

**From:** Kenneth A. Capron <kcapron1@maine.rr.com>

**Sent:** Thursday, September 25, 2025 6:35 PM

**To:** Wayne, Jonathan <Jonathan.Wayne@maine.gov>

**Cc:** Currier, Martha <Martha.Currier@maine.gov>; Brann, Lorrie J <Lorrie.J.Brann@maine.gov>

**Subject:** 9-25-2025 supplemental response

- "Mr. Capron has paid another \$500 to Kaplan Strategies" from seed money donations.
- KAPLAN owns the domain name and WordPress space and the code. The candidate does not.  
That will be a future expense upon the primary conclusion.
- If the \$2000 had been set aside in a separate "personal guarantee" bank account in the joint name of both parties, that would not be considered a contribution. And thus it would be neither a contribution nor an expenditure.
- "B. Prior to certification, a participating candidate may obligate an amount greater than the seed money collected, but may only receive that portion of goods and services that has been paid for or will be paid for with seed money." As per this section, I did obligate an amount greater than seed money collected. And to date, I have not received services in excess of seed funds received. This is permissible by statute/rule. The proof is in the total of \$646 of seed funds actually collected to date - minus the one time payment to KAPLAN of \$500 from the campaign bank account in accordance with this section of law.
- The website is not yet complete, I have not yet had ownership transferred of the domain, the WordPress space and the coding. Until that effort is complete, this is work in progress - not yet an expense.
- "SCOPE of services:  
Website Development:  
Design and launch of a professional campaign website, including homepage, bio, donation and volunteer pages, and issue platform. Mobile-optimized with analytics and email capture features. The website is still missing these highlighted features with the mobile optimization being the most critical aspect of the service. This has not been started as yet.
- In the negotiation with KAPLAN, they wanted the full \$5000 paid in advance. The \$2000 personal guarantee was a compromise. Keep in mind that it is not the intent of the MCEA to force MCEA candidates to use "less than" services and yet it is difficult to do with seed money alone.

- If I understand the rules, if participation is denied, the campaign would be required to return the alleged contribution to the donor - to ME. At that point I would need to transfer to a Traditional funding method at which point, most of the refunded \$2000 would become a contribution to the campaign. This seems to contradict the intent of the law. I don't know if the Commission has considered the impact if the alleged contribution was from the candidate or another donor. In one case, I get 100% of the alleged donation back. If the excess is from another donor, the candidate would likely get that donation back as a Traditional candidate. And, as is the case here, if there are insufficient funds in the campaign account to cover the "debt" - what is the Commission's resolution. The campaign has at this moment approx. \$144.
- The candidate did not/does not consider this personal guarantee to be a contribution and thus was unintentional
- I assert that these rules/statutes create an irrational and unintended result for higher-office candidates for whom the mere costs of setting up a bank account, creating a minimal website, engaging a campaign management structure, and other facets of a large scale MCEA candidate far exceed the allowable \$100 contribution from the candidate. It forces large candidates to do more with less than is realistic and feasible. The other Gubernatorial candidate in this race using MCEA was allowed a \$2000 carryover from a prior campaign - and that was also very limited.
- The Commission has potential to lose out on 100% of QCs I may be able to collect if future participation is allowed. Or any leftover seed funds.

I reserve the right to amend this response as the situation resolves itself.

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From: "Wayne, Jonathan"  
To: "[kcapron1@maine.rr.com](mailto:kcapron1@maine.rr.com)"  
Cc: Martha", Lorrie J"  
Sent: Thursday September 25 2025 4:32:14PM  
Subject: Staff Memo

Mr. Capron,

Thank you for your time and the new information today. The Commission staff still views the Kaplan Strategies transaction as outside the seed money restrictions. I decided the best thing to do was to complete our staff memo to the Commissioners today and send it to you, in case you would like to submit more information. It is attached to this email.

If you change your mind, you are welcome to submit anything else in writing that you would like. I will forward it to the Commissioners by email right away.

In keeping with our normal procedures, we will be posting the agenda and the written materials for your item to our website on Monday.

I will be out of the office tomorrow but working on Monday. Thank you.

Jonathan Wayne  
Executive Director  
Maine Ethics Commission  
287-4179