



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

Minutes of the September 2, 2008, Special Meeting
of the
Commission on Governmental Ethics and Election Practices
Regarding Brent Hutchins
Held in the PUC Hearing Room,
PUC Building, 242 State Street, Augusta, Maine

Present: Michael Friedman, Esq., Chair; Hon. Francis C. Marsano; Hon. Mavourneen Thompson, and
Walter F. McKee, Esq. Staff: Executive Director, Jonathan Wayne.

At 9:00 a.m., Chair Michael Friedman convened the meeting.

The Commission considered the petition of Brent Hutchins to remain eligible for certification under the
Maine Clean Election Act.

Mr. Wayne said that Mr. Hutchins is a replacement candidate for Senate District 25 for the upcoming
general election. Mr. Wayne explained that Mr. Hutchins made an error regarding seed money
contributions he collected during his qualifying contribution period. Mr. Hutchins mistakenly collected six
contributions of \$100 each from businesses instead of individuals. Mr. Hutchins deposited the \$600 into
his campaign account and within two days of doing so realized his error. He requested the bank issue six
\$100 checks to those businesses who contributed and he mailed or hand-delivered the money back to them.
Mr. Hutchins did not spend any of the money received from those businesses. Mr. Wayne said Mr.
Hutchins did collect the maximum amount in seed money from individuals and spent nearly all of that
money. Mr. Wayne also said Mr. Hutchins has documentation from the bank proving his deposit of the
\$600 contributions and the issuance of the bank checks to refund the non-compliant contributions to the
businesses.

OFFICE LOCATED AT: 242 STATE STREET, AUGUSTA, MAINE
WEBSITE: WWW.MAINE.GOV/ETHICS

PHONE: (207) 287-4179

FAX: (207) 287-6775

Mr. Friedman confirmed that Mr. Hutchins was requesting a waiver due to unintentional error. Mr. Friedman asked Mr. Hutchins about the process for replacement candidates, and whether Mr. Hutchins was instructed by the party on the MCEA process.

Mr. Hutchins explained to the Commission members that no one explained the process to him.

Mr. Marsano confirmed that Mr. Hutchins was petitioning the Commission to restore eligibility for certification as a MCEA candidate.

Mr. Hutchins explained he was asked to be a replacement candidate by the Republican Party and was surprised at the request. He said within three or four days of accepting the nomination, he met with someone from the Republican Party. He was told that he needed to raise seed money and collect qualifying contributions. He further stated that once he realized his error, he immediately took steps to refund the money to the businesses.

Mr. Marsano moved that the Commission approve Mr. Hutchins' petition to restore his eligibility for certification as a MCEA candidate under 21-A M.R.S.A. § 1125(2-A)(B) and Chapter 3, Section 2(3)(E) of the Commission's rules and further recognize that Mr. Hutchins complied with the conditions therein.

Ms. Thompson seconded the motion. The motion passed unanimously (4-0).

There being no further business, the meeting was adjourned at 9:07 a.m.

Respectfully submitted,

Jonathan Wayne, Executive Director