

COMMISSION ON GOVERNMENTAL ETHICS & ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE 04333

2022 MCEA Gubernatorial Beginning Guide



Notes on the 2022 MCEA Gubernatorial Beginning Guide

This guide is intended to serve as an introduction to the Maine Clean Election Act program for gubernatorial candidates. This guide does not cover all areas of the MCEA program, nor does it supplant the Commission's Candidate Guidebook. The Commission's publications are not a substitute for the Commission's statutes and rules. Please do not hesitate to contact the Commission staff with any questions or concerns. We are here to help in any way we can.

The goal of this guide is to explain some important points about starting out as a gubernatorial candidate in the MCEA program. Thus, this guide covers seed money, qualifying contributions, and the amount of MCEA funds available to candidates in the program. It does not cover many of the other responsibilities candidates will have, such as filing reports and keeping records. Again, please do not hesitate to contact the Commission staff with any questions.

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Seed Money

- ◇ To start up a campaign, a candidate may collect seed money – small contributions of up to \$100 from individuals only, including the candidate and their spouse/domestic partner. The campaign must request the employment and occupation information for any contributor who donates more than \$50. Seed money contributors do not have to be registered voters in Maine or even reside in Maine; seed money can come from any U.S. citizen or permanent resident. Businesses, political committees, and other organizations cannot contribute seed money or make in-kind contributions.
- ◇ The maximum amount of seed money a gubernatorial candidate may collect is \$200,000. Seed money can only be raised and spent from the time the candidate registers with the Commission to the time they request certification as an MCEA candidate. The deadline for requesting certification as an MCEA candidate is April 1, 2022.
- ◇ A candidate may solicit and accept seed money in several ways, such as an online fundraising site, personal checks, mail solicitation, and so forth. The candidate must set up a campaign bank account before accepting seed money, and campaign funds may never be commingled with personal or business funds. Candidates must deposit all seed money contributions into the campaign account for record-keeping and auditing purposes.
- ◇ Seed money must be spent for campaign-related purposes, and is typically used to pay staff, purchase stamps or postage, make down payments on larger purchases to be received later, or for equipment purchases. Equipment purchased with MCEA funds must be sold after the election and the proceeds returned to the Commission; equipment purchased with seed money does not have to be sold.
- ◇ When a candidate officially requests certification as an MCEA candidate, they must file a Seed Money Report. If the campaign has seed money remaining at the time the report is filed, that amount is deducted from the candidate's initial payment of MCEA funds for the primary election. Therefore, it is in the candidate's best interest to spend their seed money prior to requesting certification.



Qualifying Contributions (QCs)

- ◇ QCs are donations of \$5 or more to the Maine Clean Election Fund from registered voters in the State of Maine. A gubernatorial candidate may begin collecting QCs on October 15, 2021. QCs collected before October 15, 2021 will not be counted as valid.
- ◇ To become a certified MCEA candidate, a gubernatorial candidate must collect and submit a minimum of 3,200 valid QCs to the Commission by 5:00 p.m. on Friday, April 1, 2022. No extensions are permitted.
- ◇ QCs may be made in the form of an online donation, a personal check, cash, or a money order. When a contributor donates with cash, the campaign must have the contributor sign the Cash QC Affirmation Form. The campaign must convert all cash contributions into a single bulk money order to submit to the Commission. The campaign may also exchange \$5 in cash for an individual \$5 money order purchased by the campaign. The contributor must sign the money order for it to be valid. Checks and money orders must be written out to the “Maine Clean Election Fund” or “MCEF.” For QCs collected in person, each contributor and circulator must sign a Receipt & Acknowledgement (R&A) Form. If the contributor or circulator has not signed the R&A Form personally, the QC will not be counted as valid. Registered voters may also give a QC online to the candidate(s) of their choosing with a debit or credit card, using the Commission’s QC website – (www.maine.gov/cleanelections) - this is the preferred QC donation method for many campaigns.
- ◇ After collecting the QCs, the campaign must enter all the contributors’ information from material QCs (cash, check, and money order QCs) into the online QC service. The website automatically verifies whether they are registered voters. Online contributors are also automatically verified. If a contributor’s voter registration cannot be verified by the website, the candidate may print out a system-generated R&A Form to take to the appropriate municipal clerk to verify their voter registration.
- ◇ When officially requesting MCEA certification, the candidate must submit all material QCs, original R&A Forms, and a list of all of the QC contributors to the Commission (this is created via the online QC service). The QCs and original R&A Forms must be submitted no later than 5:00 p.m. on Friday, April 1, 2022. Again, no extensions are permitted.



Payments of MCEA Funds

- ◇ Once certified as an MCEA candidate, a gubernatorial candidate will receive an initial disbursement of MCEA funds for the primary election. The amount of the disbursement is based upon whether the candidate is contested in the primary election. If the candidate is a member of a recognized political party in Maine and has a primary opponent, the candidate will receive an initial disbursement of \$437,125. The initial disbursement for uncontested candidates in a primary or candidates who are not enrolled in a party (“independents”) is \$218,550.
- ◇ A gubernatorial MCEA candidate in a contested primary election is allowed to submit additional QCs in order to receive supplemental payments of MCEA funds. Additional QCs may be collected and submitted until three weeks before the primary election - May 24, 2022. For each batch of 800 additional valid QCs, the candidate will receive a supplemental payment of \$163,925. The candidate may submit up to 3,200 additional QCs for the primary election (four groups of 800), for a total of \$655,700 in supplemental payments. Therefore, a gubernatorial MCEA candidate in a contested primary election may receive up to \$1,092,825 in MCEA funds for that primary.
- ◇ A candidate who is unsuccessful in a contested primary election must return all unspent MCEA funds to the Commission. If the candidate wins the primary election or does not have a primary election, the candidate may keep any unspent funds to use in the general election.
- ◇ A gubernatorial MCEA candidate in the general election will receive an initial disbursement of \$655,675 soon after the primary. Additional QCs may be collected and submitted until three weeks before the general election (October 18, 2022). For each batch of 1,200 additional valid QCs, the candidate will receive a supplemental payment of \$191,250. The candidate may submit up to 9,600 additional QCs (eight groups of 1,200), for a total of \$1,530,000 in supplemental payments. Therefore, a gubernatorial MCEA candidate in a contested general election may receive up to \$2,185,675 in MCEA funds.
- ◇ After the general election, all unspent MCEA funds must be returned to the Commission as promptly as possible. A small amount of MCEA funds may be withheld by the campaign to use to pay for help with the required audit.



Important Beginning Tips

- ◇ It is highly recommended candidates and campaign staff read materials published by the Commission, and call or email the candidate's assigned Candidate Registrar with any questions or concerns throughout the campaign, especially at the beginning.
- ◇ The candidate should register with the Commission before raising or spending seed money contributions.
- ◇ The candidate must appoint a competent treasurer who will actively manage the campaign's finances. The treasurer is responsible for many aspects of the campaign's financial reporting and compliance requirements.
- ◇ Opening the campaign bank account is a necessary step for starting the campaign. Debit cards for the account should be given to those within the campaign who have purchasing authority.
- ◇ The candidate must submit a signed Declaration of Intent (DOI) form to the Commission within 5 days of beginning to collect QCs. It is recommended the candidate submit the DOI at the time they register. Candidates must also submit a Vendor form and direct deposit (EFT) form to receive MCEA funds.
- ◇ A registered voter in Maine may only give one valid QC per candidate per election cycle. Duplicate QCs will not count towards certification or supplemental payments.
- ◇ Anyone collecting QCs for the campaign should be instructed on how to properly solicit and collect them to reduce compliance errors and rejected QCs.
- ◇ All gubernatorial MCEA candidates and important campaign staff will need to attend a compliance meeting with Commission staff, appoint a compliance officer, and develop a compliance plan to submit to Commission staff.
- ◇ All gubernatorial MCEA candidates will undergo a thorough audit after the election.