

RECEIVED

JUL 29 2013

Additional Materials
Item #7
July 29, 2013

From: Christopher O'Neil <cponell22@gmail.com>
Subject: (No Subject)
Date: July 28, 2013 3:50:25 PM EDT

Maine Ethics Commission

Matt -

In preparing for my July 29 Commission request for penalty waiver, I ran a search for my receipts, which I always save. Please find below the three receipts for reports that I filed in a 6 minute - 2 second period of time on April 8. I will bring printed copies with me to the meeting. I send these to you now in case you might be able to search your records for corroboration before the 9:00 AM meeting tomorrow. Assuming you have sent-receipt records that match mine, please follow the description below:

1. The Commission asserts that I did not timely file my March Delta Dental report. While my receipts do not specify for which client filings they were issued, please note that in March I had only three registered clients.

2. The narrative on the Commission's Agenda under Item 7 reads:

Eight days before the deadline, Mr. O'Neil entered the information relating to his March lobbying in the Commission's e-filing system in the wrong monthly report and then did not press the on-screen button to file the report.

Although plausible, it is apparent that this is not an entirely accurate description of what I did.

3. On April 17 you and I had an email exchange (also below), in which we tried to solve the mystery of the missing report. You wrote:

You have an in-progress short-form report (indicating no lobbying was done) for March and an in-progress long-form report for April.

4. Regardless of how I created the confusion in #3, I was on April 8 in possession of three "Filed Report Receipts." If the Commission does not normally issue a "Filed Report Receipt" for an "in-progress" report, then my three April 8 receipts must correspond to my three clients, including Delta Dental.

5. I believe that I might have - for more than one client - later logged into a previously filed report simply to view it, making no amendment, then logged off. See my email to you at 10:23 AM April 17 (my underscore) in which I told you that in this Delta Dental missing report exercise I discovered that my March report for Friends of Maine's Mountains *also* had an "in-progress" status. If such action/inaction by a filer would unwittingly trigger a change to "in-progress" status, then maybe our mystery solved and a lesson is learned.

6. Regardless of this item's disposition, it might be a good idea in the future to identify on the receipt the client for which a report has been filed.

I hope this note helps the Commission tomorrow.

Thank you for your time.

Chris

Begin forwarded message:

From: <ethics@maine.gov>
Subject: Maine CF Filed Report Receipt
Date: April 8, 2013 9:41:01 PM EDT
To: <cponell22@gmail.com>

This is an automatic response from Maine's Electronic Filing System.
The report entitled 'Lobbyist Disclosure Monthly' was filed on 4/8/2013 9:34:20 PM EST for LOB1787.

Send Inquiries to:
State of Maine - Commission on Governmental Ethics and Election Practices
135 State House Station
Augusta, ME 04333-0135
(207) 287-4179
ethics@maine.gov

Begin forwarded message:

From: <ethics@maine.gov>
Subject: Maine CF Filed Report Receipt
Date: April 8, 2013 9:41:01 PM EDT
To: <cponeil22@gmail.com>

This is an automatic response from Maine's Electronic Filing System.
The report entitled 'Lobbyist Disclosure Monthly' was filed on 4/8/2013 9:38:52 PM EST for LOB1787.

Send Inquiries to:
State of Maine - Commission on Governmental Ethics and Election Practices
135 State House Station
Augusta, ME 04333-0135
(207) 287-4179
ethics@maine.gov

Begin forwarded message:

From: <ethics@maine.gov>
Subject: Maine CF Filed Report Receipt
Date: April 8, 2013 9:41:00 PM EDT
To: <cponeil22@gmail.com>

This is an automatic response from Maine's Electronic Filing System.
The report entitled 'Lobbyist Disclosure Monthly' was filed on 4/8/2013 9:40:22 PM EST for LOB1787.

Send Inquiries to:
State of Maine - Commission on Governmental Ethics and Election Practices
135 State House Station
Augusta, ME 04333-0135
(207) 287-4179
ethics@maine.gov

Christopher P. O'Neil
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On Apr 17, 2013, at 8:52 AM, "Marett, Matthew" <Matthew.Marett@maine.gov> wrote:

You are receiving this message because you have not filed a lobbyist report for the month of March. Reports were due by 11:59 p.m. last night, April 16, 2013. Reports filed today will be assessed a late penalty of \$50. The penalty jumps to \$100 for all reports filed after today. Please file your March report as soon as possible. Let me know if you have any questions.

Sincerely,

Matt Marett
PAC, Party & Lobbyist Registrar
Maine Ethics Commission

Mailing: 135 State House Station
Augusta, Maine 04333
T: (207) 287-6221

From: Christopher O'Neil [<mailto:cponeil22@gmail.com>]
Sent: Wednesday, April 17, 2013 9:00 AM
To: Marett, Matthew
Subject: Re: Late Lobbyist Reports

Hello Matt.
Please check my three reports filed April 8 and let me know if I am ok.
Thank you.
Chris

Christopher P. O'Neil
O'Neil Policy Consulting, Inc.
Government Relations
PO Box 631
Portland, ME 04104
cponeil22@gmail.com
(207) 590-3842
Sent from my mobile device

On Apr 17, 2013, at 9:43 AM, "Marett, Matthew" <Matthew.Marett@maine.gov> wrote:

Mr. O'Neil,

You have an in-progress short-form report (indicating no lobbying was done) for March and an in-progress long-form report for April. The April report should cover the current month and is not due until May 15. If you did not do any lobbying in March, please file the short-form report. If you did any lobbying in March, regardless of the number of hours, please delete the March short-form report, and then add and complete a long-form report for March. Please let me know if you have any questions.

Sincerely,

Matt Marett
Maine Ethics Commission
PAC, Party & Lobbyist Registrar
(207) 287-6221

From: Christopher O'Neil [<mailto:cponeil22@gmail.com>]

Sent: Wednesday, April 17, 2013 10:23 AM
To: Marett, Matthew
Subject: Re: Late Lobbyist Reports

Matt -

I filed March long forms on April 8 for:
-Maine Appalachian Trail Club
-Delta Dental
-Friends of Maine's Mountains

The site shows my March report for Maine Appalachian Trail Club was timely filed on April 8.

But my March report for Friends of Maine's Mountains, filed within minutes of the above report, is listed as "In-Progress."

I have no idea where the Delta Dental March short form came from, so I assume I can delete it.

Also unexplainable is the Delta Dental March long form, which is listed as "In-Progress" AND as an April report. All the information therein is correct, except the reporting month.

So it looks like I have issues with the Friends and Delta reports. Please confirm your instructions.

Thanks again.

Chris

On Apr 17, 2013, at 11:09 AM, Marett, Matthew wrote:

Mr. O'Neil,

Thanks for the e-mail.

The friends of Maine's Mountains report is listed as "in-progress (A)" which means it was filed and then re-opened. You should check the report to make sure the information in it is accurate then re-file it.

You can delete the Delta Dental short-form report. There is a delete button to the right of the report name when you access the "short-form report" menu.

Regarding the March and April long-form reports for Delta Dental, you should complete and file the March report then delete the April report.

Thanks again, and please let me know if you have any further questions.

Sincerely,

Matt Marett
Maine Ethics Commission
PAC, Party & Lobbyist Registrar
(207) 287-6221

From: Christopher O'Neil [mailto:cponeil22@gmail.com]
Sent: Wednesday, April 17, 2013 11:23 AM
To: Marett, Matthew
Subject: Re: Late Lobbyist Reports

Done. Thank you, Matt.

I'm not sure if you can extend leniency re: the penalty, based on my (apparently inept) attempt to file on April 8.

Chris