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Via email

May 24, 2016

Margaret E. Matheson, Chair
Maine Ethics Commission
135 State House Station
Augusta, ME 04333

RE: Senate Democratic Campaign Committee's Response to Appeal by Theodor Short

Dear Ms. Matheson:

On behalf of our client, the Senate Democratic Campaign Committee (the "SDCC"), please accept the following response to the appeal filed by Theodor Short regarding the Maine Commission on Governmental Ethics and Election Practice (the "Commission") staff denial of Mr. Short's request for clean election funding. We understand that you will submit our written comments to the Commission for their consideration as part of Mr. Short's appeal. To the extent necessary, please consider this letter a formal request to participate and/or intervene in this proceeding pursuant to 5 M.R.S. § 9054 and 21-A M.R.S. §1125(14).

Maine voters recently re-affirmed their strong support of the Maine Clean Election Act in the 2015 ballot initiative. In order to participate in the Clean Elections program, a prospective candidate for the State Senate must obtain at least 175 qualifying contributions from verified registered voters in the candidate's district pursuant to the requirements outlined in 21-A M.R.S. § 1125. Strict compliance with those provisions safeguards the integrity of the Clean Elections process and ensures that all prospective participating candidates are subject to the same rules.

The SDCC strongly supports the Commission staff's May 17, 2016 denial for all of the reasons stated therein. In addition to the reasons articulated in the staff determination, the SDCC offers the following comments:

1. No voter registration verification for online contributions – Zachary Lemire, Rebecca Moya and Elliott Moya. In addition to the determination that staff may not grant an extension of the deadline to submit the verification by municipal registrars, Chapter 3 §

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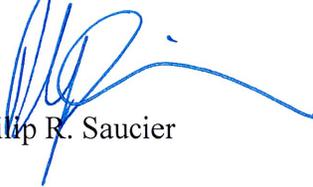
(3)(1)(F) of the Rules indicates that the Commission likewise does not have the authority to grant any extensions to submit verifications.

2. Signatures of contributors on Receipt & Acknowledgement Form (Lawrence Kent and Pamela Carnicelli). Staff has determined that certain contributors did not sign the required Receipt & Acknowledgement Forms. Although Mr. Short argues the contributors “intended” to make a qualifying contribution, the Rules are clear that the contributor themselves must sign the forms to indicate their intent. Ch. 3 § (2)(4)(A). Further, as noted above, extensions are not permitted to submit additional acknowledgment forms.

In conclusion, the SDCC believes it is important that the certification requirements outlined in state law and regulation are applied uniformly and without exception to ensure the fairness and integrity of the process – and to set precedent for the remainder of this election and future elections that encourages continued public trust in the Act.

The SDCC strongly supports the staff determination to deny Mr. Short’s request for clean election funding and urges the Commission to deny the appeal.

Sincerely,



Philip R. Saucier

cc: Jonathan Wayne, Executive Director (via email)
Kate R. Knox, Esq. (via email)
Joshua A. Tardy, Esq. (via email)