



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

To: Joint Standing Committee on Veterans and Legal Affairs
From: Jonathan Wayne, Executive Director
Date: February 6, 2025
Re: Additional Information for LD 207 – Cash Qualifying Contributions

Thank you for the opportunity to consult with my colleagues and provide the following responses to questions that arose at the public hearing for LD 207.

What portion of qualifying contributions (QCs) are made in cash? Does one party receive more cash QCs than the other? This varies greatly and depends on the fundraising preferences of individual candidates. Some candidates collect most of their QCs online by credit card; some mostly in cash. Our records are not well suited to efficiently calculate an *overall* percentage of QCs made in cash, so we reviewed a sample of QC submissions by 20 candidates from 2024 (roughly 10% of total participants). If you review the “Percentage in Cash” column in the first attachment, you will see that the rate of cash QCs varies by candidate. One could infer that the overall percentage among all candidates is somewhere in the 40-55% range, but that isn’t conclusive. This sample suggests that Republican candidates rely more on cash QCs than Democratic candidates, but the difference isn’t huge.

Does the Commission want to propose changes to the Receipt and Acknowledgment (R&A) form to better detect fraud? The team here considered changes such as making the current affirmation bigger or changing to bold font or asking for two signatures on the R&A form. Unfortunately, we think it’s just difficult to get the average voter to carefully read the affirmation due to human behavior. Thank you for the question but we do not have a change to the R&A form to propose at this time that we think will be an overall improvement. We will continue to monitor the issue.

How many times has the Commission detected fraudulent activity because of the cash QC affirmation form? In the mid-2000s, the Commission staff discovered that, regrettably, a small portion of candidates or their supporters are willing to falsely claim they collected \$5 in cash from a contributor when the money, in fact, came from another source. Others may be willing to falsify contributors' signatures. Some of these situations have resulted in criminal prosecutions, as shown in the second attachment.

We have identified some of these problems by looking for patterns and discrepancies in signatures on checks, money orders, and forms. Our ability to detect fraud has been helped by receiving two signed documents for each QC, except for credit card contributions. Since 2020, we no longer receive money orders signed by contributors who provide \$5 in cash. Instead, we receive a cash QC affirmation form. In 2020, 2022, and 2024, the Commission staff detected a total of four cases of fraud because of the cash QC affirmation form.

The cash QC affirmation form increases our confidence that the person identified as the contributor actually gave \$5 in cash. If LD 207 becomes law and the cash QC affirmation form is eliminated, the Commission staff will keep looking for mistakes and fraud as we review QCs. I expect we will continue to have some success, but we will have one less tool at our disposal. Thank you again for the opportunity to describe our procedures.

Name	Party	Number of QCs Submitted				Total
		Cash	Percentage in Cash	Check	Credit Card	
Matt Rush - SD 2	Democratic Candidate	185	56%	39	107	331
Nathaniel White - SD 16	Democratic Candidate	9	3%	45	215	269
Christina Mitchell - HD 110	Democratic Candidate	37	19%	6	148	191
Vaughn McLaughlin - SD 1	Democratic Candidate	268	50%	89	182	539
Kilton Webb - HD 98	Democratic Candidate	54	41%	2	75	131
Tim Nangle - SD 26	Democratic Candidate	256	45%	88	229	573
David McCrea - HD 3	Democratic Candidate	175	86%	0	29	204
Kathryn Manede Hall - HD 143	Democratic Candidate	40	43%	1	53	94
Raegan LaRochelle - SD 15	Democratic Candidate	43	8%	124	369	536
Patricia Kidder - HD 141	Democratic Candidate	42	45%	6	45	93
		Average	40%			
Bradley Scott Ducharme - SD 34	Republican Candidate	477	82%	20	87	584
Leo Kenney - SD 8	Republican Candidate	311	56%	19	230	560
Marianne Moore - SD 6	Republican Candidate	68	33%	31	106	205
Kathy Javner - HD 29	Republican Candidate	20	26%	23	33	76
Trey Stewart - SD 2	Republican Candidate	165	59%	55	61	281
Scott Cyrway - SD 16	Republican Candidate	151	68%	41	29	221
Mark Zimmer - HD 150	Republican Candidate	139	72%	1	54	194
Randall Greenwood - HD 56	Republican Candidate	6	5%	10	105	121
Richard Bradstreet - SD 15	Republican Candidate	150	43%	63	133	346
Kelly Davis-Rouillard - HD 149	Republican Candidate	92	92%	0	8	100
		Average	54%			

Candidates
Filing Campaign Finance Reports
Record Keeping
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Criminal Violations

Criminal Violations

The Maine Ethics Commission investigates potential violations of the Maine Clean Election Act (MCEA) program. These matters resulted in criminal prosecutions since the program began in 2000.

Peter Throumoulos, York Sup. Ct. CR-06-163 was found guilty following a jury trial to three counts of Aggravated Forgery (Class B), one count Theft by Deception (Class B) and one count Attempted Theft by Deception (Class C). Throumoulos, a candidate for the State Senate, had forged 150 signatures on R&A forms to obtain \$18,000 in public campaign funds in 2004 and then forged 150 signatures on R&A forms and money orders in an unsuccessful attempt to obtain the same amount in 2006. (He claimed that overzealous college students had in fact collected the questionable signatures.) He was sentenced to four years, all but 60 days suspended and three years of probation.

William Walcott, And. Sup. Ct. CR-07-1238, pled guilty to two counts of Violation of the MCEA (Class E), three counts of False Reports under the MCEA (Class C) and ten counts of Theft by Deception (Class D). Walcott had failed to return \$2,933 of unspent campaign funds from the 2006 campaign cycle and produced fabricated records purporting to show that he had in fact used the funds for campaign purposes. Further investigation revealed that he had diverted an additional \$3,294 of public campaign funds to his personal use during the 2004 campaign cycle. He was sentenced under a plea agreement to six months in jail for the ten theft counts of theft and to a suspended sentence of five months on the Class E MCEA violations (made up of consecutive terms of one month for each the five Class E crimes). The court also imposed two years of administrative release, with the requirement that Walcott pay restitution of \$3,294 (he had previously reimbursed the \$2,933).

Debra Reagan, York Sup. Ct. CR-08-1757, pled guilty to Misuse of Entrusted Property (Class D) and was sentenced to 30 days in jail. Reagan had deposited all \$4,874 in public campaign funds into her personal bank account during the 2006 campaign cycle and used all but \$356 of the money on her mortgage and personal expenses.

Bruce Ladd, York Sup. Ct. CR-08-1756, pled guilty to Aggravated Forgery (Class B) and was sentenced to 30 days in jail. Ladd had forged seven voter signatures on the R&A forms in his application to qualify for public funding as a House candidate in April 2008.

David R. Burns, York Sup. Ct. CR-12-276, pled guilty to three counts of Forgery (Class D) and three counts of Theft (Class D). He was sentenced to six months in jail and one year of administrative release with the requirement that he pay \$2,384 in restitution. Burns had commingled \$9,066 in public campaign funds with his personal funds in 2010 and produced false documents purporting to show that the funds had been used for campaign purposes.

Michael Hein, Ken. Sup. Ct. CR-12-444, pled guilty to one count of Willful Violation of the MCEA and was sentenced to seven days in jail. In his application for public campaign funds as a candidate for House District 57 (Augusta), Hein had falsely represented that he had received \$5 qualifying contributions from 13 voters.

Victor DiGregorio, YRKCD-CR-16-3020, pled guilty to six counts of unsworn falsification and was sentenced to 10 days in jail, to be served in the alternate sentencing program. At least 18 of the voters

purportedly signing the R&A forms and money orders had not in fact made a \$5 qualifying contribution. DiGregorio had signed each of the forms as circulator.

Former Rep. Clinton E. Collamore, Sr., LNCD-CR-2023-17 Collamore pled guilty to 12 counts of unsworn falsification in connection with a pattern of falsification and forgery in his submissions of MCEA documentary paperwork to the Ethics Commission for House District 45 (Waldoboro). Collamore admitted to forging scores of contributor signatures on Receipt and Acknowledgment forms, Cash Contribution receipts, and money orders. The evidence did not suggest, however, that Collamore failed to obtain qualifying contributions related to any of the impacted contributors. Collamore was sentenced to 72 hours in jail, to be served in a first-offender alternative sentencing program, and 100 hours of community service on June 12, 2023. Collamore resigned from the Legislature and returned all MCEA funds.

Matthew F. Toth, YRKCD-CR-2022-00816, pled guilty to two counts of unsworn falsification and was sentenced to 10 days in jail, to be served in the alternative sentencing program on September 29, 2023, in connection with forgery for his submissions of MCEA documentary paperwork for House District 143 (Sanford) in 2022.

Credit

Information

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