



STATE OF MAINE  
COMMISSION ON GOVERNMENTAL ETHICS  
AND ELECTION PRACTICES  
135 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0135

May 29, 2020

**By Email and Regular Mail**

John David Hiatt  
185 Moosehead Boulevard  
Bangor, ME 04401

**Re: Status of Request for Maine Clean Election Funding**

Dear Mr. Hiatt:

Thank you for your application for Maine Clean Election Act (MCEA) funding. The Commission staff requires additional time to determine whether you met the statutory requirements to receive MCEA funds. The staff's routine review of your qualifying contributions (QCs) found that 21 "contributions" were made on May 18 or 19, 2020 through the Commission's online QC service with only three credit or debit cards. During a conversation with a Commission employee yesterday, you volunteered that two of the three cards are in your name.

This is unusual in our experience administering the MCEA program. All QCs must be made with the personal funds of the contributor. Contributors may not use money from another person to make a QC. When QCs are made through the Commission's online QC service, we expect that contributions are made through *the contributors'* own debit or credit cards. Under the Commission's rules, each contributor making an online QC must personally make the payment online and affirm that they used their personal funds. Under the MCEA, any QCs made through cash must be converted to a money order to be valid.

On its face, this situation is troubling. For many of the 21 contributions, someone falsely typed in the name and address of the purported contributor as the "Name on Card" and "Billing Address" for the credit or debit card used, even though the cardholder was someone else. Regardless how many valid QCs you submitted, a statutory requirement for qualifying for public campaign funds is that the candidate did not submit any falsified contributor acknowledgements or fraudulent QCs. Because we will be unable to certify that you met this requirement, the staff's intention is to deny your request for MCEA funding.

The staff's written determination will contain the detailed rationale for our decision and the procedures for you to make an appeal. You will be able to provide any explanations or mitigating circumstances to the members of the Commission as part of an appeal of the staff's determination. We believe these explanations would more appropriately be

Mr. John David Hiatt

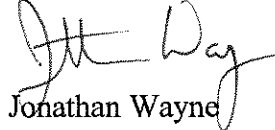
Page 2

May 29, 2020

considered by the appointed members of the Commission, rather than the Commission staff. We expect to email the Commission staff's decision to you on June 2 or 3.

We recognize the need for a quick resolution in this matter. *We appreciate your patience as we complete our review of your request for certification and finalize the staff's decision.*

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Wayne". The signature is fluid and cursive, with the first name "Jonathan" and last name "Wayne" clearly distinguishable.

Jonathan Wayne  
Executive Director