



Minutes of the October 6, 2025 Meeting of the
Commission on Governmental Ethics and Election Practices
45 Memorial Circle, Augusta, Maine

Present via Zoom: William Schneider, Esq., Chair; Dennis Marble; David Hastings, Esq.; and Sarah LeClaire, Esq.

Staff: Jonathan Wayne, Executive Director; and Jonathan R. Bolton, Assistant Attorney General
Commissioner Schneider convened the meeting at 10:04 a.m.

1. Petition for Maine Clean Election Act Eligibility – Kenneth Capron

Mr. Kenneth Capron registered with the Commission as a Republican candidate for Governor who intended to finance his campaign through the Maine Clean Election Act (MCEA) program. Before qualifying for public funding, candidates seeking MCEA funding may receive and spend only seed money contributions. Seed money contributions are donations of cash or goods or services from individuals with a value that does not exceed a maximum amount per contributor. Through September 23, 2025, an individual could give no more than \$100 in seed money to any MCEA candidate. Beginning on September 24, 2025, the seed money maximum was increased to \$250 per donor for gubernatorial candidates. They are allowed to collect up to a total of \$200,000 in seed money. In order to pay a candidate MCEA funds, the Commission's Executive Director must verify that a candidate has met all program requirements, including the seed money restrictions.

Around July 2, 2025, Mr. Capron agreed to receive campaign services from Florida political consultant Doug Kaplan with a value of \$5,000. Several services were discussed, such as public opinion polling and a campaign website that would contain a donations page for the candidate to receive seed money. Kaplan Strategies required a payment of \$2,000 to begin. Mr. Capron asked Candidate Registrar Lorrie Brann multiple times if he could use \$2,000 of his own money to pay the consultant. Each time, she replied that he could not because he could only contribute up to the \$100 seed money limit to the campaign.

On July 2, 2025, Mr. Capron paid \$2,000 to Kaplan Strategies, which he described as personal guarantee to assure Mr. Kaplan that he would be paid even if the candidate failed to meet his seed money goals. Mr. Capron paid another \$500 to Kaplan Strategies, for a total of \$2,500. Kaplan Strategies conducted one poll and created a campaign website, www.kc4me.com, that includes a donations page. The website is active, but Mr. Capron believes it does not meet the contract requirements.

Ms. LeClaire asked about the rationale for the seed money limits. Mr. Wayne explained one of the MCEA's objectives is to diminish the candidate's reliance on traditional campaign contributions. Seed money allows candidates to engage in paid campaign activities through accepting small contributions before they qualify to receive MCEA funds.

Mr. Capron said the \$5,000 he promised Mr. Kaplan would be paid with seed money he would collect. The \$2,000 personal guarantee was a separate transaction. He set that money aside so the consultant would know he was a serious candidate. He didn't see any regulations barring a personal guarantee for a future commitment, which is like a retainer for services. The additional \$500 he paid the consultant was from the \$644 of seed money he collected.

Mr. Hastings asked Mr. Capron if he had any agreement in writing from Mr. Kaplan identifying the \$2,000 as a retainer, which could be returned to the candidate. Mr. Capron said it had been referred to as a down payment.

Mr. Schneider moved that Mr. Capron intentionally violated the seed money restrictions in 21-A M.R.S. § 1125(2-A) and therefore was ineligible for Maine Clean Election Act funding for his campaign. Mr. Marble seconded the motion.

Mr. Schneider commented that Mr. Capron clearly transferred his own money to a vendor, which was a contribution to his campaign. The candidate could call it a personal guarantee, but the end result was that he made a contribution to his campaign which was contrary to the design of the MCEA. Mr. Schneider said no candidate is entitled to receive MCEA funding unless they follow the rules assiduously. The motion passed 4-0.

Adjournment

Mr. Marble made a motion to adjourn. Ms. LeClaire seconded. The motion passed 4-0. The meeting adjourned at 10:33 a.m.