2012 MCEA Replacement Candidates Getting Started Packet

Forms, Instructions and filing requirements

Commission on Governmental Ethics and Election Practices

www.maine.gov/ethics

Mailing: 135 State House Station, Augusta, Maine 04333
Location: 45 Memorial Circle, Augusta, Maine
Phone: 207-287-4179
FAX: 207-287-6775

June 25, 2012

COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES
Mail: 135 State House Station, Augusta, Maine 04333-0135
Office: 45 Memorial Circle, Augusta, Maine

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

2012 REGISTRATION MATERIALS FOR REPLACEMENT CANDIDATES

FOR MAINE CLEAN ELECTION ACT CANDIDATES

Changes to MCEA Program. As a result of a 2011 U.S. Supreme Court's decision and subsequent ruling in Maine, the matching funds part of the MCEA program was eliminated.

This packet contains the forms you will need to register with the Commission and to participate in the Maine Clean Election Act. The Commission staff is available to help you with any questions about running as a Maine Clean Election Act (MCEA) candidate.

COMPLETE THESE FORMS:

Candidate Registration Every candidate must register with the Commission before accepting any campaign contributions or making any campaign expenditures. Please complete and sign the enclosed registration form and return it to the Commission.

Appoint a Treasurer When you register, you will have to name your campaign treasurer. In general, the MCEA prohibits candidates from serving as treasurer or deputy treasurer. However, you may register and serve as your own treasurer for up to 14 days before appointing someone else.

Declaration of Intent (DOI) Please complete and file the DOI form when you register. Qualifying contributions received more than 5 business days before the DOI is filed with the Commission will not count toward the eligibility requirements. You can begin to collect qualifying contributions on the day of your nomination.

Maine Code of Fair Campaign Practices (optional) Please review the Code and return the signed form if you want to subscribe. Subscribing to the Code is voluntary. The Commission is not authorized to take action against candidates who violate the Code.

Vendor Form You must complete this form to receive MCEA funds. Please do this when you register or at your earliest convenience and submit it to the Commission.

Authorization Agreement for Direct Deposit Services (optional) If you prefer to receive your MCEA payments by direct deposit (EFT) rather than by check, complete this form, attach a voided check or deposit slip, and submit them to the Commission. Most candidates prefer EFT because they can access campaign funds faster.

OTHER REQUIREMENTS:

Campaign Bank Account You must have a separate bank account for your campaign funds, *i.e.*, your seed money contributions and your MCEA payments. You cannot commingle seed money or MCEA funds with personal or business funds. Remember that cancelled checks (or copies) and monthly statements are records that you must keep for three years.

MCEA Expenditure Guidelines All public funds must be spent on campaign-related expenditures in accordance with guidelines established by the Commission. Violations of this requirement may result in civil and criminal penalties. Please familiarize yourself with the guidelines (copy included in this packet).

Seed Money Prior to MCEA certification, you may raise and spend only "seed money contributions." A seed money contribution cannot exceed $100 and must come from individuals only. Each family member may make a seed money contribution, provided that the money is from their personal funds. Currently seed money contribution limits are $500 for House candidates and $1,500 for Senate candidates. All cash and in-kind (goods and services) contributions count toward the limit. A seed money report must be filed whether you raised or spent any seed money. You may begin

Many questions can be answered by referring to the Commission's website, www.maine.gov/ethics, or the *2012 Candidate Guide*. You can also call the Ethics Commission staff with your questions at 287-4179. Please ask for a candidate registrar.

Continued on back

Qualifying Contributions

To become eligible to receive MCEA funds, you must collect a minimum number of qualifying contributions during the qualifying period.

Qualifying Period and Required Number

	ALL PARTY CANDIDATES: DEMOCRATIC, GREEN-INDEPENDENT, AND REPUBLICAN
QUALIFYING PERIOD	Date of your nomination to August 22, 2012
REQUIRED NUMBER OF QUALIFYING CONTRIBUTIONS	House Candidates – 60
	Senate Candidates – 175

What is a Qualifying Contribution

Qualifying contributions are donations of $5 or more made with the personal funds of individuals who are registered to vote in your district. They do not have to be enrolled in the same political party as you.

Qualifying contributions maybe made by:

- a personal check payable to the Maine Clean Election Fund (MCE Fund);
- cash, but only if the contributor signs a money order provided by the campaign in the same amount as the cash contribution. If the contributor prints their name on the money order, please ask them to sign it, too. If the money order is not signed, it will not be accepted and counted as a qualifying contribution; or
- a debit or credit card payment to the MCE Fund using the Commission's online contribution website (www.maine.gov/online/ethics/cleanelection).

Receipt and Acknowledgment Form (R&A Form) and Voter Verification

For qualifying contributions made by check or money order:

- Each contributor must fill out and sign the R&A form.
- The contributors listed on a single form should be from the same city or town.
- If you have other people circulating the forms and collecting qualifying contributions and signatures, they must complete and sign the circulator section of the form.
- You must bring these forms to the municipal clerks in your district to verify that the contributors are registered voters at the address listed on the form.

For qualifying contributions made by debit or credit card on the Commission's website:

- Contributors do not sign a paper form because they sign electronically when they make their contribution.
- The online system automatically verifies the voter registration of online contributors.
- If the system is unable to verify the voter registration, the campaign must download and print the R&A forms for the unverified contributors and bring these forms to the town clerks for voter verification.

Requesting Certification

Requests for certification must be received by the Ethics Commission by 5:00 p.m. on the last day of the qualifying period. For a checklist of documents that must be submitted, please refer to the Request for Certification form included in this packet. Requests for certification will not be granted if the qualifying contributions and verified Receipt and Acknowledgement forms are not submitted by the deadline of the qualifying period.

Qualifying Contributions and R & A Forms

You must submit at least the minimum number of valid qualifying contributions along with the R&A forms verified by municipals registrars. You do not need to submit R&A forms for qualifying contributions verified online.

Alphabetical List

You must submit an alphabetical list of all individuals who made a qualifying contribution by check, money order and online. The list includes their name and town or city where they reside.

Seed Money Report

Before you can be certified, you must file a seed money report.

2012 Election Year

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2012 CANDIDATE REGISTRATION

Notice: Changes to registration information must be filed within 10 days in writing or by e-mail to the Commission.

Is this an amendment? ☐ **Yes** ☐ **No**

1.	**CANDIDATE INFORMATION**	
Are you running as a (check one): ☐ **Maine Clean Election Act candidate** ☐ **traditionally financed candidate**		
Title ☐ Ms. ☐ Mrs. ☐ Mr. ☐ Dr. ☐ Honorable	Party affiliation	Office sought
Name: First / MI or Middle Name / Last		District or County
Mailing address		Home Phone
City, zip code		Cell Phone
E-mail	Fax	Work Phone

2.	**TREASURER INFORMATION**	
Name: First / MI or Middle Name / Last		Phone (home)
Mailing address		Phone (work)
City, zip code	E-mail	Fax

DESIGNATION OF TREASURER: A candidate for office must appoint a treasurer no later than 10 days after becoming a candidate, and before accepting contributions, making expenditures or incurring obligations. No later than 10 days after appointing a treasurer, the candidate must register with the Commission the name and address of the candidate and treasurer. The treasurer is responsible for maintaining campaign records and for filing reports. A MCEA candidate may serve as treasure for no more than 14 days following the date of registration. (21-A MRSA §§ 1013-A and 1125(12-A))

2A.	**DEPUTY TREASURER INFORMATION**	
Name: First / MI or Middle Name / Last		Phone (home)
Mailing address		Phone (work)
City, zip code		E-mail

DESIGNATION OF DEPUTY TREASURER (optional): The candidate may appoint a deputy treasurer and notify the Commission no later than 10 days after the appointment. The deputy, when acting in the absence of the treasurer, has the same powers and responsibilities as the treasurer. A MCEA candidate may serve as deputy treasure for no more than 14 days following the date of registration. (21-A MRSA §§ 1013-A and 1125(12-A)) (21-A MRSA § 1013-A (1)(A)(1))

3.	AUTHORIZED AGENT INFORMATION	
Name	Phone	Email
Name	Phone	Email

DESIGNATION OF AUTHORIZED AGENT (optional): Please use this section to designate individuals, other than the treasurer and deputy treasurer, authorized to file reports on your behalf.

4.	POLITICAL COMMITTEE INFORMATION
Name	Phone
Address of campaign headquarters	City, zip code

DESIGNATION OF POLITICAL COMMITTEE (optional): The candidate may form a political or campaign committee. Within 10 days of forming the committee and before accepting contributions, making expenditures or incurring obligations, the candidate must:

- appoint a treasurer (the candidate may have only one treasurer who is listed in Section 2) and
- register the committee and its officers, if any are appointed, with the Commission. (21-A MRSA § 1013-A (1) (B))

Committee Officers (use additional pages, if necessary):

Name	Title	Phone
Mailing address	City, zip code	E-mail

Name	Title	Phone
Mailing address	City, zip code	E-mail

5. CERTIFICATION

I, _____, certify that the information in this registration is true,
(Print Candidate's Full Name)
accurate and complete.

Signature of Candidate _____ Date _____

6. FOR COUNTY CANDIDATES ONLY

REPORTING EXEMPTION REQUEST: A candidate for county office may request an exemption from the obligation to appoint a treasurer and file campaign finance reports if the candidate does not accept any cash or in-kind contributions or make any expenditures for his or her campaign. You cannot request a reporting exemption if you use your or your spouse's/domestic partner's personal funds to pay for your campaign expenses. To request an exemption, complete the statement below and sections 1 & 5, have the form notarized, and submit it to the Commission.

STATEMENT OF ELIGIBILITY FOR A REPORTING EXEMPTION: I, the undersigned, swear or affirm that I will not accept contributions, make expenditures or incur obligations associated with my candidacy.

Signature of county candidate _____ Date _____

Subscribed and sworn (affirmed) to before me this _____ day of _____, 20____.

Signature of Notary/Attorney-at-law _____ My commission expires _____
(Seal is optional) (Date)

REVOCATION NOTICE: The foregoing statement may be revoked. Prior to revocation, the candidate must appoint a treasurer. A revocation notice must be in the form of an amended registration which must be filed with the Commission no later than 10 days after the date the treasurer is appointed. The notice must be filed before contributions are accepted or expenditures made. A late revocation notice is subject to the same penalties applicable to late campaign finance reports.

Sworn Falsification is a Class D crime. (17–A MRSA § 453)

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2012 DECLARATION OF INTENT

To Seek Certification as a Maine Clean Election Act Candidate

Candidate's Name: _____
(Please Print)

I hereby declare my intent to become certified as a Maine Clean Election Act candidate and to comply with the requirements of the Maine Clean Election Act. I authorize the Commission to conduct a financial audit of my campaign, including but not limited to financial records and account(s). I affirm the following in support of this Declaration of Intent:

- That I am seeking certification as a Maine Clean Election Act candidate.
- That I understand that any qualifying contribution I collected more than five business days before filing this Declaration of Intent with the Commission will not be counted toward the eligibility requirement.
- That I have raised and spent only seed money contributions since becoming a candidate, and that I will continue to comply with applicable seed money restrictions.
- That I will deposit and maintain all Maine Clean Election Act funds I receive in an account to be used solely for campaign purposes, and that all my payments of Maine Clean Election Act funds will comply with the Commission's expenditure guidelines.
- That I will obtain and keep campaign records required by the Maine Clean Election Act and by the Commission's rules and policies.
- That I have received or will obtain from the Commission the current Candidate Guidebook containing the Commission's policies.
- That I have elected to participate in this voluntary public financing program, and understand that it is my responsibility to review and to comply with the Maine Election Law, and the Commission's rules and policies.

I certify that the above affirmations are true, correct, and complete to the best of my knowledge.

_____ _____
Date Candidate's Signature

2012 Election Year

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2012 MAINE CODE OF FAIR CAMPAIGN PRACTICES

(Optional under 21-A M.R.S.A. § 1101(2))

I shall conduct my campaign and, to the extent reasonably possible, insist that my supporters conduct themselves, in a manner consistent with the best Maine and American traditions, discussing the issues and presenting my record and policies with sincerity and candor.

I shall uphold the right of every qualified voter to free and equal participation in the election process.

I shall not participate in and I shall condemn defamation of and other attacks on any opposing candidate or party that I do not believe to be truthful, provable and relevant to my campaign.

I shall not use or authorize and I shall condemn material relating to my campaign that falsifies, misrepresents or distorts the facts, including, but not limited to, malicious or unfounded accusations creating or exploiting doubts as to the morality, patriotism or motivations of any party or candidate.

I shall not appeal to and I shall condemn appeals to prejudices based on race, creed, sex or national origin.

I shall not practice and I shall condemn practices that tend to corrupt or undermine the system of free election or that hamper or prevent the free expression of the will of the voters.

I shall promptly and publicly repudiate the support of any individual or group that resorts, on behalf of my candidacy or in opposition to that of an opponent, to methods in violation of the letter or spirit of this code.

I, the undersigned candidate for election to public office in the State of Maine, hereby voluntarily endorse, subscribe to and solemnly pledge to conduct my campaign in accordance with the above principles and practices.

Date	Candidate's Signature
Office Sought and District	Printed Name

State of Maine Substitute W-9 & Vendor Authorization Form

Reset Form

Return to:
Maine Ethics Commission
135 State House Station
Augusta, ME 04333-0135
207-287-4179

PURPOSE: To establish or update an account with the State of Maine's accounting system. | This form replaces the IRS W-9 form per the IRS W-9 language; "If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9." | Complete this form if: 1) You will receive payment from the State of Maine, and/or 2) You are a vendor who provides services or goods to the State of Maine.

All items with an asterisk (*) must be completed.

TYPE OF REQUEST*: (Must select one.)

☐ **New Request**

☐ **Change (Choose)** ◯ Legal Name ◯ DBA Name ◯ Payment Address ~~Ordering Address~~ ◯ Contact Info

TAXPAYER ID NUMBER* (TIN) ***(Provide ONE only)***

Candidate's Social Security Number (SSN) ☐ - ☐ - ☐ OR Committee's Federal Employer ID Number (FEIN) ☐ - ☐

Organization Type * choose ONE ◯ Individual/Candidate OR ◯ ~~Company~~ **Committee with FEIN**

Classification * choose ONE ☐ Individual ~~Sole Proprietorship~~ ~~Nonresident Alien~~ | ~~Corporation~~ ~~Foreign (W8 required)~~ ~~Partnership~~ ~~Trust~~ ~~State Gov't~~ ~~Other Gov't~~ ☐ **Other**

LEGAL NAME ***(Must provide: Legal name filed with IRS tied to the ID number, SSN=first & last name/FEIN=business name)***

Legal Name* ☐ Alias/DBA ☐

Other Info Completed by Ethics or DAFS

Vendor Customer Number (if known) VC#/VS# ☐

Payment Address* where the check will be sent to

Address ☐ C/O ☐

City/State/Zip ☐ Phone ☐

Contact*

Name ☐ Phone ☐ Ext ☐

Email ☐ ☐ Send me Email notifications of DD/EFT (requires Direct Deposit/EFT form to be completed)

Physical Address* if different from payment address

Address ☐ C/O ☐

City/State/Zip ☐ Phone ☐

Contact*

Name ☐ Phone ☐ Ext ☐

Email ☐

Candidate's Signature & Current Date*

Under penalties of perjury, I certify that: 1) The number shown on this form is my correct taxpayer identification number, and ~~2)I am not subject to backup withholding because: (a) I am exempt from backup witholding, or (b) I have not been notified by the IRS that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding,~~ and 3) I am a U. S. citizen or other U. S. person (defined by the IRS). Ref: www.irs.gov

OFFICE USE ONLY

Information on State Agency Submitting Vendor Form

OFFICE USE ONLY

State Agency & SHS # ☐ Agency Contact Person Name & Title ☐ Contact's Phone # ☐

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INSTRUCTIONS FOR COMPLETING VENDOR FORM

Please submit completed forms to the Ethics Commission, 135 State House Station, Augusta, ME 04333
Please call the Commission with questions: 207-287-4179.

- All candidates must complete this form at the beginning of each election year (cycle). Check "New Request."
- When updating your information during the election cycle, check the appropriate boxes in the "Change" section.
- The taxpayer identification number (TIN) is either the candidate's social security number (SSN) or a federal employer identification number (FEIN) if you obtained one from the IRS for your campaign committee. Do not use the treasurer's SSN.
- "Organization Type" is either "Individual/Candidate" if SSN used or "Committee with FEIN" if FEIN used. "Classification" is either "Individual" if SSN used or "Other" if FEIN used.
- The "Legal Name" is either:
  a. the candidate's name, if the TIN is the candidate's SSN; or
  b. the committee's name, if the TIN is the committee's FEIN.

  The legal name must match the name used to get a SSN or an FEIN, if you have a committee. If the candidate is using a "DBA" committee, the "Legal Name" is still the candidate's. A committee's name can be entered as a "Legal Name" only if a committee has an FEIN.
- If you have designated your treasurer or committee to receive the check(s) or EFT correspondence, enter the address of your treasurer or committee in "Payment Address" and complete the "C/O" as either "c/o [treasure's name]" or "DBA [committee's name]." The address on this form should be the same address on your candidate registration for you, your treasurer or committee. Please notify the Commission if an address change is needed on your registration. (Please note: "Physical Address" section (grayed area) is not required - leave blank.)
- Complete the "Contact" section with the name, email address, and phone number of the person you want the state's accounting staff to contact concerning questions on your vendor information.
- "Candidate's Signature" section includes a new IRS requirement. State vendor forms must meet IRS W-9 requirements if a W-9 is not used. MCEA payments are coded as "non-reportable funds" in the state's accounting system and therefore are not consider as income and subject to withholding. By signing, you are certifying that the TIN number used on this form is correct and that you are a U.S. citizen.
- Sign and date the form. Please hand-deliver or mail the completed original form to the Commission. Faxed or scanned copies cannot be processed.

STATE OF MAINE

AUTHORIZATION AGREEMENT FOR DIRECT DEPOSIT / ELECTRONIC FUNDS TRANSFER PAYMENTS

To: **MAINE ETHICS COMMISSION**
135 STATE HOUSE STATION
AUGUSTA, ME 04333-0135
207-287-4179

We require you to submit a voided check or deposit slip from your account for verification.

Print Form

NEW CHANGE

Circle ONE

Please return this form with the Vendor Form to the above address.

Candidate's Name* (or committee's name)

Contact Person's Name & Phone # (If different from candidate or committee name.)

Payment Address (Street/PO, City, State, & Zip)

Email

TIN of Candidate* (or committee's EIN)

TIN is required ~ Employer ID No. or Social Security No.

EIN SSN

Circle ONE

Vendor Code in the State's Accounting system.

Vendor Code *Include VC or VS*

Ethics or DAFS can fill in Vendor Code

☐ I authorize the State of Maine to send DD/EFT payment detail to the email address included.

☐ I agree with the following statement.

I, the below signed, authorize you to electronically transfer payments to the account provided below. I/we authorize the Agency to initiate credit entries and debit entries (only for the purposes of correcting an erroneous credit provided that, prior to the debit I/we are notified by the Agency in writing of the reason) to my/our account at the below named financial institution. I/we agree to notify the Agency's offices immediately upon discovery of any errors resulting from transactions under this authorization and to notify the Agency's offices of any changes that may affect these instructions or the Agency's ability to rely upon them. This authorization may be canceled by me/us at any time by notifying the Agency in writing. In authorizing the above services to be provided to me/us, I/we agree to hold the Agency and the State of Maine harmless from any and all loss, cost, damage or expenses I/we may suffer as the result of errors in deposits, credit entries or debit entries caused by persons who are not employees of the Agency or the State of Maine.

You MUST notify us in writing when there is a change in your name, address, authorized agent, bank account, etc.

OLD Bank Info: *This section is for Changes ~ New bank set up skip to NEW section.*

Name on Account

Transit/ABA #

Name of Financial Institution

Account #

Address of Financial Institution (Street/PO,City, State,Zip & Phone)

Savings Checking

Circle ONE

NEW Bank Info: *Staple new deposit slip or voided check over the "Old" bank info fields above.*

Name on Account

Transit/ABA #

Name of Financial Institution

Account #

Address of Financial Institution (Street/PO,City, State,Zip & Phone)

Savings Checking

Circle ONE

We require you to submit a voided check or deposit slip from your account for verification.

Signature of Candidate

Date

~~(Benefit Recipient) or Authorized Agent~~ (not a fill-in, must sign after printing)

INCOMPLETE FORMS WILL NOT BE PROCESSED

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

INSTRUCTIONS FOR COMPLETING REQUEST FOR DIRECT DEPOSIT FORM

Please submit completed forms to the Ethics Commission, 135 State House Station, Augusta, ME 04333
Please call the Commission with questions: 207-287-4179.

- All candidates must complete this form at the beginning of each election year (cycle). Circle "New" at the top right corner of the form.
- When updating your information during the election cycle, circle "Change" at the top right corner of the form.
- "TIN" is the same taxpayer identification number (TIN) you used on your vendor form - either the candidate's social security number (SSN) or a federal employer identification number (EIN or FEIN). Do not use the treasurer's SSN.
- Complete the "Contact Person's Name & Phone" section with the name and phone number of the person you want the state's accounting staff to contact concerning questions on your direct deposit request.
- The "Payment Address" is the same payment address as found on your vendor form.
- If you want your direct deposit/EFT payment detail (correspondence) sent to an email address rather than mailed to you or your treasurer, check the box to the left of the email address you entered.
- Read the authorization statement and check the box.
- Complete the appropriate bank information section:
    a. "NEW Bank Info" if you are completing the form for the first time in the election cycle; and
    b. "OLD Bank Info" and "NEW Bank Info" if you are making a change to your information.

  "Name on Account" is the name you have given the bank for the account and usually is the name that appears on your campaign checks (e.g., "Jones for House", "Mary Jones Senate 2010", "Brad White, DBA Committee to Elect Brad", "Emily Smith c/o Ann Black, Treasurer"). It is <u>not</u> the account <u>holder's</u> name - unless that is the name you gave the account for the bank.
- Attach a voided check or deposit slip which is <u>required</u> by the State Controller's Office for verification.
- Remember to sign and date the form.

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2012 FILING SCHEDULE – REPLACEMENT CANDIDATES

For Maine Clean Election Act Candidates

GENERAL ELECTION: NOVEMBER 6, 2012

TYPE OF REPORT	FILING DEADLINE (BY 11:59 P.M.)	REPORT PERIOD
Seed Money Report	August 22, 2012	Date of first seed money contribution – date of certification request
42-Day Pre-General	September 25, 2012	End of Seed Money Report – Sept. 18, 2012
11-Day Pre-General	October 26, 2012	September 19, 2012 – October 23, 2012
42-Day Post-General	December 18, 2012	October 24, 2012 – December 11, 2012

24-HOUR REPORTS

24-HOUR REPORT PERIOD	WHAT TO REPORT	WHEN TO FILE
October 24 – November 5, 2012	Any single expenditure of $1,000 or more. Orders placed with or obligations made to vendors for goods or services are considered expenditures at the time the obligations are made.	Within 24 hours, including weekends and holidays, of making the expenditure, incurring the obligation, or placing the order.

HOW TO FILE REPORTS

Using the Commission's Website. Candidates who receive or expect to receive at least $1,500 for their campaigns must file reports electronically on the Commission's website. Candidates or treasurers must enter the required information and click "File Report" by 11:59 p.m. on the filing deadline. Candidates who lack access to the technology or the technological ability to file reports on the internet may request a waiver. The Commission will grant all reasonable requests.

Using Paper Forms. For candidates who are not required to file electronically, each original campaign finance report signed by the candidate and treasurer must be properly filed with the Commission by the filing deadline, except in two circumstances. A properly signed report may be faxed to the Commission office at (207) 287-6775 by 11:59 p.m. on the deadline, provided that the Commission receives the original report within five calendar days. A report mailed to the Commission by certified or registered mail and postmarked at least 2 days before the filing deadline will not be considered late, even if it is received after the deadline.

Commission staff will be available until 5:00 p.m. on filing deadlines to offer assistance to candidates and campaign staff.

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2012 ELECTRONIC FILING WAIVER

All candidates who receive or expect to receive $1,500 for their campaigns are required to file their campaign finance reports electronically on the Commission's website. Filing electronically has many advantages, such as:

NO MATH – You do not need to enter any totals or fill out any summary pages. Just enter the individual receipts and expenditures, and the e-filing system will take care of the rest.

CONVENIENCE – All you need is internet access in order to file your reports. There is no need to come to the Commission's office on the filing deadline or worry about mailing the report by the filing deadline.

You may request a waiver of the electronic filing requirement if you lack access to the technology or the technological ability to file reports electronically. If you wish to request a waiver, sign the bottom of this page and submit it to the Ethics Commission. You must do this no later than April 16, 2012. The Commission will grant all reasonable requests for exceptions.

I REQUEST A WAIVER OF THE ELECTRONIC FILING REQUIREMENT BECAUSE I LACK ACCESS TO THE NECESSARY TECHNOLOGY OR THE TECHNOLOGICAL ABILITY TO FILE REPORTS ELECTRONICALLY.

Date

Candidate's Signature

Print Name

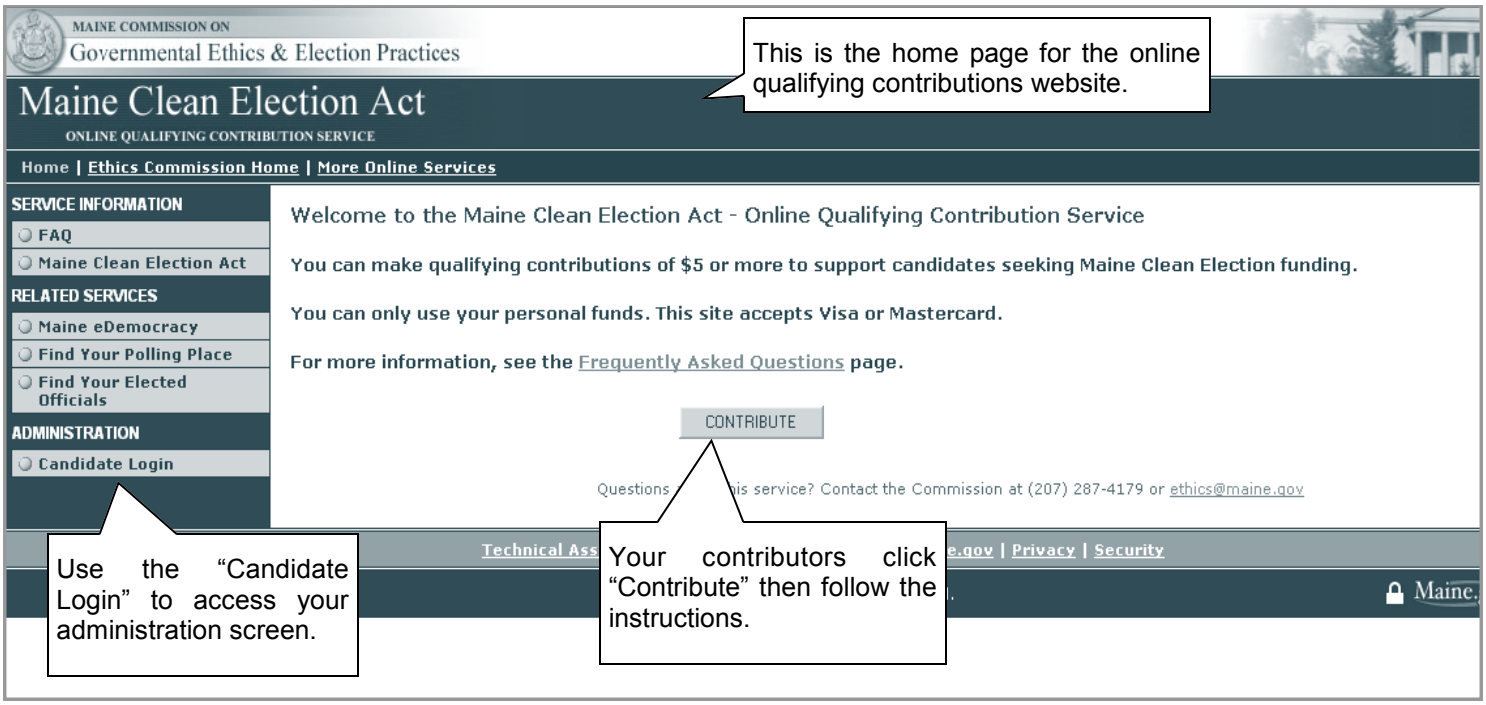
Commission on Governmental Ethics and Election Practices
135 State House Station, Augusta, ME 04333
207-287-4179

AUGUST 25, 2011

MAINE CLEAN ELECTION ACT CANDIDATES ONLINE QUALIFYING CONTRIBUTIONS SERVICE

ONLINE QUALIFYING CONTRIBUTIONS WEBSITE:

http://www.maine.gov/cleanelections



The online qualifying contribution service is quick and convenient for contributors and candidates. Contributors can go to a secure website to make qualifying contributions with a VISA or MasterCard. Contributors who give their qualifying contribution online do not need to sign a paper form because they sign electronically when they make their contribution.

The system is even more convenient for candidates because the system will automatically verify the voter registration of contributors. If the system is not able to verify the voter registration for a contributor, the contributor will still be able to make a qualifying contribution online <u>but</u> the campaign must get the contributor's voter registration verified by the town clerk. Candidates will be able to download and print receipt and acknowledgement forms with unverified contributors listed by town to bring to the town clerks.

The online system uses data from the Secretary of State's Central Voter Registry (CVR) for voters' names and addresses. If the system does not recognize a contributor's street name, the system will give the contributor a list of similar street names to choose from. If the system does not recognize an address because it is not in the CVR, e.g., an address in a new development, the contributor will get instructions about how to make a contribution using a paper form.

Qualifying Contributions Online Website: Candidate Access

Each candidate will have password-protected administrative access to the online qualifying contribution system so that the candidate can review the status of their online qualifying contributions, including the verification of contributors' voter registration. Candidates can also search for contributions by contributor name or town or date range, download receipt and acknowledgement forms, and view the total contributions made online.

To log on to the site:

1. Go to www.maine.gov/ethics.
2. Look for "ONLINE SERVICES" in the list of links on the left hand side of the screen, and select "Qualifying Contributions."
3. On this screen, look for "Candidate Login" under "Administration" on the left hand side of the screen.
4. Enter your user name and password that you use for e-filing your campaign finance reports. We sent that to you when you registered. Call us if you don't have it.

Information for Your Supporters

Direct your supporters to go to www.maine.gov/cleanelections. Tell them to click the "Contribute" - yellow button.

They will need to:

- enter their name and the street address where they are registered to vote;
- select the candidates they wish to make a qualifying contribution to;
- enter payment information using a credit card or bank debit card (MasterCard and VISA only); and
- sign the affirmation statement electronically (no hand-written signature required).

The online system will automatically list all gubernatorial candidates and the legislative candidates who are running in the contributor's district.

You can put a link to the online qualifying contribution service on your campaign website or send the link in an e-mail to your supporters and include instructions like the sample below.

Please note that this online service is for qualifying contributions and not seed money contributions.

Sample instructions for your supporters:

1. Go to www.maine.gov/cleanelections.
2. Click "Contribute" - yellow button.
3. Follow the instructions to make a contribution to support my candidacy and to help me qualify for public funding for my campaign.
4. Make sure you enter the address where you are registered to vote. If the website cannot verify you as a registered voter, please contribute. I will be able to get your name verified by the town clerk and your contribution will count.

Thank you

MAINE CLEAN ELECTION ACT

QUALIFYING CONTRIBUTIONS - RECEIPT AND ACKNOWLEDGEMENT

COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES
135 STATE HOUSE STATION, AUGUSTA, ME 04333
207-287-4179
WWW.MAINE.GOV/ETHICS

CANDIDATE'S NAME: _____ OFFICE: ☐ HOUSE ☐ SENATE DISTRICT #_____
(Please check box above)

ALL CONTRIBUTORS MUST BE FROM THE TOWN OR CITY OF: _____

IMPORTANT NOTICE TO CONTRIBUTORS:

- **Your signature and qualifying contribution of $5 or more will help the candidate named above to be eligible for public funding from the State to pay for the candidate's campaign.**
- **By signing below, you affirm that you have used your personal funds to make this contribution and that you have received nothing of value in exchange for your signature and contribution.**

	Date	Check/M.O.#	Contributor's Name (Please Print)	Residential Address (No PO Box)	Contributor's Signature
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Falsifying any information on this form is punishable by law.
Please make checks and money orders payable to Maine Clean Election Fund. Money orders must be signed by the contributors.

Municipal Registrars: Please circle the number of each contributor who is registered to vote in the district of the candidate. Please complete the statement below by inserting the total number of contributors on this page who are registered in the district. Please also cross out any blank lines or contributors who are not registered in the candidate's district.

I have verified that _____ contributors circled above are registered to vote in the electoral division of the candidate.

Date: _____

Signature of Registrar: _____

Circulators: You must complete and sign the statement below for the contributions collected on this form to be accepted by the Commission. **This section does not apply to candidates.**

I, (Print name) _____ affirm that: (1) I collected the qualifying contributions, (2) the contributor signed this form in my presence, (3) to the best of my knowledge and belief, the signature is the signature of the person whose name it purports to be, (4) the contribution came from the personal funds of the contributor, (5) I did not give anything of value to the contributor in exchange for their contribution and signature, and (6) I did not represent the purpose of collecting the contributions and signatures to be for any purpose other than obtaining public funds to finance the candidate's campaign.

Date: _____ Signature of Circulator: _____

Residential Address: _____

Mailing Address: _____ Phone #: _____

MAINE CLEAN ELECTION ACT

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135 STATE HOUSE STATION, AUGUSTA, ME 04333
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Date: _____ Signature of Circulator: _____

Residential Address: _____

Mailing Address: _____ Phone #: _____

COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES
Mail: 135 State House Station, Augusta, Maine 04333
Office: 45 Memorial Circle, Augusta, Maine

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

INSTRUCTIONS FOR COLLECTING $5 QUALIFYING CONTRIBUTIONS

Using Receipt and Acknowledgement Forms

1. Qualifying contributions are checks or money orders from registered Maine voters in the amount of $5 or more made payable to the "Maine Clean Election Fund." For legislative candidates, the contributors must be registered to vote in the candidate's district.

2. Money orders must be signed by the contributor.

3. The $5 (or more) qualifying contribution must come from the personal funds of the contributor.

4. Every person making a qualifying contribution of $5 (or more) by check or money order must sign a Receipt and Acknowledgment Form. Spouses, domestic partners, family members, and friends cannot sign for each other. The campaign may make photocopies of the form if additional sheets are needed.

5. All contributors listed on a single page of the Receipt and Acknowledgment Form should be from the same town or city.

6. Members of a family who are registered to vote in the same household may combine contributions in one check or money order, provided that each contributor gives the qualifying contribution from their personal funds and signs the Receipt and Acknowledgment Form.

7. Checks drawn from a checking account with a business name are acceptable if the contributor's name is also imprinted on the check (not hand printed) or the contributor submits a note or makes a notation on the check (e.g., memo line) that the contributor uses the business account for personal expenses.

8. Candidates and campaign staff must clearly explain to the contributor that the purpose of collecting qualifying contributions and signatures is to qualify for Maine Clean Election Act funding for their campaign. It is a violation of the Act to misrepresent the purpose of collecting the contribution or contributor's signature.

9. If someone other than the candidate collects the qualifying contributions, that person must read and complete the circulator's section at the bottom of the form, date and sign in the space provided.

Additional Instructions from Candidate:

COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES
Mail: 135 State House Station, Augusta, Maine 04333
Office: 45 Memorial Circle, Augusta, Maine
Website: www.maine.gov/ethics
Phone: 207-287-4179
Fax: 207-287-6775

2012 REQUEST FOR CERTIFICATION – REPLACEMENT CANDIDATES

As a Maine Clean Election Act Candidate for the Legislature

2012 CERTIFICATION DEADLINE FOR MCEA REPLACEMENT CANDIDATES:
Wednesday, August 22, 2012 by 5:00 p.m.

CANDIDATE'S NAME: _____

OFFICE SOUGHT: _____ DISTRICT #_____ PARTY: _____

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 (confirmed by 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 in a financial institution; and
- if applicable, any person who circulated my Receipt and Acknowledgement forms and collected qualifying contributions did so with my knowledge and consent.

With this Request for Certification, I have submitted (please check the appropriate boxes):

☐ at least the minimum number of qualifying contributions. I have submitted ___ qualifying contributions, which is the total collected on Receipt and Acknowledgement forms and on the Commission's website.

☐ for contributions made by check and money order, the original Receipt and Acknowledgement forms verified by the municipal clerks with the checks or money orders attached to the appropriate forms, in the order that the contributions are listed on the forms.

☐ for contributions made by credit or debit card on the Commission's website that were not verified by the online system, the printed Receipt and Acknowledgement forms verified by the municipal clerks.

☐ an alphabetical list of all qualifying contributors, which includes their towns and cities.

☐ a seed money campaign finance report filed electronically. (If no seed money was raised or spent, a "no activity report" must be filed. If you requested an electronic filing waiver, submit the completed paper report signed by you and your treasurer.)

Request for Extension. A candidate may request an extension of time to file the seed money report and the alphabetical list. The deadline for submitting the qualifying contributions and receipt and acknowledgement forms cannot be extended. I request an extension of time to file the following:

☐ Seed Money Report ☐ List of Contributors

_____ _____

Candidate's Signature Date

COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES
Mail: 135 State House Station, Augusta, Maine 04333
Office: 45 Memorial Circle, Augusta, Maine

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

2012 EXPENDITURE GUIDELINES
For Maine Clean Election Act Candidates

Candidates must spend Maine Clean Election Act (MCEA) funds for campaign-related purposes and not for other purposes such as the candidate's personal benefit, party-building, or to promote another candidate's campaign.

PERMISSIBLE CAMPAIGN-RELATED EXPENDITURES

Expenditures for "campaign-related purposes" are those which are traditionally accepted as necessary to promote the election of a candidate to political office. Candidates using MCEA funds must also take into account the public nature of the funds, the underlying objectives of the MCEA, and the reasonableness of the expenditures under the circumstances. In Maine, traditional campaign expenses have included:

- Political advertising expenses
- Campaign communications such as signs, bumper stickers, T-shirts, or caps with campaign slogans, etc.
- Campaign events (e.g., invitations, food, tent or hall rental, etc.)
- Printing and mailing costs
- Office supplies
- Campaign staff expenses
- An entry fee for an event organized by a party committee, charity, or community organization or an ad in an event publication, as long as the expenditure benefits the candidate's campaign.
- Campaign travel expenses, such as fuel and tolls

PROHIBITED EXPENDITURES

Candidates may not use MCEA funds for <u>personal expenses</u>. This means candidates may not borrow from or use MCEA funds for personal or other non-campaign expenses, even if temporarily and with the intention of repaying the funds. Personal expenses are for goods and services that the candidate would otherwise purchase independently of the campaign, such as:

- Day-to-day household expenses and supplies
- Mortgage, rent, or utility payments for the candidate's personal residence, even if part of the residence is being used by the campaign
- Vehicle repair and maintenance
- Non-campaign transportation expenses
- Clothing, including attire for political functions such as business suits or shoes

Maine Clean Election Act funds may not be spent to:

- pay a consultant, vendor, or campaign staff for anything other than campaign goods or services
- compensate the candidate for services provided by the candidate
- make independent expenditures supporting or opposing any candidate, ballot question, or political committee
- assist in any way the campaign of any candidate other than the candidate for whom the funds were originally designated
- contribute to another candidate, a political committee, or a party committee other than in exchange for goods and services
- make a donation to a charity or a community organization, other than in exchange for campaign goods or services
- promote political or social positions or causes other than the candidate's campaign
- make a thank-you gift (including a gift card) to a volunteer or supporter
- pay civil penalties, fines, or forfeitures to the Commission, or defend the candidate in enforcement proceedings brought by the Commission
- assist the candidate in an election recount

GUIDELINES ON SELECTED ISSUES

Salary and Compensation. Candidates may use MCEA funds to pay for campaign-related services by staff or consultants, provided that compensation is made at or below fair market value and sufficient records are maintained to show what services were received. Documentation must include a description of the labor performed by the staff member or consultant, and an itemization of any goods or services purchased from other vendors including date, vendor, and amount (see "Required Record-Keeping" below).

Car Travel. MCEA campaigns may reimburse the candidate or campaign workers for their car travel, as long as the person reimbursed has kept a contemporaneous travel log. For 2012, the campaign may make a travel reimbursement up to the number of miles traveled as reported in the log multiplied by $0.44. Campaigns must keep the travel logs for three years, and provide them to the Commission if requested. Candidates and their spouses or domestic partners may spend any amount of their personal funds for campaign travel without seeking reimbursement. Other individuals may spend up to $100 of their personal funds to pay for travel without making a contribution to the campaign.

Electronics and Other Personal Property. Goods purchased with MCEA funds that could be converted to personal use after the campaign (e.g., computers, fax machines, and cell phones) must be sold at fair market value and the proceeds returned to the Maine Clean Election Fund no later than 42 days after the final report for the campaign. Candidates are welcome to lease electronic and other equipment.

Ballot Question. Candidates may state their position with respect to a ballot question in a communication financed with MCEA funds. Candidates may not use MCEA funds for a paid communication that primarily supports or opposes a referendum or citizen initiative.

Food. Candidates may spend a reasonable amount of MCEA funds on food for campaign events or to feed volunteers while they are working. Legislative candidates may not use MCEA funds to purchase food that is consumed only by the candidate and/or the candidate's spouse. Gubernatorial candidates may use MCEA funds to purchase meals for the candidate and/or the candidate's spouse if associated with travel for campaign purposes.

Lodging. Candidates may use MCEA funds to pay for lodging if necessary for campaign purposes, but must keep lodging expenses reasonable.

Campaign Training. Candidates may use MCEA funds for tuition or registration costs to receive training on campaigning or policy issues.

Post-Election Notes and Parties. Candidates may spend up to the following maximum amounts of MCEA funds on post-election parties, thank you notes, or advertising to thank supporters or voters: $250 for State Representative candidates and $750 for State Senate candidates. Candidates may also use personal funds for these purposes.

REQUIRED RECORD-KEEPING

The MCEA requires participating campaigns to keep bank or other account statements for the campaign account covering the duration of the campaign. For every expenditure of $50 or more, the campaign must also keep:

(1) an invoice from the vendor stating the particular goods or services purchased, and

(2) a cancelled check, cash receipt, or other acceptable proof that the vendor received payment.

If the campaign pays $500 or more during an election cycle to someone for providing campaign staff or consulting services, the campaign must keep a contemporaneous document such as an invoice, contract, timesheet, or other document specifying in detail the services provided, the amount paid and the basis for the compensation paid by the campaign. Please select a treasurer who will be responsible about keeping these records.

AUDITING AND COMPLIANCE

In 2012, the Commission staff will audit at least 20% of MCEA legislative candidates. The staff will review all receipts and expenditures disclosed by MCEA candidates in campaign finance reports. The Commission frequently requests additional information from candidates to verify that public funds were spent for campaign-related purposes. Candidates who misuse public funds may be required to repay some or all public funds received, may be liable for civil penalties, and may be referred to the State Attorney General for possible criminal prosecution.

2012 Travel Log for MCEA Candidates and their Campaign Staff

A travel log is required if MCEA funds are used for travel reimbursements and must be maintained until Dec. 2015.

Candidate's Name	
Name: (Person requesting reimbursement)	
Address:	

Date of Travel (Required)	Odometer Reading at Start (Recommended)	Odometer Reading at End (Recommended)	Number of Miles Traveled (Required)	Purpose and Destination of Travel (Required)
HOW TO USE THIS FORM • **Logs must be completed contemporaneously—at the time of travel.** • **Start and end odometer readings are highly recommended.** • **The purpose of the travel must be specified in detail: "door to door," "attended meet and greet" and "candidates' forum" - are acceptable descriptions. "Campaigning" or "candidate activities" are not acceptable because they do not describe the purpose in enough detail.**				Number of miles this page
				Number of miles from attached pages
				Total miles traveled
			$	Multiply total miles by $0.44 This is the maximum reimbursement amount based on mileage. The payments for fuel can not exceed this amount.

Affirmation. To be completed by the person requesting reimbursement from the campaign for that person's travel expenses.

I, _____, affirm that my travel reported in this log: (1) was campaign related; (2) occurred on the dates and to the destinations listed; (3) is, to the best of my knowledge, an accurate record of the number of miles traveled; and (4) that the entries in this log were made on the day the travel occurred.

Signature of person requesting reimbursement _____ Date _____

(For use by campaign) Date of Reimbursement:	$_____	Actual Amount of Reimbursement

2012 Travel Log for MCEA Candidates and their Campaign Staff

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Page ___

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Total miles traveled this page				