



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

To: Commission
Cc: Mr. Scott Girardin
Assistant Attorney General Jonathan R. Bolton
Assistant Attorney General Nancy Macirowski
From: Jonathan Wayne, Executive Director
Date: May 3, 2024
Re: Maine Clean Election Act Appeal by Scott Girardin

Scott Girardin is a candidate for the Maine House of Representatives, District 92. To qualify for Maine Clean Election Act funding, he submitted qualifying contributions and supporting documentation to the Commission on April 22, 2024, the last day of the qualifying period. On May 1, 2024, Commission staff determined that he was not eligible to receive the funding because he did not submit proof that 30 contributors were registered to vote in House District 92. Today, Mr. Girardin appealed the staff determination to the Commission.

The Commission is required to hold a hearing to consider the appeal, which is scheduled for May 8, 2024, at 9:00 a.m. in the Commission office. 21-A M.R.S. § 1125(14). To prevail, Mr. Girardin “the burden of proving that the [staff’s] certification decision was in error as a matter of law or was based on factual error.” Assistant Attorney General Jonathan R. Bolton will be serving as the Commission’s counsel. Assistant Attorney General Nancy Macirowski will be assisting the staff of the Commission.

I have attached the proposed record for the hearing and the relevant statutes and rules.
Thank you.

From: [Scott Girardin](#)
To: [Wayne, Jonathan](#)
Subject: appeal
Date: Friday, May 3, 2024 10:50:21 AM

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Good morning Jonathan

I am following up on our conversation from the other day and would like to appeal the decision so that I can submit a copy of the document. To demonstrate that the work was completed before the deadline, I believe this is an instructional era and I would like to honor my constituents who went out of their way to listen to me and ask for their support.

thank you



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May 1, 2024

By E-Mail and Regular Mail

Scott Girardin
21 Lansley Drive
Sabattus, Maine 04280

Re: Staff Determination on Application for Maine Clean Election Act Funding

Dear Mr. Girardin:

The staff of the Maine Commission on Governmental Ethics and Election Practices reviewed the qualifying contributions (“QCs”) and supporting documents you submitted to receive Maine Clean Election Act (“MCEA”) funding as a candidate for the Maine House of Representatives. Your application included 68 QCs, but you did not submit verification that the contributors for 30 QCs were registered to vote in House District 92. Because no voter registration verifications were provided for these 30 QCs, Commission staff has determined that you submitted only 38 valid QCs, which is less than the 60 required. 21-A M.R.S. § 1125(3)(D)(3) & (5)(B). You may appeal this staff determination to the members of the Commission, as described on page 5 of this determination.

1. Legal requirements for Maine Clean Election Act funding

A. Duty to collect 60 QCs

Candidates for the Maine House of Representatives must obtain QCs during the qualifying period from at least 60 verified registered voters in the candidate’s House district. 21-A M.R.S. § 1125(3)(D)(3). A “qualifying contribution” is defined as a donation:

- A. of \$5 or more in the form of cash, a check or a money order payable to the fund and signed by the contributor in support of a candidate or a payment made over the Internet in support of a candidate according to the procedure established by the commission;

- B. made by a registered voter within the electoral division for the office a candidate is seeking and whose voter registration has been verified according to procedures established by the commission;
- C. made during the designated qualifying period; and
- D. that the contributor acknowledges was made with the contributor's personal funds and in support of the candidate and was not given in exchange for anything of value and that the candidate acknowledges was obtained with the candidate's knowledge and approval and that nothing of value was given in exchange for the contribution, on forms provided by the commission.

21-A M.R.S. § 1122(7).

B. Proof of contributors' voter registration

As noted above, a QC must be from an individual who is registered to vote in the electoral division for the office the candidate is seeking and whose voter registration has been verified according to the Commission's procedures. 21-A M.R.S. § 1122(7)(B). The candidate must verify that each contributor is registered to vote through the Commission's online QC service or through written verification from the registrar of voters in the contributor's town or city. Chapter 3, § 2(4)(F).

C. Deadline to submit QCs and proof of voter registration

The candidate "must submit qualifying contributions, receipt and acknowledgement forms, [and] proof of verification of voter registration ... during the qualifying period according to procedures developed by the commission" 21-A M.R.S. § 1125(4). For candidates for State Representative, the qualifying period ends at 5:00 p.m. on April 20th of the election year or the next business day. 21-A M.R.S. § 1122(8)(B). This year, the qualifying period ended at 5:00 p.m. on Monday, April 22, 2024.

Under the Commission's rules, the candidate's request for certification will be considered complete only if the candidate has submitted the QCs and proof of the contributors' voter registration during the qualifying period. 94-270 C.M.R. ch. 3, § 3(1)(A). The rules state that the Commission and its staff may not grant an extension of time to submit QCs and proof of voter registration. Chapter 3, § 3(1)(F).

E. Certification by Commission staff

In order to certify a candidate has met the qualifications to receive public funding under the MCEA, the Commission's executive director must determine whether a candidate has complied with 21-A M.R.S. § 1125(5):

Upon receipt of a final submittal of qualifying contributions by a participating candidate, the executive director of the commission shall determine whether the candidate has:

- A. Signed and filed a declaration of intent to participate in this Act;
- B. Submitted the appropriate number of valid qualifying contributions;
- C. Qualified as a candidate by petition or other means no later than 5 business days after the end of the qualifying period;
- D. Not accepted contributions, except for seed money contributions, and otherwise complied with seed money restrictions;
 - D-1. Not run for the same office as a nonparticipating candidate in a primary election in the same election year;
 - D-2. Not been found to have made a material false statement in a report or other document submitted to the commission;
 - D-3. Not otherwise substantially violated the provisions of this chapter or chapter 13;
 - D-4. Not failed to pay any civil penalty assessed by the commission under this Title, except that a candidate has 3 business days from the date of the request for certification to pay the outstanding penalty and remain eligible for certification;
 - D-5. Not submitted any fraudulent qualifying contributions or any falsified acknowledgement forms for qualifying contributions or seed money contributions;
- E. Otherwise met the requirements for participation in this Act.

The executive director shall certify a candidate complying with the requirements of this section as a Maine Clean Election Act candidate as soon as possible after final submittal of qualifying contributions and other supporting documents required under subsection 4 but no later than 3 business days for legislative candidates and 5 business days for gubernatorial candidates. The executive director may take additional time if further investigation is necessary to verify compliance with this Act as long as the commission notifies the candidate regarding the anticipated schedule for conclusion of the investigation. A candidate or other interested person may appeal the decision of the executive director to the members of the commission in accordance with subsection 14.

A certified candidate must comply with all requirements of this Act after certification and throughout the primary and general election periods. Failure to do so is a violation of this chapter.

2. Determination by Commission staff

A \$5 donation is a valid qualifying contribution only if it is “made by a registered voter within the electoral division for the office a candidate is seeking and *whose voter registration has been verified according to procedures established by the commission*” 21-A M.R.S. § 1122(7) (italics added). It is the candidate’s responsibility to submit the verification of the contributors’ voter registration during the qualifying period. 21-A M.R.S. § 1125(4). Commission rules, 94-270 C.M.R. ch. 3, § 3(1)(A). Under the Commission’s rules, the Commission and its staff may not grant an extension of time for you to submit the voter registration verifications. Chapter 3, § 3(1)(F).

The candidate must verify that each contributor is registered to vote through the Commission’s online QC service or through written verification from the registrar of voters. 94-270 C.M.R. ch. 3, § 2(4)(F). This legal requirement is explained in the attached pages from the 2024 Guidebook for Maine Clean Election Act candidates, an April 11, 2024 checklist emailed to all MCEA candidates, and a personalized April 16, 2024 email from Lorrie Brann.

In your application, you submitted 68 QCs. We determined that 30 of the QCs are invalid because you did not submit verification that the contributors are registered to vote:

Michelle Ames	Ann Dion	Zachary Mitchell
Mike Blais	Ramie Dudley	Megan Moulton
Suzanne Blais	Zackary Donnell	Melanie Newton-Burgess
Michael Buckingham	Kyle Finley	Caitlin Pelletier
Nathan Bucknell	Yolanda Gessner	Chad Pomerleau
Zack Campbell	Brian Gibbins	Jennifer Pomerleau
Joseph Cormier	Shanni Girardin	Charlie Roberts
Tyler Devlin	Julienn Gubbins	Theresa Sherman
Tyler Devlin (online)	Dustin Larochelle	Curt Stewart
Dan Dion	Jim Lowell	Charlie Stubbs

Because you did not submit verification that these contributors are registered to vote in your district, the Commission staff has determined you submitted only 38 valid QCs.

Scott Girardin

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May 1, 2024

3. Your Right to Appeal

You have a right to appeal the staff determination to the members of the Commission, pursuant to 21-A M.R.S. § 1125(14). If you wish to do so, please submit the appeal, in writing, within seven days, addressed to:

William Schneider, Chair
Maine Ethics Commission
135 State House Station
Augusta, ME 04333

You may file the appeal through the U.S. Mail or other delivery service, by hand, or by email addressed to Jonathan.Wayne@maine.gov. The Commission is required to hold a hearing within five days of receiving the appeal. The hearing would be held in accordance with the State Administrative Procedure Act. 5 M.R.S. §§ 8001-11008. You would have the burden of proving that the Commission staff's decision was in error as a matter of law or was based on factual error. The Commission must rule on the appeal within five business days after the hearing.

If you have any questions concerning this staff determination, please contact me or Assistant Director Martha Currier. Thank you.

Sincerely,



Jonathan Wayne
Executive Director

COMMISSION ON GOVERNMENTAL ETHICS & ELECTION PRACTICES

135 State House Station

Augusta, ME 04333-0135



2024 Maine Clean Election Act Candidate Guidebook

January 2024



When a supporter gives a QC online, they must make a digital affirmation that represents their signature. **Candidates and their teams may not complete an online QC on behalf of their supporter**, even if a supporter is willing, for instance, to give their debit or credit card information over the phone; supporters must complete the online form and make the digital affirmation themselves.

VOTER REGISTRATION VERIFICATION

All qualifying contributions must be from registered voters in the candidate's district. They do not have to be enrolled in the candidate's political party.

To verify that a supporter is a registered voter, the candidate must enter their name and address into the online QC site. The site links with Maine's voter registry database to determine, based on the information entered, whether an individual is a registered voter. The QC site has a 90-95% success rate in matching an individual to the voter registration database, but sometimes it cannot make a match.



If the QC site cannot verify that a QC contributor is registered to vote in the candidate's district, it is the candidate's responsibility to submit verification of the contributor's voter registration to the Commission by the qualifying deadline. To do this, the candidate may print a system-generated R&A Form. The system will sort the unverified contributors by town and create a form to take to the town clerk for verification; there is a space for the town clerk to sign and note the number of contributors who are registered to vote in the candidate's district. A contributor that has not been verified by the online QC site will not be valid for certification unless the candidate submits the clerk form to the Commission before the certification deadline.

QUALIFYING PERIOD AND THE CERTIFICATION DEADLINE

For 2024, the earliest a registered candidate may begin to collect QCs is January 1, 2024. Candidates must turn in their signed Declaration of Intent (DOI) as soon as possible after registering with the Commission, because any QCs collected more than 5 business days before the Commission receives the form are not valid.

To be certified as a MCEA candidate and receive funding, candidates must submit at least the minimum number of valid qualifying contributions (60 for House candidates, 175 for Senate candidates) no later than **5:00 p.m., Monday, April 22, 2024**. This is a strict deadline. No materials received after the deadline will be considered toward certification.

Certified MCEA candidates may continue to collect QCs for supplemental payments, if they are in a contested general election, through **5:00 p.m., October 15, 2024**. Commission staff will keep a record of any valid QCs a candidate turns in over the minimum required for certification and apply them toward those supplemental payments.

MUNICIPAL CLERK OBLIGATIONS


The election law allows municipal clerks up to 10 days to verify voter registration status for a candidate. It is the candidate's responsibility to make sure they turn in forms to the clerk early enough to allow the clerk time to process the document and return it to the candidate *before* any MCEA program deadline.

ETHICS COMMISSION STAFF TIPS

Using the QC Site


To enter your physical qualifying contributions (QCs), go to www.maine.gov/cleanelections. Click the “Candidate Login” button (enter the same username and password you have for the eFiling site). Once you are logged in:

1. Click “Manage and Enter Check/Cash/Money Order Contributions”
2. Enter the contributor’s name and address
 - a. Click the dropdown for the Municipality and type the first letter of the contributor’s town to find the correct town
 - b. When entering the street name, start typing the street name-allow the system to suggest street names-and select the correct street name
3. Click “Add to Pending”

 The system has a 90-95% success rate in matching an individual to their voter registration record. If the system has been able to match them, the contributor will show a status of “verified,” indicating that they are a registered voter in your district. If their status is “unverified,” the contribution will be counted for certification only if you provide the Commission with a verification by the municipal clerk that the contributor is registered to vote in your district.

Clerk Verification

To generate the form for the town clerks to verify:

1. Click “Contribution Receipt & Acknowledgment Download”
2. Set the date range (start with January 1, 2024 and through the current date)
3. Set the Verification Status to “No”
4. Leave the Town as “All”
5. Click the “Download PDF Form(s)” button.
6. Take the downloaded forms to the relevant city/town clerk to see if the contributors can be verified.
7.  Include in your submission request the original Receipt & Acknowledgement form, check or cash slip, and the Receipt & Acknowledgement signed by the clerk.



CHAPTER 4 - REQUESTING CERTIFICATION

The deadline for MCEA candidates to request certification is due no later than **5:00 p.m., Monday, April 22, 2024**. The deadline is strict. Materials received after the deadline will not be considered for certification. A complete request for certification packet includes:

- A signed Request for Certification form.
- At least the minimum number of QCs (60 for the House, 175 for the Senate), which includes:
 - signed R&A Forms;
 - checks, signed Cash QC Affirmation slips, and/or money orders;
 - complete list of contributors entered into the online QC site for voter registration verification;
 - clerk R&A Forms for unverified contributors; and
 - bulk money order for the amount of the cash QCs.
- Seed Money Report.

Unenrolled candidates must be qualified for the ballot by the Secretary of State's office no later than **April 29, 2024**, to participate in the MCEA program.

MCEA candidates may request a one week filing extension for the Seed Money Report, but the certification process will be on hold until the report is filed. No extensions will be granted for any other part of the certification packet.

Once a certification packet has been submitted, the Commission staff is required to make a determination of whether or not to certify a candidate within three business days, unless additional time is needed to verify compliance with the MCEA. The Commission will notify the candidate if additional time for verification is necessary.

COMMISSION STAFF REVIEW

The Commission staff carefully review all components of a certification packet to ensure compliance with the MCEA.

Receipt and Acknowledgement forms

- Circulator section is complete;
- All contributors have signed the form;
- All forms are originals, not copies.
- All checks and Cash QC Affirmation slips must be paperclipped to the R&A Form containing their contribution.

Checks, Cash QC Affirmation Slips and Money Orders

- All checks must be made payable to the "Maine Clean Election Fund" or "MCEF," signed by the person giving the QC and dated.
 - Couples may give a single check for their QCs but both must sign the R&A Form.
- Cash QC Affirmation Slips must be signed by the person making the cash QC and they must sign an R&A Form.



- MCEA candidates may provide a money order to contributors in exchange for cash, but the contributor must sign the money order and an R&A Form.



Clerk Verified R&A Forms. For any contributor the online QC site is unable to verify, the campaign must download and print R&A Forms to take to the town clerk for verification. The town clerk will mark all contributors they are able to verify and will sign and date the form; unless these forms are received by the Commission before the qualifying deadline, unverified contributors will not be valid for certification.

Bulk Money Order. All cash QCs must be converted to a single money order and be included with the certification packet. If the amount of the bulk money order does not match the number of Cash QC Affirmation slips submitted, a matching number of QCs will be invalid.

Seed Money Report.

- All contributions and expenditures are appropriately reported.
- Contributions do not exceed the contribution limits of \$1,000 for the House or \$3,000 for the Senate.
- Expenditures do not exceed the amount of seed money reported.
- Leftover seed money funds will reduce the candidate’s primary payment.

Once the Commission staff completes its review, candidates and their opponents are notified in writing of the Commission’s determination.

PAYMENT AMOUNTS

Once certified, the original 60 valid QCs for a House race and 175 valid QCs for a Senate race will provide MCEA payments for both the Primary and General elections. The table below shows the payment amounts based on whether a candidate is in contested or uncontested races. Unenrolled candidates receive the uncontested Primary payment amount, less any unspent Seed Money.

2024 INITIAL MCEA PAYMENT AMOUNTS		
HOUSE	Uncontested	Contested
*Primary Election	\$625	\$3,125
General Election	\$1,875	\$6,225
SENATE		
*Primary Election	\$2,500	\$12,475
General Election	\$7,475	\$24,925
* Payment amounts for the Primary will be less if not all Seed Money is spent.		

Primary payments are generated upon certification and should be received within 2 weeks. The Commission is required to make the initial payments for the General no later than 3 days after the Secretary of State certifies the results of the Primary election. Payments for the General election are not reduced if a candidate has not spent all their Primary funds. If a candidate for the General submitted enough QCs to qualify for a supplemental payment(s), that amount will also be disbursed after the Primary election.

ETHICS COMMISSION STAFF TIPS

Certification Deadlines


Deadline for MCEA certification:	5:00 p.m. on April 22, 2024
<i>Replacement Candidate certification:</i>	<i>5:00 p.m. on August 21, 2024</i>
Final Supplemental QC deadline:	5:00 p.m. on October 15, 2024

MCEA Certification Submission Packet Check List

Before submitting your materials, check if:

- All contributors' names and addresses have been entered from the Receipt & Acknowledgment Forms into the "Manage/Enter ..." function on the QC site (www.maine.gov/cleanelections) to create the List of Contributors; and you have submitted the list to the Commission using the button at the bottom of the page
- Minimum number of Qualifying Contributions (QCs) (60 for House, 175 for Senate). We recommend submitting more than the required number in case some are not valid
- The Seed Money Report has been filed by your treasurer, or you have requested an extension by checking the box on the Request for Certification Form and emailing your assigned Candidate Registrar

Materials required in your submission packet:

- Receipt & Acknowledgment Forms**
 - All forms are the originally signed documents (not photocopies)
 - Each circulator section has been signed and dated by the circulator
 -  The original clerk-signed printed Receipt & Acknowledgement Form PDFs for contributors whose voter registration was not verified by the online QC service
- Checks and Cash QC Affirmation Forms**
 - All Cash QC Affirmation Forms are signed by the contributor, dated, and are the original documents
 - All checks have been signed by the contributor
 - All checks and Cash QC Affirmation Forms are attached by paper clip to the corresponding Receipt & Acknowledgment Forms (*absolutely do not staple*)
- Bulk Money Order**
 - If you collected cash QCs, you must submit a money order or bank check in the amount of cash collected as QCs, written to the MCEF
- Signed **Request for Certification Form**

From: Brann, Lorrie J
Cc: Gordon, Erin
Bcc: manaabi6@gmail.com; GOP@Aberz.com; hadams@smcme.edu; RAlbert@roadrunner.com; dankeles@gmail.com; amybarata@gmail.com; donald.j.ardell@gmail.com; poppy4staterop@gmail.com; markbabin1960@gmail.com; dabalaylaw@gmail.com; normbamford@yahoo.com; joanbeal@yahoo.com; pinnyl4@gmail.com; abell9086@aol.com; rick@rickbennett.org; suebernard70@gmail.com; bruce.bickford@aol.com; russellblack@uno.com; troymedemocrats@gmail.com; joeboydfornaine@gmail.com; dickbradstreet@gmail.com; mrs.lemonburger@gmail.com; bill@bridgegeo.net; brilliant@gmail.com; miamifins84@gmail.com; esbrownell@gmail.com; danian99@icloud.com; carrye22@gmail.com; votechipman@gmail.com; AnnieChristy4House@icloud.com; lee.clement@twc.com; Corinna.Cole@gmail.com; nicole.i.collins24@gmail.com; pete.colman66@gmail.com; michconners@gmail.com; gmcooper81@aol.com; CopelandforSaco@gmail.com; patrick@patrickcorey.com; info@lydiacrafts.com; Scottcraig659@yahoo.com; cuddy.scott@gmail.com; chip.cury@gmail.com; stef@refresh207.com; michelabredaniels@gmail.com; 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Laurad.supica@gmail.com; pam.swift4maine@gmail.com; tets@comcast.net; ptSlombard@gmail.com; christopher_e.thacker@comcast.net; mike@tippingforsenate.com; melvann11@gmail.com; mtowndvm1995@gmail.com; LeeTrahanMEHD63@gmail.com; Underwoodforstatesenate@gmail.com; joseph@velozofornaine.com; Pvon522@Verizon.net; JacobWakem7@GMail.com; sophieforscarborough@gmail.com; kiltowebb@gmail.com; bruceawhite@gmail.com; natewhiteforme@gmail.com; scott.williams68@gmail.com; stevevforhouse@gmail.com; yaggor1@icloud.com; james.mark.worth@gmail.com; shelby.d.wright@gmail.com; Sam.Zager; aaronlashua@gmail.com; afd75@aol.com; alan.fernald@gmail.com; alyssa.nile@gmail.com; ardel.emmal1@gmail.com; astephensme@gmail.com; ayerheads22@gmail.com; barb@cyrrassociates.me; barbaragould@qwi.net; beck3co@gmail.com; bentonfalls@mac.com; betsypho123@gmail.com; blake.morriso87@gmail.com; bonnie337@yahoo.com; Boucher.matthew@gmail.com; bparadis2@outlook.com; BradfordBamford@yahoo.com; breannadavis361@gmail.com; brielly@ibqh.com; brittanynsoos@gmail.com; brownell.kristyn@gmail.com; bruce.bickford@aol.com; bwilliams54@gmail.com; cadove@smcme.edu; egiroux@rsu10.org; cheryl.g207@gmail.com; Chris@chrispeary.com; cohenservicesllc2014@gmail.com; DAJU2@GWL.NET; danzaidel@yahoo.com; david.johnson.ir@gmail.com; jbruno@communityrx.com; jcsproule@roadrunner.com; jdoyle2676@gmail.com; dulchoat@gmail.com; dwdmlincoln17@gmail.com; eedickens@gmail.com; elsemiller2@gmail.com; emma.westwater@gmail.com; enedeau11@gmail.com; eskmo@comcast.net; esliep@hotmail.com; fatandy0307@gmail.com; flahertpeter@comcast.net; foxgreengroup@gmail.com; francis.eanes@gmail.com; fgustin@gmail.com; gcbell20@gmail.com; gdehart@shakerview.com; gerrishruth@gmail.com; hilltopomad@gmail.com; j.edward.conners@gmail.com; jackie2@roadrunner.com; JackRyanMcGrath@gmail.com; jamesfitz52154@gmail.com; jamesstelewin@gmail.com; janaherbener1@gmail.com; jaymccright@gmail.com; jbruno@communityrx.com; jcsproule@roadrunner.com; jdoyle2676@gmail.com; jeffminihan@yahoo.com; jennyelia70@gmail.com; jillfaloona@yahoo.com; jim.f.amaral@gmail.com; jparret@yahoo.com; joejo.sleeper@gmail.com; johnfredyork@yahoo.com; johnportela@yahoo.com; jonrobshaw@gmail.com; jparent1999@yahoo.com; jphmurphy@gmail.com; jwails1991@yahoo.com; kaitlyn.d.martin@gmail.com; kas1@fairpoint.net; kathymcgaw@pwwless.net; katkinhead@gmail.com; kellyperk@roadrunner.com; kevinblack2004@yahoo.com; kimberlynut207@gmail.com; kmartel73@gmail.com; knitsbxomom@gmail.com; kyvung2199@gmail.com; leahk174@gmail.com; Lindseyraymond6@gmail.com; lizkurt@gmail.com; luann.yetter@gmail.com; lucille.wess@maine.edu; Mainejack@gmail.com; maplenut4@gmail.com; marccchappell68@gmail.com; marcie@mbbookkeeper.com; marean@princeton.edu; marie_rice2000@yahoo.com; mary@batakis.com; marybhoves@hotmail.com; matt@pouliotrealstate.com; mattpitcher@hotmail.com; mdarata@gmail.com; meagan.smith2323@gmail.com; michaelatloisel@gmail.com; miller3551@att.net; mitch@petersroberge.com; mmanende1@gmail.com; momunchránola@gmail.com; mrsilver508@yahoo.com; msomal56@gmail.com; msullivan27@roadrunner.com; Mundy.James@gmail.com; nashvalleyfarm@myfairpoint.net; Office@huntrax.com; pamio33@gmail.com; Patriceputman@gmail.com; pattykidderd19@gmail.com; paul.castonguay@yahoo.com; pbatheart@gmail.com; pdovle1@maine.rr.com; pellennyan@gmail.com; pete.colman66@gmail.com; petermacdonald@blachiv@gmail.com; pgcrockett@yahoo.com; phil.wiseman@yahoo.com; raviackson1@gmail.com; Rbilancia@roadrunner.com; redoxforrestrv@gmail.com; ripoier@icloud.com; rmtetzell@gmail.com; m.gutner@gmail.com; rouillard@maine.rr.com; palmer3@maine.rr.com; rsanders001@roadrunner.com; RSCampaignMgmt@GMail.com; rstou45@roadrunner.com; rvhiford97@gmail.com; rushalansc@gmail.com; sbeau1; sbmartin722@gmail.com; scottmislepsy@gmail.com; scraig@roadrunner.com; scsmith.wbf@gmail.com; seft70new@gmail.com; sfkfr@gmail.com; shaina.marie85.sf@gmail.com; shelby.d.wright@gmail.com; Shellyryndick@gmail.com; SHELLYANMOUNTAIN@GMAIL.COM; SILO@AOL.COM; simitchells@icloud.com; sjso59@mac.com; smcckloskey@maine.rr.com; smills21@hotmail.com; srattd727@gmail.com; staff@velozofornaine.com; stelladiann@gmail.com; tappingjen@roadrunner.com; tdouglas@douglasmcdaniel.com; tedasherman47@gmail.com; tedmatack1@gmail.com; thecouny8@yahoo.com; tiffasparr@gmail.com; tinalbelanger@gmail.com; tommerrow@gmail.com; towfam@roadrunner.com; teanson73@gmail.com; vandernoot69@gmail.com; veronaislandflowers@yahoo.com; virgilibryant@gmail.com; votechipman@gmail.com; winniejohnson66@gmail.com; Wshinwells7@gmail.com; wsvd162@gmail.com; youbette@me.com; young.26@hotmail.com

Subject: Requesting MCEA Certification
Date: Thursday, April 11, 2024 12:03:00 PM
Attachments: 2024 Cert Request and Checklist.pdf

Good afternoon Candidates:

The deadline for candidates to request MCEA certification is fast approaching: **April 22, 2024**. Attached to this email is a Request for Certification form and a checklist you can use as you prepare your materials for submission. We strongly recommend candidates drop off their materials in person at this office; if you must mail your packet instead, contact us ASAP for instructions.

- You will use the online QC site at www.maine.gov/cleanelections to check the voter registration status of all your in-person contributors. *Please remember to click the Submit List to Commission button!*
- The Seed Money Report will be filed at www.mainecampaignfinance.com. *You may request an up to 1 week extension to file your Seed Money Report in order to reduce your seed money balance. You cannot raise any more seed money after April 22!*

Please ensure you and your treasurer can log into these sites and contact us as soon as possible if you have trouble.

- If you have already submitted your Request for Certification but have not filed your Seed Money Report – please remember to do so by 11:59 p.m. on April 22, 2024.

Unenrolled Candidates: You must be qualified for the ballot by **April 29, 2024** or you will not be certified.

As always, if you have any questions, do not hesitate to reach out.

Erin Gordon, Candidate Registrar
 House Districts 1-76 | Senate Districts 1-17
 Arrostook, Hancock, Knox, Penobscot, Piscataquis, Somerset,
 Waldo, Washington
 (207) 287-3651 | erin.gordon@maine.gov

Lorrie Brann, Candidate Registrar
 House Districts 77-151 | Senate Districts 18-35
 Androscoggin, Cumberland, Franklin, Kennebec, Lincoln, Oxford,
 Sagadahoc, York
 (207) 287-4727 | lorrie.j.brann@maine.gov



Website: www.maine.gov/ethics
Phone: 207-287-4179
Fax: 207-287-6775

2024 REQUEST FOR CERTIFICATION As a Maine Clean Election Act Candidate for the Legislature

**CERTIFICATION DEADLINE:
April 22, 2024 by 5:00 P.M.**

**Seed Money
Deadline Extension?**

(Initial if extension requested)

Candidate's Name: _____

Office Sought: House Senate District #: _____

Party: Democrat Green-Independent Republican Unenrolled

With this request, you must submit:

- At least the minimum number of qualifying contributions (QCs)
 - 60 for House candidates | 175 for Senate candidates
- The original Receipt & Acknowledgment Forms
 - Checks, money orders, and Cash QC Affirmation Forms must be clipped to the corresponding Receipt & Acknowledgement Forms (**do not use staples**)
- Voter registration verification for all qualifying contributions
 - All QC contributors who contributed via check, cash, or money order must be entered into the Commission's online QC service. Once all contributors are added, the list of contributors must be submitted via the service to the Commission. At this point, the service will attempt to verify the voter registrations of all the contributors.
 - For any contributors whose voter registrations the service cannot verify, system-generated Receipt & Acknowledgement Forms must be printed and taken to the appropriate municipal clerks for verification. Those verified forms must be submitted to the Commission by the deadline.
- A list of QC contributors submitted via the Commission's online QC service
 - The only acceptable method for submitting the required list of QC contributors is through the Commission's online QC service. Lists in other formats will not be accepted. The list of QC contributors must be submitted through the service by 5:00 p.m. on April 22, 2024.
- A filed Seed Money Report
 - An extension of up to one-week for filing the Seed Money Report may be requested. See box in top right corner of this form. The Commission approves all reasonable extension requests.

I hereby request to be certified as a Maine Clean Election Act candidate. I agree to comply with all requirements of the Act and the Commission's rules. I have:

- Signed and filed a Declaration of Intent to participate in the Maine Clean Election Act;
- Qualified as a candidate by petition or other means (and confirmed by the Secretary of State's Office);
- Complied with seed money restrictions and otherwise met the requirements for participation in the Maine Clean Election Act;
- Read the Commission's guidelines on permissible campaign-related expenditures;
- Established a separate campaign account at a financial institution; and
- Confirmed any person who circulated my Receipt and Acknowledgement Forms and collected QCs did so with my knowledge and consent.

Candidate's Signature: _____ Date: _____

2024 MCEA Certification: Submission Packet Check List

In order to ensure a complete submission, please use the following checklist to carefully evaluate your materials before submitting them to the Commission. If you have questions during this process, please contact your assigned Candidate Registrar and they will be happy to talk you through the components.

Before submitting your materials, check if:

- All contributors' names and addresses have been entered from the Receipt & Acknowledgment Forms into the "Manage/Enter..." function on the QC site (www.maine.gov/cleanelections) to create the **List of Contributors**; *and* you have submitted the list to the Commission using the button at the bottom of the page
- You have at least the minimum number of **Qualifying Contributions (QCs)** (60 for House, 175 for Senate); we recommend submitting more than the required number in case some are not valid
- The **Seed Money Report** has been filed by your treasurer, or you have requested an extension by checking the box on the **Request for Certification Form** and emailing your assigned Candidate Registrar

Materials required in your submission packet:

Receipt & Acknowledgment Forms

- All forms are the originally signed documents (not photocopies)
- Each circulator section has been signed and dated by the circulator



- The original clerk-signed printed Receipt & Acknowledgement Form PDFs for contributors whose voter registration was *not* verified by the online QC service

Checks and Cash QC Affirmation Forms

- All Cash QC Affirmation Forms are signed by the contributor, dated, and are the original documents
- All checks have been signed by the contributor
- All checks and Cash QC Affirmation Forms are attached by **paper clip** to the corresponding Receipt & Acknowledgment Forms (absolutely do not staple)

Bulk Money Order

- If you collected cash QCs, you must submit a money order or bank check in the amount of cash collected as QCs, written to the MCEF

- A signed **Request for Certification Form** (included)

From: [Brann, Lorrie J](#)
To: [Scott Girardin](#)
Subject: RE: Online contribution
Date: Tuesday, April 16, 2024 11:25:00 AM

Hi Scott:

You sign into the [online QC site](#) with the username and password you have for campaignfinance.com. Once you are signed in, you can enter any physical QCs you have collected and view the online QCs you have received. Please remember that you will need to do the Online Contribution Receipt & Acknowledgement Download for any unverified contributors.

Please do not hesitate to contact me if you have any questions or need assistance.

Have a good day,

Lorrie

Lorrie J. Brann,
Candidate Registrar
Maine Ethics Commission
135 State House Station
Augusta, ME 04333-0135

Phone: (207) 287-4727

Fax: (207) 287-6775

From: Scott Girardin <scottgirardin1@gmail.com>
Sent: Monday, April 15, 2024 8:28 AM
To: Brann, Lorrie J <Lorrie.J.Brann@maine.gov>
Subject: Online contribution

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning

is there a place that I can look up who has contributed online for my five dollar clean election contributions.

Thank You

Scott Girardin

Valid Qualifying Contributions

Staff Use	Source	Verified	Last Name	First & Middle Name	Suffix	Address	City/Town	Submission Date
	○	Yes	BRENNAN	KATHERINE		31 ANSON RD	GREENE	4/22/2024
	○	Yes	Davis	Pamela		14 E SHORE DR	GREENE	4/22/2024
	○	Yes	girardin	scott		21 LANSLEY DR	SABATTUS	4/22/2024
	○	Yes	SCHLOBOHM	MATTHEW		31 ANSON RD	GREENE	4/22/2024
*	P	Yes	belanger	marc		741 MIDDLE RD	SABATTUS	4/22/2024
*	P	Yes	blake	jared		90 ISLAND RD	SABATTUS	4/22/2024
*	P	Yes	brown	magan		105 JORDAN BRIDGE RD	SABATTUS	4/22/2024
*	P	Yes	brown	david		105 JORDAN BRIDGE RD	SABATTUS	4/22/2024
*	P	Yes	brule	raymond		968 SAWYER RD	GREENE	4/22/2024
*	P	Yes	buckingham	kathy		76 LISBON RD	SABATTUS	4/22/2024
*	P	Yes	burgess	kevin		39 TURCOTTE RD	SABATTUS	4/22/2024
*	P	Yes	cabral	emily		164 LITTLEFIELD RD	SABATTUS	4/22/2024
*	P	Yes	cardoza	Kathy		136 SCHOOL RD	SABATTUS	4/22/2024
*	P	Yes	caron	richard		63 OLD COUNTY RD	SABATTUS	4/22/2024
*	P	Yes	chessie	andrew		249 BOWDOINHAM RD	SABATTUS	4/22/2024
*	P	Yes	cyr	dominic		42 RESTLESS WINDS DR	SABATTUS	4/22/2024
*	P	Yes	dube	glen		94 JORDAN BRIDGE RD	SABATTUS	4/22/2024
*	P	Yes	dube	melanie		94 JORDAN BRIDGE RD	SABATTUS	4/22/2024
*	P	Yes	dumont	scott		13 MUFFIN DR	SABATTUS	4/22/2024
*	P	Yes	GAYTON	RUDY		349 MIDDLE RD	SABATTUS	4/22/2024
*	P	Yes	GAYTON	ROBERT	Jr	17 CONWAY ST	SABATTUS	4/22/2024
*	P	Yes	gayton	robert	III	77 LORELIE DR	SABATTUS	4/22/2024
*	P	Yes	gayton	austin		17 CONWAY ST	SABATTUS	4/22/2024
*	P	Yes	girardin	victoria		108 MIDDLE RD	SABATTUS	4/22/2024
*	P	Yes	jillson	sandra		8 LANSLEY DR	SABATTUS	4/22/2024
*	P	Yes	jillson	david		8 LANSLEY DR	SABATTUS	4/22/2024
*	P	Yes	kelley	ashley		393 COLLEGE RD	GREENE	4/22/2024
*	P	Yes	labonte	darcy		175 FURBUSH RD	SABATTUS	4/22/2024
*	P	Yes	labonte	jeannette		416 LISBON RD	SABATTUS	4/22/2024
*	P	Yes	labonte	gary		416 LISBON RD	SABATTUS	4/22/2024
*	P	Yes	levasseur	john		32 STAG HOLLOW RD	GREENE	4/22/2024
*	P	Yes	levasseur	donna		32 STAG HOLLOW RD	GREENE	4/22/2024
*	P	Yes	MENNEALY	JON		383 SUTHERLAND POND RD	SABATTUS	4/22/2024
*	P	Yes	merrill	george		457 LISBON RD	SABATTUS	4/22/2024
*	P	Yes	moulton	mark		421 LISBON RD	SABATTUS	4/22/2024
*	P	Yes	pelletier	brandon		68 TIMBERLAKE LN	SABATTUS	4/22/2024
*	P	Yes	stewart	james		79 LONG BEACH RD	SABATTUS	4/22/2024
*	P	Yes	tidswell	cory		48 VALENTINE WAY	GREENE	4/22/2024

Invalid Qualifying Contributions								
Staff Use	Source	Verified	Last Name	First & Middle Name	Suffix	Address	City/Town	Submission Date
CFN	P	No	ames	michalle		22 PINARD DR	SABATTUS	4/22/2024
CFN/Sig Fault	P	No	blais	mike		65 MARSH RD	SABATTUS	4/22/2024
CFN	P	No	blais	susan		65 MARSH RD	SABATTUS	4/22/2024
CFN	P	No	buckingham	michall		76 LISBON RD	SABATTUS	4/22/2024
CFN	P	No	bucknell	nathon		108 MIDDLE RD	SABATTUS	4/22/2024
CFN	P	No	Campell	Zack		61 LORELIE DR	SABATTUS	4/22/2024
CFN	P	No	cormier	joe		29 EVERGREEN LN	SABATTUS	4/22/2024
CFN	○	No	Devlin	Tyler		112 EAST RIDGE RD	SABATTUS	4/22/2024
DUP	P	No	devlin	tyler		112 EAST RIDGE RD	SABATTUS	4/22/2024
CFN/Sig Fault	P	No	dion	dan		15 LORELIE DR	SABATTUS	4/22/2024
CFN	P	No	dion	ann		15 LORELIE DR	SABATTUS	4/22/2024
CFN	P	No	dudley	remie		57 GLENVIEW DR	SABATTUS	4/22/2024
CFN	P	No	dumnell	zakery		36 RIVER COMMON RD	SABATTUS	4/22/2024
CFN	P	No	finley	kyle		496 BOWDOINHAM RD	SABATTUS	4/22/2024
CFN	P	No	gessner	yolanda		63 OLD COUNTRY RD	SABATTUS	4/22/2024
CFN	P	No	gibbins	brian		15 LAKE ST	SABATTUS	4/22/2024
CFN/Sig Fault	P	No	girardin	Shanna=i		21 LANSLEY DR	SABATTUS	4/22/2024
CFN	P	No	gubbins	julienn		15 LAKE ST	SABATTUS	4/22/2024
CFN	P	No	larochelle	dustin		1305 N RIVER RD	GREENE	4/22/2024
CFN	P	No	lowello	jim		212 LOON POND RD	SABATTUS	4/22/2024
CFN	P	No	Mitchell	Zachary		386 CROWLEY RD	SABATTUS	4/22/2024
CFN	P	No	moulon	megon		421 LISBON RD	SABATTUS	4/22/2024
CFN	○	No	Newton-Burgess	Melanie		39 TURCOTTE RD	SABATTUS	4/22/2024
CFN	P	No	pelleter	caitlin		68 TIMBERLAKE LN	SABATTUS	4/22/2024
CFN	P	No	pomerleau	chad		123 GREENE ST	SABATTUS	4/22/2024
CFN	P	No	pomerleau	jennifer		123 GREENE ST	SABATTUS	4/22/2024
CFN	P	No	roberts	charlie		81 ROBERTS RD	SABATTUS	4/22/2024
CFN	P	No	sherman	terry		40 SPRINGER FARM RD	SABATTUS	4/22/2024
CFN	P	No	stewart	curt		257 LISBON RD	SABATTUS	4/22/2024
CFN	P	No	stubbs	charlie		164 LITTLEFIELD RD	SABATTUS	4/22/2024

Maine Clean Election Act Admin

Online Qualifying Contribution Service

Welcome to the Candidate Admin for Online Qualifying Contribution Service

Use your username and password from the Commission's campaign finance e-filing site to log into this admin account.

Click [here](#) if you have forgotten your login information.

Sign in with your portal account. ***Required fields.**

Username:*

Password:*

Questions about this service? Contact InforME at (207) 621-2600 or info@informe.org

Credits



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Information

[Ethics Commission Home](#)

[Maine.gov](#)

[Site Policies](#)

Transaction Security



Maine Clean Election Act Admin

Online Qualifying Contribution Service

Online Qualifying Contribution Service

[Log Out](#)

Welcome to the Qualifying Contributions Online Service - Candidate Access. This administrative site allows Maine Clean Election Act Candidates to:

- Review the status of qualifying contributions made online, including the verification of contributors' voter registration.
- Enter the qualifying contributions received via check, cash, or money order, and verify their voter registration status
- Search for contributions by contributor name, town or data range.
- Download Receipt & Acknowledgement Forms.
- View the total contributions made online and entered manually.
- Submit all qualifying contributions to the Maine Ethics Commission

This online qualifying contribution service will check the voter registration status of contributors. If the system is unable to verify a contributor's registration status, candidates must download the Receipt & Acknowledgement Forms for unverified contributors (second tab below) and take them to the municipal registrars in each town and city to have the voter registration of online contributors verified. The forms are available for download in PDF format. You will need the free Adobe Acrobat Reader to view and print them.

The available administrative options are listed below.

- **Contribution Search**
- [Enter Check/Cash/Money Order Contributions](#)
- [Action Required Contributions](#)
- [Contribution Receipt & Acknowledgment Download](#)

Contribution Totals

Valid: 38

Invalid: 0

Pending: 0

Action Required: 30

Search by:

Contribution Date Range:

From:

To:

City or Town:

Verification:

Maine Clean Election Act Admin

Online Qualifying Contribution Service

Contribution Search: Results

[Log Out](#)

[Contribution Search](#)

[Contribution Receipt & Acknowledgment Download](#)

Results

Show entries

Search:

Date of Contribution	City or Town	Contributor Name	Verified Online	Refunded
04/13/2024	SABATTUS	Melanie S Newton-Burgess	No	
04/13/2024	GREENE	KATHERINE LETITIA BRENNAN	Yes	
04/13/2024	GREENE	MATTHEW JURGEN SCHLOBOHM	Yes	
04/13/2024	SABATTUS	scott g girardin	Yes	
04/15/2024	SABATTUS	Tyler Devlin	No	
04/18/2024	GREENE	john levasseur	Yes	
04/18/2024	SABATTUS	charlie roberts	No	
04/18/2024	SABATTUS	charlie stubbs	No	
04/18/2024	SABATTUS	emily cabral	Yes	
04/18/2024	GREENE	Pamela A Davis	Yes	
04/18/2024	SABATTUS	brian gibbins	No	
04/18/2024	SABATTUS	chad pomerleau	No	
04/18/2024	SABATTUS	jennifer pomerleau	No	
04/18/2024	SABATTUS	marc belanger	Yes	
04/18/2024	SABATTUS	zakery dumnell	No	
04/18/2024	SABATTUS	andrew chessie	Yes	
04/18/2024	SABATTUS	kyle finley	No	
04/18/2024	SABATTUS	remie dudley	No	
04/18/2024	GREENE	cory tidswell	Yes	
04/18/2024	GREENE	raymond brule	Yes	
04/18/2024	SABATTUS	julienn gubbins	No	
04/18/2024	GREENE	ashley kelley	Yes	
04/18/2024	SABATTUS	michall buckingham	No	
04/18/2024	SABATTUS	kathy buckingham	Yes	
04/18/2024	SABATTUS	sandra jillson	Yes	
04/18/2024	SABATTUS	david jillson	Yes	
04/18/2024	SABATTUS	JON RANDALL MENNEALY	Yes	
04/18/2024	SABATTUS	victoria girardin	Yes	
04/18/2024	SABATTUS	nathon bucknell	No	
04/18/2024	SABATTUS	curt stewart	No	
04/18/2024	SABATTUS	yolanda gessner	No	



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

To: Candidates for the Maine House of Representatives, District 92
cc: Commission Members and Counsel
From: Jonathan Wayne, Executive Director
Date: May 3, 2024

NOTICE OF HEARING

Hearing Scheduled for May 8, 2022

On May 1, 2024, the staff of the Maine Ethics Commission completed its review of a request for Maine Clean Election Act funding by Mr. Scott Girardin, a candidate for the Maine House of Representatives, District 92. The Commission staff found that Mr. Girardin did not submit 60 valid qualifying contributions during the qualifying period. Specifically, the Commission found a total of 30 qualifying contributions were invalid because the candidate did not submit verification that the contributors were registered to vote in his House district. For that reason, the Commission staff determined Mr. Girardin did not meet the requirements to receive Maine Clean Election Act funding under 21-A M.R.S. § 1125(5).

Mr. Girardin has appealed the staff determination. Pursuant to 21-A M.R.S. § 1125(14), the Commission will hold a hearing on his appeal, with the agreement of the appellant, on **Wednesday, May 8, 2024 at 9:00 a.m.** The hearing will be held at the Commission office at **45 Memorial Circle, in Augusta.** The hearing will be streamed to YouTube for the public to access.

The May 8, 2022 hearing will be conducted in accordance with Chapter 2 of the Commission's rules (available at www.maine.gov/ethics) and the Maine Administrative Procedure Act, 5 M.R.S. §§ 8001 et seq.

Issue to be Addressed at the Hearing

At the hearing, Mr. Girardin will have the burden of proving that the determination by the Commission staff was in error as a matter of law or was based on factual error. The members of the Commission are expected to reach a decision in the matter as part of the hearing.

Opportunity to Present Evidence and Legal Argument

The appellant, the Commission staff, and any intervenors may present evidence and legal argument at the May 8, 2024 hearing.

Subpoenas

Any requests to the Commission for issuance of subpoenas under 5 M.R.S. § 9060 should be made as soon as possible. Requests should be addressed to the Commission Chair and emailed to Jonathan.Wayne@maine.gov.

Relevant Statutes and Rules

The following provisions are relevant to the proceeding:

21-A M.R.S. § 1122(7) & (8)

21-A M.R.S. § 1125(3), (4), (5) & (14)

Commission Rules, Chapter 3, Sections 2(4) & 3(1)

Applications to Intervene as a Party

Any person who wishes to intervene as a party to the proceeding should submit a letter to the Commission as soon as possible. Please address the letter to the Commission Chair, William Schneider, and email the letter to Jonathan.Wayne@maine.gov.

Questions

If you have any questions concerning this notice, please call me at (207) 287-4179 or e-mail me at Jonathan.Wayne@maine.gov.

21-A M.R.S. § 1122. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Certified candidate. “Certified candidate” means a candidate running for Governor, State Senator or State Representative who chooses to participate in the Maine Clean Election Act and who is certified as a Maine Clean Election Act candidate under section 1125, subsection 5.

1-A. Caucus political action committee. “Caucus political action committee” has the same meaning as in section 1001, subsection 1-A.

2. Commission. “Commission” means the Commission on Governmental Ethics and Election Practices established by Title 5, section 12004-G, subsection 33.

3. Contribution. “Contribution” has the same meaning as in section 1012, subsection 2.

3-A. Election cycle. “Election cycle” means the period beginning on the day after the general election for any state, county or municipal office and ending on the day of the next general election for that office.

4. Fund. “Fund” means the Maine Clean Election Fund established in section 1124.

4-A. Immediate family. “Immediate family” has the same meaning as in section 1, subsection 20 and includes a candidate’s domestic partner and the immediate family of the candidate’s domestic partner.

5. Nonparticipating candidate. “Nonparticipating candidate” means a candidate running for Governor, State Senator or State Representative who does not choose to participate in the Maine Clean Election Act and who is not seeking to be certified as a Maine Clean Election Act candidate under section 1125, subsection 5.

6. Participating candidate. “Participating candidate” means a candidate who is running for Governor, State Senator or State Representative who is seeking to be certified as a Maine Clean Election Act candidate under section 1125, subsection 5.

7. Qualifying contribution. “Qualifying contribution” means a donation:

A. Of \$5 or more in the form of cash, a check or a money order payable to the fund and signed by the contributor in support of a candidate or a payment made over the Internet in support of a candidate according to the procedure established by the commission;

B. Made by a registered voter within the electoral division for the office a candidate is seeking and whose voter registration has been verified according to procedures established by the commission;

C. Made during the designated qualifying period; and

D. That the contributor acknowledges was made with the contributor’s personal funds and in support of the candidate and was not given in exchange for anything of value and that the candidate acknowledges was obtained with the candidate’s knowledge and approval and that nothing of value was given in exchange for the contribution, on forms provided by the commission.

8. Qualifying period. “Qualifying period” means the following.

A. For a gubernatorial participating candidate, the qualifying period begins October 15th immediately preceding the election year and ends at 5:00 p.m. on April 1st of the election year.

B. For State Senate or State House of Representatives participating candidates, the qualifying period begins January 1st of the election year and ends at 5:00 p.m. on April 20th of that election year or the next business day following April 20th if the office of the commission is closed on April 20th.

9. Seed money contribution. “Seed money contribution” means a contribution of no more than \$100 per individual made to a participating candidate, including the candidate or the candidate’s spouse or domestic partner.

21-A M.R.S. § 1125. Terms of participation (selected subsections)

3. Qualifying contributions. The collection of qualifying contributions is governed by this subsection.

A. [PL 2019, c. 323, §29 (RP).]

B. [PL 2019, c. 323, §29 (RP).]

C. [PL 2019, c. 323, §29 (RP).]

D. To be eligible to receive funding from the fund, participating candidates must obtain qualifying contributions during the qualifying period as follows:

(1) For a gubernatorial candidate, at least 3,200 verified registered voters of this State must support the candidacy by providing a qualifying contribution to that candidate;

(2) For a candidate for the State Senate, at least 175 verified registered voters from the candidate’s electoral division must support the candidacy by providing a qualifying contribution to that candidate; or

(3) For a candidate for the State House of Representatives, at least 60 verified registered voters from the candidate’s electoral division must support the candidacy by providing a qualifying contribution to that candidate.

E. A contributor making a qualifying contribution by check or money order shall sign the check or money order. If the contributor has made a check or money order payable to a participating candidate in error, the candidate may remedy the error by endorsing the check or money order to the fund.

F. A contributor may make a qualifying contribution to a participating candidate in the form of cash, as long as the contributor signs a form prepared by the commission affirming that the contributor made the contribution with personal funds. A candidate receiving qualifying contributions in cash shall submit the contributions to the commission in the aggregate in the form of a cashier’s check or money order payable to the fund. The candidate may not deposit qualifying contributions received in cash into the candidate’s campaign account.

G. As an alternative to making a qualifying contribution under paragraph F, a contributor may make a qualifying contribution to a participating candidate in the form of cash, as long as the candidate submits a money order in the same amount to the commission. The money order must be signed by the contributor to be a valid qualifying contribution. The cash received from the contributor must be used to reimburse the person who provided the money order.

H. Any fees for a cashier's check or a money order paid with seed money must be reported as an expenditure in campaign finance reports submitted to the commission. If a participating candidate uses personal funds to pay fees for the purchase of a cashier's check or money order, those fees are not a contribution to the candidate and are not required to be disclosed in campaign finance reports. The candidate shall report any cashier's check or money order fees paid by anyone other than the candidate as an in-kind contribution subject to seed money limitations.

I. The commission may establish by routine technical rule, adopted in accordance with Title 5, chapter 375, subchapter 2-A, a procedure for a qualifying contribution to be made by a credit or debit transaction and by electronic funds transfer over the Internet. Records containing information provided by individuals who have made qualifying contributions over the Internet are confidential, except for the name of the individual making the contribution, the date of the contribution, the individual's residential address and the name and office sought of the candidate in whose support the contribution was made.

J. A payment, gift or anything of value may not be given in exchange for a qualifying contribution. It is a violation of this chapter for a participating candidate or an agent of the participating candidate to misrepresent the purpose of soliciting qualifying contributions and obtaining the contributor's signed acknowledgment or submit any fraudulent contributions to the commission, as defined by the rules of the commission.

3-B. Receipt and acknowledgment forms. The commission shall prepare forms for persons making qualifying contributions to acknowledge the contribution as provided in section 1122, subsection 7, paragraph D. A qualifying contribution is not valid if anyone other than the contributor signed the contributor's name to the form, except that a qualifying contribution is valid if it is signed by the contributor's immediate family member or live-in caregiver when the contributor is unable to sign due to a physical impairment or disability.

4. Filing with commission. A participating candidate must submit qualifying contributions, receipt and acknowledgement forms, proof of verification of voter registration and a seed money report to the commission during the qualifying period according to procedures developed by the commission, except as provided under subsection 11 or 11-A.

5. Certification of Maine Clean Election Act candidates. Upon receipt of a final submittal of qualifying contributions by a participating candidate, the executive director of the commission shall determine whether the candidate has:

- A.** Signed and filed a declaration of intent to participate in this Act;
- B.** Submitted the appropriate number of valid qualifying contributions;
- C.** Qualified as a candidate by petition or other means no later than 5 business days after the end of the qualifying period;
- C-1.** [IB 2015, c. 1, §20 (RP).]
- D.** Not accepted contributions, except for seed money contributions, and otherwise complied with seed money restrictions;
- D-1.** Not run for the same office as a nonparticipating candidate in a primary election in the same election year;
- D-2.** Not been found to have made a material false statement in a report or other document submitted to the commission;
- D-3.** Not otherwise substantially violated the provisions of this chapter or chapter 13;
- D-4.** Not failed to pay any civil penalty assessed by the commission under this Title, except that a candidate has 3 business days from the date of the request for certification to pay the outstanding penalty and remain eligible for certification;
- D-5.** Not submitted any fraudulent qualifying contributions or any falsified acknowledgement forms for qualifying contributions or seed money contributions; and
- E.** Otherwise met the requirements for participation in this Act.

The executive director shall certify a candidate complying with the requirements of this section as a Maine Clean Election Act candidate as soon as possible after final submittal of qualifying contributions and other supporting documents required under subsection 4 but no later than 3 business days for legislative candidates and 5 business days for gubernatorial candidates. The executive director may take additional time if further investigation is necessary to verify compliance with this Act as long as the commission notifies the candidate regarding the anticipated schedule for conclusion of the investigation. A candidate or other interested person may appeal the decision of the executive director to the members of the commission in accordance with subsection 14.

A certified candidate must comply with all requirements of this Act after certification and throughout the primary and general election periods. Failure to do so is a violation of this chapter.

14. Appeals. A candidate who has been denied certification as a Maine Clean Election Act candidate by the commission's executive director, the opponent of a candidate who has been granted certification as a Maine Clean Election Act candidate or other interested persons may challenge a certification decision by the executive director as follows.

A. A challenger may appeal to the commission within 7 days of the certification decision. The appeal must be in writing and must set forth the reasons for the appeal.

B. Within 5 days after an appeal is properly made and after notice is given to the challenger and any opponent, the commission shall hold a hearing, except that the commission may extend this period upon agreement of the challenger and the candidate whose certification is the subject of the appeal, or in response to the request of either party upon a showing of good cause. The appellant has the burden of proving that the certification decision was in error as a matter of law or was based on factual error. The commission must rule on the appeal within 5 business days after the completion of the hearing.

C. A challenger may appeal the decision of the commission in paragraph B by commencing an action in Superior Court within 5 days of the date of the commission's decision. The action must be conducted in accordance with Rule 80C of the Maine Rules of Civil Procedure, except that the court shall issue its written decision within 20 days of the date of the commission's decision. Any aggrieved party may appeal the decision of the Superior Court by filing a notice of appeal within 3 days of that decision. The record on appeal must be transmitted to the Law Court within 3 days after the notice of appeal is filed. After filing the notice of appeal, the parties have 4 days to file briefs and appendices with the clerk of the court. The court shall consider the case as soon as possible after the record and briefs have been filed and shall issue its decision within 14 days of the decision of the Superior Court.

D. A candidate whose certification as a Maine Clean Election Act candidate is reversed on appeal must return to the commission any unspent revenues distributed from the fund. If the commission or court finds that an appeal was made frivolously or to cause delay or hardship, the commission or court may require the moving party to pay costs of the commission, court and opposing parties, if any.

SECTION 2. PROCEDURES FOR PARTICIPATION

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4. Qualifying Contributions

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F. Verification of Registered Voters

- (1) A candidate must obtain verification that contributors who made qualifying contributions to that candidate are registered voters, in accordance with written procedures established by the Commission.
- (2) For qualifying contributions made by check or by money order, a candidate must obtain written verification from the Registrar(s) of Voters, or verify the contributor's voter registration using the Commission's online qualifying contribution service, as specified in the Commission's written procedures.
- (3) For qualifying contributions made by credit or debit card using the Commission's online service, if the service is unable to verify the voter registration of the contributor, the candidate must obtain written verification from the Registrar.
- (4) Upon request of a candidate, and within 10 business days after the date of the request, the Registrar must verify the names of contributors of qualifying contributions who are registered voters within the electoral division for the office the candidate is seeking.

SECTION 3. CERTIFICATION OF PARTICIPATING CANDIDATES

1. **Request for Certification.** A participating candidate may submit a completed request for certification to the Commission at any time during the qualifying period but not later than 5:00 p.m. on the last day of the relevant qualifying period. The Commission may develop written procedures consistent with this section for candidates to submit qualifying contributions and related materials to facilitate the efficient payment of initial public campaign funding. The request will be deemed complete and considered for certification only when the candidate has submitted to the Commission:
 - A. the qualifying contributions attached to the corresponding original receipt and acknowledgement forms with confirmation of the contributors' voter registration and the receipt and acknowledgement forms for any qualifying contributions collected on the Commission's online qualifying contribution service;
 - B. a list of all individuals making qualifying contributions and their town or city of residence, in a format specified by the Commission sorted alphabetically by the contributor's last name;
 - C. *[Repealed.]*
 - D. a seed money report of contributions, expenditures, and obligations made or incurred after becoming a candidate, including a report of any unspent seed money; and
 - E. a signed request for certification on a form provided by the Commission which contains an affirmation by the candidate that he or she has complied with all seed money and qualifying contribution requirements, has established a separate federally-insured bank account for campaign purposes and, if applicable, that any person who circulated receipt and acknowledgement forms and collected qualifying contributions acted with the candidate's knowledge and consent, and any other information relevant to the certification process.
 - F. A candidate may request an extension of time to comply with paragraph D. The Commission staff shall grant all reasonable requests or state in writing the reasons for denying the request. The Commission and the Commission staff may not grant an extension of time to comply with paragraphs A, B and E.
2. **Order of Review.** The Commission will review candidate requests for certification in the order in which they are received, except that it will give priority to those candidates who are in a contested primary election.
3. **Unspent Seed Money.** In order to distribute funds expeditiously, the Commission will deduct from the initial distribution from the Fund to a certified candidate an amount equal to the amount of unspent seed money reported by that candidate.
4. **Certification.** The Commission will certify a candidate as a *Maine Clean Election Act* candidate upon the participating candidate's satisfaction of the requirements of the Act and this chapter.
5. **Appeals.** Any appeals challenging a certification decision by the Commission must be in accordance with the Act [§1125(14)]. ...