020-A)(4-A))

### DISCUSSION

### *42-Day Post-General Report*

The authorized agent for the Cutler team who was responsible for filing reports throughout the campaign was Jeff Tindall. Candidate Registrar Emma Burke and Mr. Tindall spoke frequently on December 16, 2014, the day the report was due. During the last conversation that took place in the afternoon, it was clear the Cutler campaign was preparing to file and foresaw no difficulties to filing on time. However, the report was not filed until the morning of December 17, 2014, when Mr. Tindall awoke and saw the automatically generated email notifying him of an unfiled report.

After the staff had several lengthy discussions with members of the Cutler team, including Emily Cramer and Justin Schair, the details of the situation became clearer. Mr. Tindall, at the time he thought he had filed the 42-Day Post-General Report for Mr. Cutler, was also logged in to the Committee for Ranked Choice Voting account on eFiling. It appears that with the two accounts open within one web browser, Mr. Tindall became confused between the two accounts, and some of necessary steps taken to file a report were taken on the Committee for Ranked Choice Voting account, not on Mr. Cutler's. Therefore, Mr. Cutler's 42-Day Post-General Report was thought to have been filed by the Cutler team, when it was not filed.

Mr. Tindall told Ms. Burke on December 17<sup>th</sup> that he had clicked the file button, and then clicked the "preview" button to download their filed report, and saved it as a PDF on his computer. Mr. Tindall emailed the PDF to Ms. Burke to show that he had been attempting to file Mr. Cutler's report; the PDF was actually a preview of the report for the Committee for Ranked Choice Voting, which suggests that when Mr. Tindall thought he was on Mr. Cutler's eFiling account, he was actually on the Committee's. It is also important to note that the "preview" button is no longer available after a report has been filed. Therefore, it appears that even though Mr. Tindall may have clicked "File" the report was not actually filed if the "Preview" option was still available, which is how Mr. Tindall explained that he downloaded the report.

Based on the statutory formula for calculating late-filed report penalties, the preliminary penalty for the late-filed 42-Day Post-General Report amount is \$3,726.46:

<b>Report</b>	<b>Date</b>	<b>Financial Activity</b>	<b>Penalty Rate</b>	<b>Days Late</b>	<b>Preliminary Penalty</b>
42-Day Post-General Report	12/16/2014	\$372,646.15	1%	1	\$3,726.46

The Cutler campaign asks that the Commission waive or reduce the preliminary penalty because of penalty disproportionality, a *bona fide* effort was made to file the report, and little to no public harm resulted because of the report being filed approximately seven hours late.

*24-Hour Report*

The Cutler campaign paid \$2,877.80 to In Focus Campaigns for automatic phone calls on October 23, 2014. Due to the facts of the expenditure amount being greater than \$1,000, the transaction was required to be reported in a 24-Hour Report due October 24, 2014. While the Cutler campaign did file a 24-Hour Report on October 24, 2014, the In Focus Campaigns expenditure was not included.

Based on the statutory formula for calculating late-filed report penalties, the preliminary penalty for the late-filed 24-Hour Report is \$4,662.03:

<b>Report</b>	<b>Date</b>	<b>Financial Activity</b>	<b>Penalty Rate</b>	<b>Days Late</b>	<b>Preliminary Penalty</b>
24-Hour Report	10/24/2014	\$2,877.80	3%	54	\$4,662.03

The Cutler campaign asks that the Commission waive or reduce the preliminary penalty because of penalty disproportionality, the expenditure took place on a different day than originally scheduled, and this was the only missed transaction for the 24-hour reporting period.

## STAFF RECOMMENDATION

Overall, the 2014 campaign of Eliot Cutler demonstrated a strong commitment to filing complete financial reports on time. The staff members assigned to campaign finance compliance were organized and cooperative.

### *42-Day Post-General Report*

When a treasurer or authorized agent of a candidate's campaign files a campaign finance report using the Commission's e-filing system, he or she is taken a screen where the text states that the report has been filed. (A sample confirmation screen is enclosed in your written materials.) Also, the treasurer or agent receives a confirmation email. (Sample email attached.) Mr. Tindall had sufficient experience to realize that the report had not been filed. His own statement, that he clicked the "Preview" button to save a PDF version of the filed report, suggests that the report was *not* filed. In the staff's view, the lack of confirmations should have alerted Mr. Tindall and others that the report was not filed.

Nevertheless, the preliminary penalty of \$4,662.03 is disproportionately high. The Commission staff recommends reducing the preliminary penalty to \$400.

### *24-Hour Report*

In the case of the Cutler campaign's late-filed 24-Hour Report, it seems to simply be a case of a smaller expenditure slipping through the cracks. That this is the only expenditure missed out of many that had to be filed in 24-Hour Reports speaks highly of the Cutler team's organization and understanding of filing deadlines.

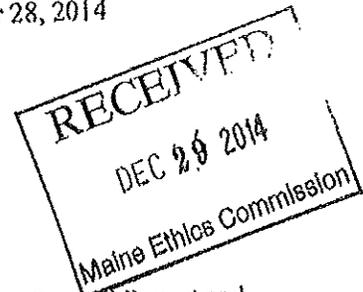
The Commission staff recommends reducing the preliminary penalty to \$200.

Thank you for your consideration of this memo.

# Cutler for Maine

December 28, 2014

Jonathan Wayne, Executive Director  
Maine Commission on Governmental Ethics and Election Practices  
135 State House Station  
Augusta, Maine 04330



VIA EMAIL & U.S. POSTAL SERVICE

RE: Request for waiver of penalties concerning 42-Day Post-General Report and related 24-Hour report

Dear Jonathan:

I served as Deputy Campaign Manager for the Cutler for Maine campaign, and remain an agent of the campaign.

Please accept this letter respectfully requesting waivers of two preliminary penalties related to the Cutler for Maine Campaign's 42-Day Post-General Campaign Finance Report and a 24-Hour report.

## 1) 42-Day Post-General Report

The Campaign requests that the Commission waive the preliminary penalty because the Campaign made a good faith effort and took extensive steps to submit and file the 42-Day Post-General report on time and had good reason to believe that the filing was successful as of the deadline. Because of a complex technical matter involving the upload and filing of multiple reports, however, this report did not officially publish.

The report filing was handled by Jeff Tindall who converts files for upload so that they are compatible with the Ethics Commission's online portal. Mr. Tindall had considerable communication with Commission staff throughout the day concerning the finance report, and he believed the report was filed at approximately 5:30 PM on December 16 when he clicked the "File" button. Separately, Mr. Tindall is also helping the Committee for Ranked Choice Voting file their campaign finance reports, though that activity is unaffiliated with Cutler for Maine. It is our understanding that because Mr. Tindall was logging in and out of the Ethics Commission's portal with two different accounts on December 16, 2014 (Cutler for Maine and the Committee for Ranked Choice Voting), the filing procedure for Cutler for Maine failed.

The Campaign made a bona fide attempt to file the report on time and as of 5:30 PM on December 16 (the filing deadline) it was our understanding the report was successfully completed. Upon discovering at approximately 7:00 AM the following morning (December 17, 2014) that the report filing had failed, the Campaign immediately took steps to resolve the problem and successfully filed the report.

Because the report was due at 11:59 PM on December 16 but was officially filed approximately 7 hours later at roughly 7:00 AM on December 17 and because there was no intention to delay the filing, we believe no material harm was caused to the public.

P.O. Box 17766 | Portland, Maine | 04112

AUTHORIZED BY THE CANDIDATE AND PAID FOR BY CUTLER FOR MAINE

## Cutler for Maine

Finally, we suggest the preliminary penalty assessment of \$3,726.46 is disproportionate to the filing error as every good faith effort was made to file the report on time. Ultimately the report was filed only seven hours late.

### 2) 24-Hour Report

The Campaign further requests that the Commission waive the preliminary penalty for one 24-Hour report expenditure from October 24 that filed late, an expenditure that is also included in the 42-Day Post-General report.

The expenditure of \$2,877.80 for automated telephone calls was initially scheduled to be made prior to October 22 (the beginning of the 24-Hour reporting period). The initiation of the automated calls was delayed for technical reasons, and so the payment due was delayed as well.

The Campaign set up several checks to make sure we were reporting receipts and expenditures of \$1,000 or more in the 24-Hour reporting period by having two people review this financial activity at the end of each day. In the instance of this expenditure, we believed the expenditure had been made prior to the 24-Hour reporting period. Moreover, the second person who reviewed the expenditure details believed the payment was an ordinary expenditure because it was for one of several campaign consultants, and thus was not subject to 24-Hour reporting. There was absolutely no intention to not disclose this information in a timely manner.

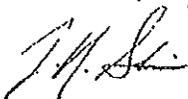
We accept responsibility for the mistake, but we believe that the preliminary penalty assessment of \$4,662.03 is disproportionate, since the expenditure was significantly less than that amount and since the campaign made a bona fide attempt to report all applicable expenditures and receipts during this time. Indeed, this was the only expenditure that was inadvertently missed amidst significant financial activity.

We appreciate the Commission staff's help throughout the course of our campaign in helping us understand and comply with all of the Commission's rules. We hope that the Commission will recognize that these two mistakes were inadvertent, that they were made despite our careful attention to compliance matters, and that they should not unduly blemish an otherwise flawless record of accurate and timely reporting.

I plan to attend the Commission's meeting in January, and would be glad to answer any questions at that time or before.

Thank you for your consideration.

Sincerely,



Justin Schair

CC: P. James Nicholson

Sample Screens Seen by Filer  
Before Filing

Before a filer files a report, they have these three options – Preview, File, and Go Back.

**File Campaign Finance Report**

Report Name	42-DAY POST-GENERAL	Report Due Date	12/16/2014
Committee	ELIOT R CUTLER	Reporting Period	10/22/2014 through 12/09/2014
Committee Type	Candidate	Committee ID	6387

- Preview** Review the report detail before submitting.
- File** File this report.
- Go Back** Return to the Filings Administration page. (Data will be saved but report will not be filed.)

Once they click File, they must then confirm their intent by clicking OK in the pop-up box. No other options are clickable unless they click Cancel in the pop-up box.

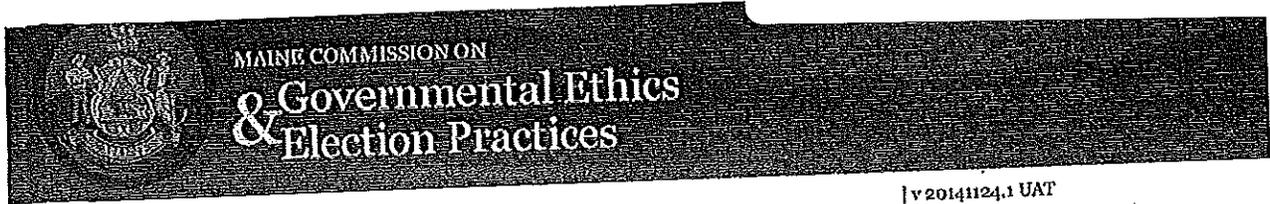
You have Unfiled Transactions prior to this reporting period.

Please see information in Unfiled Transaction section that appears below the Summary Form.

**File Campaign Finance Report**

Report Name	42-DAY POST-GENERAL	Report Due Date	12/16/2014
Committee	ELIOT R CUTLER	Reporting Period	10/22/2014 through 12/09/2014
Committee Type	Candidate	Committee ID	6387

- Preview** Review the report detail before submitting.
- File** File this report.
- Go Back** Return to the Filings Administration page. (Data will be saved but report will not be filed.)



| v 20141124.1 UAT

[View Document](#)

Welcome back: BEN DYBR on behalf of MAINERS FOR FAIR BEAR  
HUNTING

Last Login: Nov 13 2014 4:01PM

[Help with this page](#)

[My Admin Homepage](#)

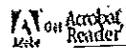
Your filing has been successfully submitted.  
To view click the link below.

[Click Here to View Report](#)

[Finished](#)

In order to view the reporting forms, you will need to have Adobe Acrobat Reader loaded on your computer.

You can download it for free by clicking on the Get Acrobat Reader image below.



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Sample Email Confirming  
Filing of Report

**Dyer, Benjamin P**

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**From:** ethics@maine.gov  
**Sent:** Friday, December 12, 2014 2:35 PM  
**To:** [REDACTED]  
**Subject:** Confirmation of Electronic Campaign Finance Filing for JEFFREY W PELLETIER

The campaign finance report due 12/16/2014 was successfully filed with the Maine Ethics Commission on 12/12/2014.



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

December 18, 2014

Mr. Eliot Cutler  
PO Box 17766  
Portland, ME 04112

Re: Notice of Violation and Penalty for Late-Filed 42-Day Post-General Report

Dear Mr. Cutler:

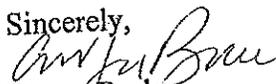
You were required to file the 42-Day Post-General Report on 12/16/2014 by 11:59 p.m., but the report was not filed until 12/17/2014. Under the Commission's statutes (21-A M.R.S.A. § 1020-A(4-A)) the late filing of a report triggers an enforcement process. The Commission staff has made a preliminary finding of violation and determined that the preliminary penalty for filing the report late is \$3,726.46. Please see the next page for the penalty calculation.

You may request that the Commission waive the penalty in whole or in part or find that there was no violation. The request must be made within 14 calendar days of your receipt of this notice. The request must be in writing and contain a full explanation of the reasons the report was filed late. Upon receiving your request, the Commission staff will schedule your request to be heard at an upcoming Commission meeting. You or your designee will have an opportunity to be heard at the meeting or you may submit a sworn statement to the Commission explaining the mitigating circumstances for its consideration.

The Commission may waive or reduce the penalty or find that there was no violation if it determines that the report was late due to mitigating circumstances, which are defined as (1) a valid emergency; (2) an error made by the Commission staff; or (3) relevant evidence that a bona fide effort was made to file the report on time. The Commission may also consider whether the penalty is disproportionate to the level of experience of the person filing the report or the harm to the public caused by the late disclosure.

The staff requests that you pay the preliminary penalty within 14 days of the date of your receipt of this notice if you do not intend to request a waiver. Please use the payment statement on the next page when paying by mail. You may also make a payment online at [www.maine.gov/ethics](http://www.maine.gov/ethics) by clicking the "Penalty Payment" link. Please contact the Commission staff at (207) 287-4179 or [ethics@maine.gov](mailto:ethics@maine.gov) if you have any questions.

Sincerely,

  
Emma Burke  
Candidate Registrar

cc: P. James Nicholson, Justin Schair, Jeff Tindall

OFFICE LOCATED AT: 45 MEMORIAL CIRCLE, AUGUSTA, MAINE  
WEBSITE: [WWW.MAINE.GOV/ETHICS](http://WWW.MAINE.GOV/ETHICS)

FAX: (207) 287-6775

### PENALTY CALCULATION

The penalty for filing a campaign finance report late is based on a percentage of the total contributions or expenditures for the reporting period, whichever is greater, multiplied by the number of days late. The percentage is based on your history of past violations: 1% for the first violation, 3% for the second violation, and 5% for the third and each subsequent violation. Violations for late-filed reports accumulate in the two-year period beginning on January 1<sup>st</sup> of each even-numbered year. A penalty accrues daily beginning on the day following the filing due date. Any penalty of less than \$10 is automatically waived.

### HOW YOUR PENALTY WAS CALCULATED

Filer: Eliot Cutler			
Late-Filed Report: 42-Day Post-General			
Contributions	\$257,731.59	Penalty Base Amount	\$372,646.15
Expenditures	\$372,646.15	Percentage	1%
Due Date	12/16/2014	Daily Accrual Rate	\$3,726.46
Date Filed	12/17/2014	Days Late	1
Previous Violations	0	Your Total Penalty	\$3,726.46

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### PAYMENT STATEMENT AND PAYMENT OPTIONS

**From:** Eliot Cutler

**Penalty Amount:** \$ 3,726.46

**Penalty ID:** N/A

**Amount Enclosed:** \_\_\_\_\_

**Check/M.O. #:** \_\_\_\_\_

**BY MAIL:** Enclose this payment statement with your payment so that it will be properly accounted for.

**Please make check or money order payable to:** Treasurer, State of Maine

**Mail to:** Maine Ethics Commission  
135 State House Station  
Augusta, Maine 04333-0135

**ONLINE:** Go to [www.maine.gov/online/ethics/penalties](http://www.maine.gov/online/ethics/penalties). Please include the penalty ID so that your payment will be properly accounted for.



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

**COPY**

December 19, 2014

Mr. Eliot Cutler  
PO Box 17766  
Portland, Maine 04112

**Re: Notice of Violation and Penalty for Late-Filed 24-Hour Report**

Dear Mr. Cutler:

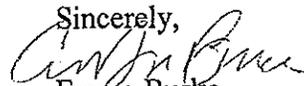
You were required to file a 24-Hour Report on 10/24/2014 by 11:59 p.m., but the report was not filed until 12/17/2014. Under the Commission's statutes (21-A M.R.S.A. § 1020-A(4-A)) the late filing of a report triggers an enforcement process. The Commission staff has made a preliminary finding of violation and determined that the preliminary penalty for filing the report late is \$4,662.03. Please see the next page for the penalty calculation.

You may request that the Commission waive the penalty in whole or in part or find that there was no violation. The request must be made within 14 calendar days of your receipt of this notice. The request must be in writing and contain a full explanation of the reasons the report was filed late. Upon receiving your request, the Commission staff will schedule your request to be heard at an upcoming Commission meeting. You or your designee will have an opportunity to be heard at the meeting or you may submit a sworn statement to the Commission explaining the mitigating circumstances for its consideration.

The Commission may waive or reduce the penalty or find that there was no violation if it determines that the report was late due to mitigating circumstances, which are defined as (1) a valid emergency; (2) an error made by the Commission staff; or (3) relevant evidence that a bona fide effort was made to file the report on time. The Commission may also consider whether the penalty is disproportionate to the level of experience of the person filing the report or the harm to the public caused by the late disclosure.

The staff requests that you pay the preliminary penalty within 14 days of the date of your receipt of this notice if you do not intend to request a waiver. Please use the payment statement on the next page when paying by mail. You may also make a payment online at [www.maine.gov/ethics](http://www.maine.gov/ethics) by clicking the "Penalty Payment" link. Please contact the Commission staff at (207) 287-4179 or [ethics@maine.gov](mailto:ethics@maine.gov) if you have any questions.

Sincerely,

  
Emma Burke  
Candidate Registrar

cc: P. James Nicholson, Justin Schair, Jeff Tindall

OFFICE LOCATED AT: 45 MEMORIAL CIRCLE, AUGUSTA, MAINE

WEBSITE: [WWW.MAINE.GOV/ETHICS](http://WWW.MAINE.GOV/ETHICS)

FAX: (207) 287-6775

### PENALTY CALCULATION

The penalty for filing a campaign finance report late is based on a percentage of the total contributions or expenditures for the reporting period, whichever is greater, multiplied by the number of days late. The percentage is based on your history of past violations: 1% for the first violation, 3% for the second violation, and 5% for the third and each subsequent violation. Violations for late-filed reports accumulate in the two-year period beginning on January 1<sup>st</sup> of each even-numbered year. A penalty accrues daily beginning on the day following the filing due date. Any penalty of less than \$10 is automatically waived.

### HOW YOUR PENALTY WAS CALCULATED

Filer: Eliot Cutler			
Late-Filed Report: 24-Hour Report			
Contributions	\$0	Penalty Base Amount	\$2,877.80
Expenditures	\$2,877.80	Percentage	3%
Due Date	10/24/2014	Daily Accrual Rate	\$86.33
Date Filed	12/17/2014	Days Late	54
Previous Violations	0	Your Total Penalty	\$4,662.03

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### PAYMENT STATEMENT AND PAYMENT OPTIONS

**From:** Bonnie Lewis

**Penalty Amount:** \$4,662.03

**Amount Enclosed:** \_\_\_\_\_

**Penalty ID:** N/A

**Check/M.O. #:** \_\_\_\_\_

**BY MAIL:** Enclose this payment statement with your payment so that it will be properly accounted for.  
 Please make check or money order payable to: Treasurer, State of Maine

**Mail to:** Maine Ethics Commission  
 135 State House Station  
 Augusta, Maine 04333-0135

**ONLINE:** Go to [www.maine.gov/online/ethics/penalties](http://www.maine.gov/online/ethics/penalties). Please include the penalty ID so that your payment will be properly accounted for.

**Burke, Emma**

**From:** Jeff Tindall <jtindall@cutlerformaine.com>  
**Sent:** Wednesday, December 17, 2014 9:00 AM  
**To:** Burke, Emma  
**Cc:** Justin Schair; Emily Cramer  
**Subject:** Re: Late filing question

I bet that's it. During the afternoon and evening I had sessions open off and on for both campaigns. I must have entered the wrong session when Emily called and I didn't realize it.

On Wed, Dec 17, 2014 at 8:57 AM, Burke, Emma <[Emma.Burke@maine.gov](mailto:Emma.Burke@maine.gov)> wrote:

Hi Jeff,

I will certainly be talking to Paul when he comes in regarding getting the activity log from Quest.

Also, the report you attached is the report for the Ranked Choice Voting BQC. I am not sure if perhaps there was confusion and the files saved just got switched names.

So I'll work on my end getting in touch with Quest – in the meantime, if you could give me a further detailed recollection of what you did before filing/attempting to file, right down to button clicks, that would be helpful to try to diagnose what happened. If you don't remember a certain part, that's fine, but I figured it might be helpful.

*Emma J. Burke*

*Candidate Registrar*

Maine Ethics Commission

(207) 287-4727 | [www.maine.gov/ethics](http://www.maine.gov/ethics)

135 State House Station, Augusta, ME 04333-0135

45 Memorial Circle, Augusta, ME

**From:** Jeff Tindall [mailto:[jtindall@cutlerformaine.com](mailto:jtindall@cutlerformaine.com)]  
**Sent:** Wednesday, December 17, 2014 7:45 AM  
**To:** Burke, Emma; Justin Schair; Emily Cramer  
**Subject:** Late filing question

Good morning, Emma -

I apologize for the filing problem last night. It appeared to me that all went well. When Emily called to give the final approval to file after all the adjustments were made, I even kept her on the phone and read her the pop-up messages asking whether all our transactions, etc. have been updated and then another one saying something to the effect that we've filed. I then clicked the Preview Report button and saved a final copy.

So, I don't understand what happened. Is there a way that you or Quest can find any activity history logs to see what happened.? My last login was at 4:17. The report I saved has a timestamp of 5:23. I would like to know if you can see what steps/clicks were done just prior to that.

Please let me know what you find and if there's anything we should do to avoid penalties. To me, nothing was out of the ordinary.

Thank you for your help. Attached is the report I printed with the timestamp below.

Report  
CutlerFormaineReport Dec2014.html

2014-12-23 05:23:00  
2014-12-23 05:23:00

--  
Jeffrey Tindall

[jtindall@cutlerformaine.com](mailto:jtindall@cutlerformaine.com)  
207-353-8800

--  
Jeffrey Tindall  
[jtindall@cutlerformaine.com](mailto:jtindall@cutlerformaine.com)  
207-353-8800



Commission on Governmental Ethics and Election Practices  
Mail: 135 State House Station, Augusta, Maine 04333  
Office: 45 Memorial Circle, Augusta, Maine  
Website: www.maine.gov/ethics  
Phone: 207-287-4179  
Fax: 207-287-6775

## 24-HOUR REPORT OF CONTRIBUTIONS AND EXPENDITURES

2014 CAMPAIGN YEAR

COMMITTEE		TREASURER	
ELIOT R CUTLER PO BOX 17766 PORTLAND, ME 04112 PHONE: (207) 358-7000 EMAIL: JTINDALL@CUTLERFORMAINE.COM		P. JAMES NICHOLSON 76 SILVER STREET WATERVILLE, ME 04901 PHONE: (207) 872-7077 EMAIL: JIM@NMCCPAS.COM	
REPORT	DUE DATE	REPORTING PERIOD	
24 Hour Report of Major Contributions and Expenditures	10/24/2014	10/23/2014 - 10/23/2014	

### FINANCIAL ACTIVITY SUMMARY

CONTRIBUTIONS AND EXPENDITURES	
1. TOTAL CONTRIBUTIONS / LOANS	\$1,500.00
2. TOTAL EXPENDITURES	\$19,204.80
3. TOTAL DEBTS	\$0.00

I, EMMA BURKE, CERTIFY THAT THE INFORMATION CONTAINED IN THIS REPORT IS TRUE, ACCURATE, AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

REPORT FILED BY: EMMA BURKE  
REPORT FILED ON: 12/17/2014  
LAST MODIFIED: 12/18/2014  
PRINTED: 12/29/2014  
COMMITTEE ID: 6387

**24-HOUR EXPENDITURE AND PAYEE INFORMATION**

EXPENDITURE TYPES				
CNS	Campaign consultants	POL	Polling and survey research	
CON	Contribution to other candidate, party, committee	POS	Postage for U.S. Mail and mail box fees	
EQP	Equipment (office machines, furniture, cell phones, etc.)	PRO	Other professional services	
FND	Fundraising events	PRT	Print media ads only (newspapers, magazines, etc.)	
FOD	Food for campaign events, volunteers	RAD	Radio ads, production costs	
LIT	Print and graphics (flyers, signs, palmcards, t-shirts, etc.)	SAL	Campaign workers' salaries and personnel costs	
MHS	Mail house (all services purchased)	TRV	Travel (fuel, mileage, lodging, etc.)	
OFF	Office rent, utilities, phone and internet services, supplies	TVN	TV or cable ads, production costs	
OTH	Other	WEB	Website design, registration, hosting, maintenance, etc.	
PHO	Phone banks, automated telephone calls			
DATE OF EXPENDITURE	PAYEE	REMARK	TYPE	AMOUNT
10/23/2014	GARRAND 75 WASHINGTON AVENUE, STE. 201 PORTLAND, ME 04101	CONSULTANT - CAMPAIGN MANAGEMENT	CNS	\$6,327.00
10/23/2014	IN FOCUS CAMPAIGNS PO BOX 10726 FORT WORTH, TX 76114	AUTOMATED PHONE SERVICE	PHO	\$2,877.80
10/23/2014	SMART CAMPAIGNS INC. 71 COURT STREET BELFAST, ME 04915	CONSULTANT - RESEARCH	CNS	\$10,000.00
<b>TOTAL EXPENDITURES FOR CANDIDATE:</b>				<b>\$19,204.80</b>

*\**

*\* - only applicable transaction*



Commission on Governmental Ethics and Election Practices  
 Mail: 135 State House Station, Augusta, Maine 04333  
 Office: 45 Memorial Circle, Augusta, Maine  
 Website: www.maine.gov/ethics  
 Phone: 207-287-4179  
 Fax: 207-287-6775

## 2014 CAMPAIGN FINANCE REPORT

### FOR PRIVATELY FINANCED CANDIDATES

COMMITTEE		TREASURER	
ELIOT R CUTLER PO BOX 17766 PORTLAND, ME 04112 PHONE: (207) 358-7000 EMAIL: JTINDALL@CUTLERFORMAINE.COM		P. JAMES NICHOLSON 76 SILVER STREET WATERVILLE, ME 04901 PHONE: (207) 872-7077 EMAIL: JIM@NMCCPAS.COM	
REPORT	DUE DATE	REPORTING PERIOD	
42-DAY POST-GENERAL	12/16/2014	10/22/2014 - 12/09/2014	

#### FINANCIAL ACTIVITY SUMMARY

RECEIPTS	TOTAL FOR THIS PERIOD	TOTAL FOR CAMPAIGN
1. CASH CONTRIBUTIONS FOR THE PRIMARY ELECTION (SCHEDULE A)		
1A. CASH CONTRIBUTIONS FOR THE GENERAL ELECTION(SCHEDULE A) <i>For party candidates, general election contributions will only appear on this line after the primary.</i>	\$227,731.50	\$2,983,133.69
1B. CASH CONTRIBUTIONS FOR THE GENERAL ELECTION RAISED PRIOR TO PRIMARY (Not shown on Schedule A of this report)		
2. OTHER CASH RECEIPTS (INTEREST, ETC)	\$0.00	\$0.00
3. LOANS (SCHEDULE C)	\$30,000.00	\$30,000.00
4. TOTAL RECEIPTS	\$257,731.50	\$3,013,133.69
EXPENDITURES		
5. EXPENDITURES (SCHEDULE B)	\$368,146.15	\$2,987,195.05
6. LOAN REPAYMENTS (SCHEDULE C)	\$0.00	\$0.00
7. TOTAL PAYMENTS	\$368,146.15	\$2,987,195.05
CASH SUMMARY		
8. CASH BALANCE AT BEGINNING OF PERIOD	\$136,353.29	
9. PLUS TOTAL RECEIPTS THIS PERIOD (LINE 4)	\$257,731.50	
10. MINUS TOTAL PAYMENTS THIS PERIOD (LINE 8)	\$368,146.15	
11. CASH BALANCE AT END OF PERIOD	\$25,938.64	
OTHER ACTIVITY		
12. IN-KIND CONTRIBUTIONS (SCHEDULE A-1)	\$4,772.25	\$112,554.40
13. TOTAL LOAN BALANCE AT END OF PERIOD (SCHEDULE C)	\$30,000.00	
14. TOTAL UNPAID DEBTS AT END OF PERIOD (SCHEDULE D)	\$28,102.83	
FOR PARTY CANDIDATES ONLY: CASH CONTRIBUTIONS FOR THE GENERAL ELECTION RAISED PRIOR TO PRIMARY ELECTION (INCLUDED IN LINE 1A AFTER PRIMARY ELECTION)		

I, EMMA BURKE, CERTIFY THAT THE INFORMATION CONTAINED IN THIS REPORT IS TRUE, ACCURATE, AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

REPORT FILED BY: EMMA BURKE  
 REPORT FILED ON: 12/17/2014  
 LAST MODIFIED: 12/18/2014  
 PRINTED: 12/29/2014  
 COMMITTEE ID: 6387