

# Agenda

## Item #5A



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

October 15, 2008

**By E-Mail and Regular Mail**

Paul R. Dumas, Esq.  
225 River Road, Lot #3  
Mexico, ME 04257

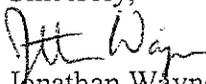
Dear Mr. Dumas:

The Maine Commission on Governmental Ethics and Election Practices received an anonymous letter today complaining that the enclosed flyer for your candidacy for Judge of Probate did not include the required sponsorship disclosure. The letter also alleges that some of your signs lack the disclosure.

When a person makes an expenditure for a communication expressly advocating for the election of a candidate, 21-A M.R.S.A. § 1014 (attached) requires that the communication include a clear statement of the name and address of the person who made the expenditure for the communication, as well as a statement whether the candidate authorized the communication. I have also attached two pages from the Commission's 2008 Candidate Guidebook with examples of statements which meet the requirement. Please rectify the missing sponsorship disclosure from your literature, signs, and other campaign communications covered by the statute. Some candidates find that adhesive stickers are helpful in adding the disclosure after communications have been printed.

The members of the Commission will be meeting on Friday, October 17, 2008 at 1:00 p.m. in Room 208 of the Cross Office Building in Augusta, 111 Sewall Street in Augusta (next to the State House). I have attached the agenda for this meeting. At the end of the meeting, under the heading of Other Business (or as part of an amended agenda), I will bring the letter to the attention of the members of the Commission. Because of the short notice to you as the respondent, I am not sure if the members will wish to consider whether your flyer violates 21-A M.R.S.A. § 1014(1). If you would like to comment on this matter to the Commission in writing, or at the meeting in person or by telephone, your comments would be welcome. I expect that the members would consider this item some time after 3:00 p.m.

Please telephone me if you have any questions or need further information.

Sincerely,  
  
Jonathan Wayne  
Executive Director

cc: Dana C. Hanley, Esq.

OFFICE LOCATED AT: 242 STATE STREET, AUGUSTA, MAINE  
WEBSITE: WWW.MAINE.GOV/ETHICS

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OCT 1 8 2004

MAINE ETHICS COMMISSION

Maine Commission on Governmental Ethics  
Chairman Michael Friedman  
135 State House Station  
Augusta, Maine 04333

Re: Paul Dumas; Candidate for Oxford County Judge of Probate

Dear Mr. Chairman:

As a long time democrat in Oxford County it pains me to write this letter. In a time when so many of our elected leaders lack the single most important quality – integrity, I can not turn a blind eye. I can think of no other elected position in state or county government where this character trait is more important than for a Judge.

I have enclosed the one page pamphlet that was passed out to me as a prospective voter. As you can see, it was printed only on one side, but then presumably run off on a color copier. No where on this campaign brochure does Mr. Dumas make the appropriate disclosure as to who paid for this and who it was authorized by. I see this omission as no small detail. I would also note that I have seen many of Mr. Dumas's signs up all over the county and a random sampling indicates less than half of them have a disclaimer!

How can a person claim they can interpret Maine law while he is either negligent or incapable of understanding and applying the law to himself and his campaign workers? These omissions may be just from overzealous campaign workers, but Mr. Dumas alone must be accountable. No one should be above the law, especially someone aspiring to sit as a Judge.

I am submitting this anonymously as I know there are a few people in my party and this county who think party affiliation is more important than integrity. I am sure they would not be happy with me or this letter. I know Paul, and he is a fine man. I just won't be voting for him as Judge of Probate.

Cc: Lewiston Sun Journal  
Advertiser Democrat  
Bethel Citizen  
Rumford Times

## **Local Roots**

Paul was born in Rumford, Maine, to a family of loggers. Paul spent his younger years stacking and scaling wood in the family's lumber yards and helping out in his grandfather's lumber camps in the Rangeley region.

Paul graduated from Stephens High School in 1965, completed his college and law degrees at Boston University, and returned to Oxford County to practice law in 1973.

Paul met and married his wife, Cindy Cummings, in Oxford County. There they raised their two children, Jarrod and Maia. Paul and Cindy currently live in Mexico with their four horses and Spike and Tank, their yellow Labs.

## **Experienced Leadership**

In his 35 years as a lawyer, Paul has practiced both criminal and civil law. Paul is an accomplished trial attorney in both State and Federal Court. He is also an experienced and sought-after mediator. Throughout his legal career, Paul's top priority has always been making sure that his clients are treated fairly.

As Probate Judge, Paul will work to ensure that the people of Oxford County are treated with that same fairness and that Justice is always served.

## **A Probate Judge**

**We can count on**

## **What Makes Paul The Best Candidate?**

Paul Dumas was born and raised in Oxford County. After high school, he completed his business and legal training in Boston. Paul returned to Maine and opened his law office in Rumford in 1973.

Paul has practiced law in Oxford County for 35 years. He understands the legal challenges that local residents face. Paul's extensive trial experience and understanding of probate law and elder law issues make him uniquely qualified to serve as Oxford County Judge of Probate.

### **"Paul Dumas for Probate Judge"**

Post Office Box 75  
Mexico, ME 04257  
Phone: (207) 369-0101  
Fax: (207) 364-2727  
Email: [dumasforprobate@gmail.com](mailto:dumasforprobate@gmail.com)

# **Paul Dumas**

## **Probate Judge**

## **Oxford County**

### **"Paul Dumas for Probate Judge"**

Local Roots  
Experienced  
Leadership



"The Best  
Candidate,  
With the Most Legal Experience,  
Who will Work Hardest to Serve the  
People of Oxford County."

**A Probate Judge  
we can count on**

## 21-A MRSA §1014. Publication or distribution of political communications

**1. Authorized by candidate.** Whenever a person makes an expenditure to finance a communication expressly advocating the election or defeat of a clearly identified candidate through broadcasting stations, newspapers, magazines, campaign signs or other outdoor advertising facilities, publicly accessible sites on the Internet, direct mails or other similar types of general public political advertising or through flyers, handbills, bumper stickers and other nonperiodical publications, the communication, if authorized by a candidate, a candidate's authorized political committee or their agents, must clearly and conspicuously state that the communication has been so authorized and must clearly state the name and address of the person who made or financed the expenditure for the communication. The following forms of political communication do not require the name and address of the person who made or authorized the expenditure for the communication because the name or address would be so small as to be illegible or infeasible: ashtrays, badges and badge holders, balloons, campaign buttons, clothing, coasters, combs, emery boards, envelopes, erasers, glasses, key rings, letter openers, matchbooks, nail files, noisemakers, paper and plastic cups, pencils, pens, plastic tableware, 12-inch or shorter rulers, swizzle sticks, tickets to fund-raisers and similar items determined by the commission to be too small and unnecessary for the disclosures required by this section. A communication financed by a candidate or the candidate's committee that is made through a broadcasting station is not required to state the address of the candidate or committee that financed the communication.

**2. Not authorized by candidate.** If the communication described in subsection 1 is not authorized by a candidate, a candidate's authorized political committee or their agents, the communication must clearly and conspicuously state that the communication is not authorized by any candidate and state the name and address of the person who made or financed the expenditure for the communication. If the communication is in written form, the communication must contain at the bottom of the communication in print that is no smaller in size than 10-point bold print, Times New Roman font, the words "NOT PAID FOR OR AUTHORIZED BY ANY CANDIDATE."

**2-A. Other communications.** Whenever a person makes an expenditure to finance a communication that names or depicts a clearly identified candidate and that is disseminated during the 21 days before a primary election or 35 days before a general election through the media described in subsection 1, the communication must state the name and address of the person who made or financed the communication and a statement that the communication was or was not authorized by the candidate. The disclosure is not required if the communication was not made for the purpose of influencing the candidate's nomination for election or election.

**3. Broadcasting prohibited without disclosure.** No person operating a broadcasting station within this State may broadcast any communication, as described in subsections 1 to 2-A, without an oral or written visual announcement of the disclosure required by this section.

**3-A. In-kind contributions of printed materials.** A candidate, political committee or political action committee shall report on the campaign finance report as a contribution to the candidate, political committee or political action committee any contributions of in-kind printed materials to be used in the support of a candidate or in the support or defeat of a cause to be voted upon at referendum. Any in-kind contributions of printed materials used or distributed by a candidate, political committee or political action committee must include the name or title of that candidate, political committee or political action committee as the authorizing agent for the printing and distribution of the in-kind contribution.

The use or distribution of in-kind printed materials contributed to a candidate, political committee or political action committee must be reported as an expenditure on the campaign finance report of that candidate, political committee or political action committee.

**3-B. Newspapers.** A newspaper may not publish a communication described in subsections 1 to 2-A without including the disclosure required by this section. For purposes of this subsection, "newspaper" includes any printed material intended for general circulation or to be read by the general public, including a version of the newspaper displayed on a website owned or operated by the newspaper. When necessary, a newspaper may seek the advice of the commission regarding whether or not the communication requires the disclosure.

**4. Enforcement.** An expenditure, communication or broadcast made within 20 days before the election to which it relates that results in a violation of this section may result in a civil fine of no more than \$200. The person who financed the communication or who committed the violation shall correct the violation within 10 days after receiving notification of the violation from the commission. An expenditure, communication or broadcast made more than 20 days before the election that results in a violation of this section may result in a civil fine of no more than \$100 if the violation is not corrected within 10 days after the person who financed the communication or other person who committed the violation receives notification of the violation from the commission. If the commission determines that a person violated this section with the intent to misrepresent the name or address of the person who made or financed the communication or whether the communication was or was not authorized by the candidate, the commission may impose a fine of no more than \$5,000 against the person responsible for the communication. Enforcement and collection procedures must be in accordance with section 1020-A.

**5. Telephone calls.** Prerecorded automated telephone calls and scripted live telephone communications that name a clearly identified candidate during the 21 days before a primary election or the 35 days before a general election must clearly state the name of the person who made or financed the expenditure for the communication, except for prerecorded automated telephone calls paid for by the candidate that use the candidate's voice in the telephone call and that are made in support of that candidate. Telephone calls made for the purposes of researching the views of voters



## CHAPTER 13

### Disclosure on Campaign Communications

#### Disclosure on Campaign Communications

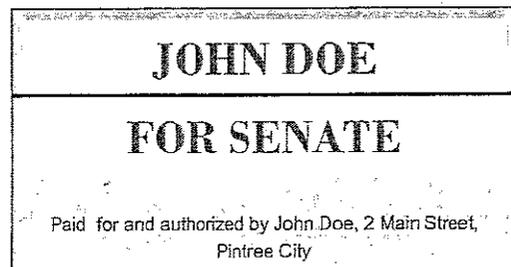
Whenever a person makes an expenditure to finance a communication expressly advocating the election or defeat of a clearly identified candidate through broadcasting stations, newspapers, magazines, campaign signs or outdoor advertising facilities, publicly accessible websites, direct mails or other similar types of general public political advertising, or through flyers, handbills, bumper stickers, and other non-periodical publications, the communication, if authorized by a candidate, a candidate's authorized political committee, or their agents, must clearly and conspicuously state that the communication has been so authorized.

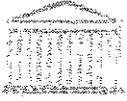
The communication must also clearly state the name and address of the person who made or financed the expenditure for the communication. In addition, these requirements apply to any communication that names or depicts a clearly identified candidate and that is disseminated to voters in the last 21 days before the primary election or in the last 35 days before the general election.

The following are examples of suitable attribution statements for political communications financed by a candidate:

#### *By a Candidate*

- Paid for and authorized by John Doe, 2 Main Street, Pinetree City
- Paid for and authorized by the candidate, 2 Main Street, Pinetree City (where the candidate's full name is clearly stated in the communication)



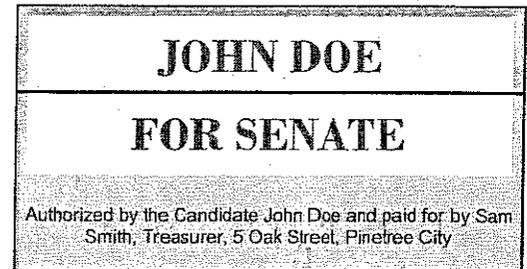


*By a Candidate's Political Committee*

- Authorized by the Candidate and paid for by the Committee to Elect John Doe, 2 Main Street, Pinetree City

*By a Candidate's Agents*

- Authorized by Candidate John Doe and paid for by Sam Smith, Treasurer, 5 Oak Street, Pinetree City;
- Paid for by the Candidate and authorized by John Jones, Chairman of Committee to Reelect John Doe, 1 Cool Street, Pinetree City



**Communications Exempt from Disclosure**

Certain items are exempt from the disclosure requirement because of their small size: ashtrays, badges and badge holders, balloons, campaign buttons, clothing, coasters, combs, emery boards, envelopes, erasers, glasses, key rings, letter openers, matchbooks, nail files, noisemakers, paper and plastic cups, pencils, pens, plastic tableware, 12-inch or shorter rulers, swizzle sticks, and tickets to fund-raisers. The Commission may exempt similar items if it determines those items are too small and, therefore, it would be unnecessary to include the required disclosure.

**Automated Telephone Calls**

Prerecorded automated telephone calls and scripted live telephone calls that name a clearly identified candidate during the 21 days before a primary election or 35 days before a general election must include the name of the person who made or financed the communication, except that the disclosure is not required for prerecorded automated calls paid for by the candidate using the candidate's voice and are made in support of that candidate.

**Communications Not Authorized by the Candidate**

Similar requirements apply to communications that are paid for by third-parties such as political action committees, party committees and individuals and that are not authorized by the candidates. Those communications must disclose the person who made or financed the communication and that the communication was not authorized by the candidate or campaign.

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OCT 15 2008

MAINE ETHICS COMMISSION

LAW OFFICES OF  
PAUL R. DUMAS, JR., LLC  
225 RIVER ROAD, LOT NO. 3  
MEXIGO, MAINE 04257-1833

FAX  
207-364-2727

E-MAIL: dumaslaw@roadrunner.com

TELEPHONE  
207-369-0101

15 October, 2008

Mr. Jonathan Wayne  
Executive Director, Sate of Maine Commission  
On Governmental Ethics and Election Practices

Dear Mr. Wayne,

I am in receipt of your letter dated October 15, 2008 with enclosures. This confirms that I have spoken to you on the phone today and that you are allowing me an opportunity to respond in writing at this time. My response is as follows:

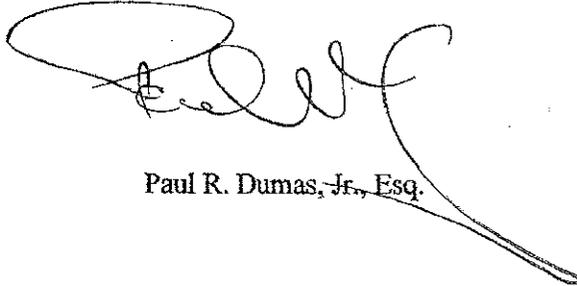
The "one page pamphlet" that is referred to in the undated and unsigned anonymous complaint is not a pamphlet, but rather it was a proof for what wound up being my palm card. My son and I designed this pamphlet early on in my campaign, as a precursor of what my palm card would look like. It is likely that I personally handed some of these proofs out to provide personal information about me and to request feedback on the final design of my palm card. As you can see, the template does identify my campaign name, address, phone number and email address. I did not spend money to create this pre-palm card proof since it was done by my son and me on a laptop computer. This proof or template was modified after input and evolved into the final product which I enclose a copy of herein. All of my palm cards clearly disclose sponsorship and payment.

As far as I know, all of my signs are in compliance with Title 21-A MRSA and candidate guidelines. If you have any specific complaint about any sign or signs that do not comply, I would investigate immediately, if I knew where the alleged sign or signs were located. I would also add that my television ads, radio ads, upcoming mailings and newspaper ads are also in full compliance with Title 21-A MRSA and the 2008 Candidate Guide Book. I would be happy to provide copies of these to the Commission.

I plan on attending the Commission session this Friday to answer any questions the Commission may have. I apologize for any inconvenience I have unintentionally caused you and the Commission.

Thank you for your consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read "Paul R. Dumas, Jr.", with a long, sweeping flourish extending to the right.

Paul R. Dumas, Jr., Esq.

# Paul Dumas

*"Injustice anywhere is a threat to justice everywhere."*

*- Martin Luther King, Jr.*



Wayne Gallant  
Oxford County Sheriff

*"Paul Dumas is a proven jurist who is sensitive to the needs of his clients. He is articulate and extremely knowledgeable in Maine law."*

*- Wayne Gallant  
Oxford County Sheriff*

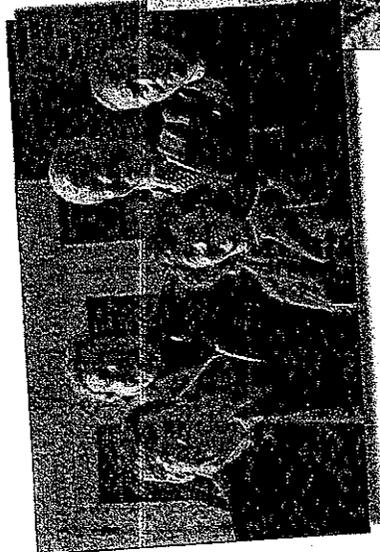
*"As Judge of Probate, Paul's proven work ethic and compassion will only improve the important probate decisions needed on behalf of the citizens of Oxford County and beyond."*

*- Bruce Bryant  
Maine State Senator*

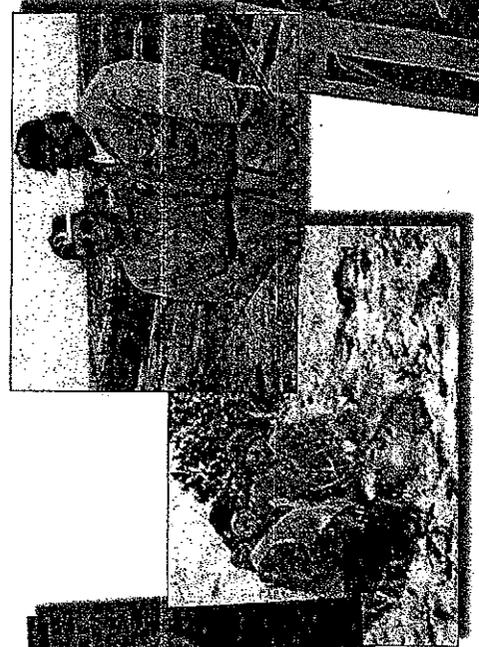


Bruce Bryant  
Maine State Senator

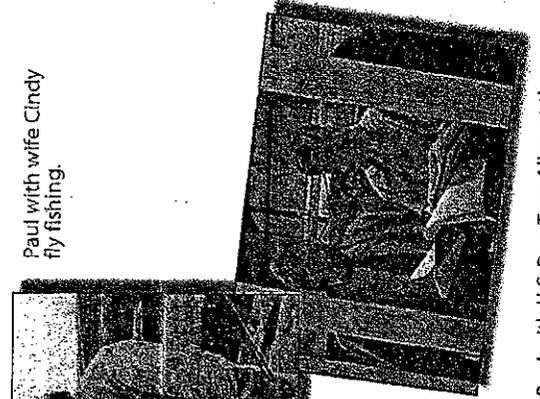
Paul Dumas is uniquely qualified to work with the people of Oxford County to guarantee that their rights are protected.



Paul with the Oxford County Candidates and U.S. Rep. Michael Michaud at the Oxford County Courthouse.



Paul and son Jarrod afield.



Paul with wife Cindy fly fishing.



Paul with U.S. Rep. Tom Allen at the Manufactured Housing Show in Oxford.

# Paul Dumas

## Probate Judge

*"The Best Candidate, with the most legal experience, who is ready to work for the people of Oxford County."*

Candidate for Oxford County Probate Judge

An accomplished and proven attorney, Paul Dumas has over 35 years of legal experience in Oxford County. Paul's top priority has always been making sure that people are treated fairly.

### LOCAL ROOTS

- ★ Born in Rumford, Maine to a local logging family.
- ★ Graduated from Stephens High School in 1965, completed his college and law degrees at Boston University.
- ★ Returned to Oxford County to practice law in 1973.
- ★ Met and married his wife, Cindy Cummings, in Oxford County.
- ★ Paul and Cindy raised their children, Jarrod and Maia, in Rumford and Mexico.
- ★ Paul and Cindy currently live in Mexico with their four horses, and Spike and Tank, their Yellow Labs.

### EXPERIENCED LEADERSHIP

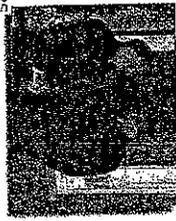
- ★ 35 years of experience in civil, criminal and elder law.
- ★ An accomplished trial attorney in both State and Federal Court.
- ★ An experienced and sought-after mediator.

PO Box 715 Mexico, ME 04257 dumasforprobate@gmail.com / (207) 869-0101  
Paid for by "Paul Dumas for Probate Judge," PO Box 715 Mexico, ME 04257. Michael J. O'Donnell, Treasurer. Authorized by Paul Dumas and Bruce Hood.



### BRUCE HOOD Register of Probate

- ★ 21-year Resident of Oxford County
- ★ Norway-Area Attorney
- ★ Law expertise in:
  - ★ Wills
  - ★ Probate and Estates
  - ★ General Business and Corporate Law
- ★ Licensed Forester
- ★ Community Volunteer:
  - ★ Kiwanis Club
  - ★ Oxford Hills YMCA
  - ★ The Child Health Center
  - ★ Western Foothills Land Trust
  - ★ Stephens Memorial Hospital
  - ★ Maine Conservation School



As Register of Probate, Bruce Hood will strive to continue serving the residents of Oxford County in a friendly and efficient manner.