



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

To: Commissioners
From: Lorrie Brann, Candidate Registrar
Date: January 10, 2023
Re: Request by Sharri MacDonald for Waiver of Late-Filing Penalty Due to Substantially Incomplete 42-Day Pre-General and 11-Day Pre-General Reports

Sharri MacDonald was a first-time Maine Clean Election Act (MCEA) candidate for Senate District 31. She is an experienced candidate, having run four times since 2012. Her campaign originally filed the 42-Day Pre-General Report on September 26, 2022, with no financial activity; it was amended on December 19 with a \$579.80 expenditure to Banners in Vinyl. Similarly, her campaign filed the 11-Day Pre-General report on October 28, with no financial activity, and amended it on December 19 with two expenditures to the Biddeford-Saco-OOB Courier totaling \$282.12. Ms. MacDonald seeks waivers of the \$962.47 and \$293.40 late-filing penalties.

LEGAL REQUIREMENTS

Legislative candidates are required to file campaign finance reports no later than 11:59 p.m. on the 11th day and 42nd day before the date on which an election is held, and the reports must be complete as of the 14th and 49th day before that date. (21-A M.R.S. § 1017(3-A) (B) &(D-1)) A required report must contain the itemized expenditures made or authorized during the report filing period, the date and purpose of each expenditure and the name of each payee.

(21-A M.R.S. § 1017(5)) A campaign finance report is not timely filed unless a properly signed or electronically submitted copy of the report, substantially conforming to the disclosure requirements of this subchapter, is received by the commission by 11:59 p.m. on the date it is due. (21-A M.R.S. § 1020-A(2)) When a candidate is late in filing a report, the amount of the penalty is set by a formula which takes into consideration a percentage of the total contributions or expenditures, whichever is greater, the number of prior violations within a two-year period, and the number of days the report is late. (21-A M.R.S. § 1020-A)(4-A))

The term “expenditure” includes “a purchase, payment, distribution, loan, advance, deposit or gift of money anything of value made for the purpose of initiating or influencing a campaign,” and “a contract, promise, or agreement, expressed or implied, whether or not legally enforceable, to make any expenditure for the purposes set forth in this paragraph.”

21-A M.R.S. § 1012(3)(A)(1)&(2)

DISCUSSION

The MacDonald campaign timely filed their 42-Day Pre-General and 11-Day Pre-General reports. On December 19, Ms. MacDonald called Candidate Registrar Lorrie Brann with questions about filing her 42-Day Post-General Report. During that conversation, Ms. MacDonald realized she had not reported three expenditures: a \$579.80 expenditure for a banner and two advertisements in the Biddeford-Saco-OOB Courier for \$282.12. The MacDonald campaign entered the three expenditures and refiled their 42-Day Pre-General and 11-Day Pre-General reports. These reports are considered substantially non-conforming and therefore late because they were originally filed as no activity reports.

Based on the statutory formula for calculating late-filing penalties, the preliminary penalty amounts are calculated as follows:

Report	Deadline	Financial Activity	Penalty Rate	Days Late	Preliminary Penalty
42-Day Pre-General Report	09/27/2022	\$579.80	2%	83	\$962.47
11-Day Pre-General Report	10/28/2022	282.12	2%	52	293.40

Ms. MacDonald requests the Commission waive or reduce the preliminary penalties because of the small size of her campaign and the non-reporting of these expenditures was an honest mistake.

STAFF RECOMMENDATION

Timely campaign finance reports are an integral part of campaign finance transparency and disclosure. Their timely filing is considered to be of utmost importance, as statute requires late-filing penalties to increase by each day past the due date the report is filed. All campaigns, particularly experienced ones, are expected to pay attention to and meet all reporting deadlines, especially when multiple reminders are sent for each due date.

In 2018 and 2020, the Commission waived late-filing penalties against candidates downward to a range of \$300 - \$400, for example:

- from \$384.37 to \$300 – late 24-Hour Report by Ian Schwartz
- from \$529.50 to \$350 – late 42-Day Post-Primary Report by Mark Lawrence
- from \$2,991.36 to \$300 – late 24-Hour Report by Danny Costain
- from \$3,744.00 to \$400 – late 24-Hour Report by Cathleen Nichols

The Commission *declined* to waive preliminary penalties that were already below \$300:

- \$84.00 – late 42-Day Post-Primary Report by Brian Redmond
- \$109.54 – late 11-Day Pre-General Report by Scott Gaiason
- \$132.00 – late 42-Day Post-Primary Report by Mark Andre
- \$235.03 – late 42-Day Post-General Report by James LeBrecque

The Commission staff believes the combined preliminary penalty of \$1,255.87 is disproportionate to the size of this campaign and amount of harm to the public for the lack of disclosure of these three expenditures. We recommend assessing a penalty of \$250 for the 42-Day Pre-General Report and \$100 for the 11-Day Pre-General Report, for a total of \$350 for the two late reports.



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

December 20, 2022

Sharri MacDonald
171 Portland Avenue
Old Orchard Beach, ME 04064

Re: Notice of Violation and Penalty for Late-Filed/Substantially Incomplete 42-Day Pre-General Report

Dear Ms. MacDonald:

You were required to file the 42-Day Pre-General Report on September 27, 2022 by 11:59 p.m., but the report was not substantially and completely filed until December 19, 2022. Your report is being considered late as it was substantially incomplete at the time of the original filing on September 26, 2022. Your originally filed 42-Day Pre-General Report failed to include a \$579.80 expenditure to Banners in Vinyl. Under the Commission's statutes (21-A M.R.S.A. § 1020-A(4-A)), the late filing of a report triggers an enforcement process. The Commission staff has made a preliminary finding of violation and determined that the preliminary penalty for filing the report late is **\$962.47**. Please see the next page for the penalty calculation.

You may request that the Commission waive the penalty in whole or in part or find that there was no violation. The request must be made within 14 calendar days of your receipt of this notice. The request must be in writing and contain a full explanation of the reasons the report was filed late. Upon receiving your request, the Commission staff will schedule your request to be heard at an upcoming Commission meeting. You or your designee will have an opportunity to be heard at the meeting or you may submit a sworn statement to the Commission explaining the mitigating circumstances for its consideration.

The Commission may waive or reduce the penalty or find that there was no violation if it determines that the report was late due to mitigating circumstances, which are defined as (1) a valid emergency; (2) an error made by the Commission staff; or (3) relevant evidence that a bona fide effort was made to file the report on time. The Commission may also consider whether the penalty is disproportionate to the size of the candidate's campaign, the level of experience of the candidate, treasurer or campaign staff, or the harm to the public caused by the late disclosure.

The staff requests that you pay the preliminary penalty within 14 days of the date of your receipt of this notice if you do not intend to request a waiver. Please use the payment statement on the next page when paying by mail. You may also make a payment online at www.maine.gov/ethics by clicking the "Penalty Payment" link. Please contact me at (207) 287-4727 or lorrie.j.brann@maine.gov if you have any questions.

Sincerely,

Lorrie J. Brann
Candidate Registrar

Penalty Calculation

The penalty for filing a campaign finance report late is based on a percentage of the total contributions or expenditures for the reporting period, whichever is greater, multiplied by the number of days late. The percentage is based on your history of past violations: 2% for the first violation, 4% for the second violation, and 6% for the third and each subsequent violation. Violations for late-filed reports accumulate in the two-year period beginning on January 1st of each even-numbered year. A penalty accrues daily beginning on the day following the filing due date. Any penalty of less than \$10 is automatically waived.

How Your Penalty Was Calculated

Filer: Sharri MacDonald			
Late-Filed Report: 42-Day Pre-General Report			
Contributions	\$0.00	Penalty Base Amount	\$579.80
Expenditures	\$579.80	Percentage	2%
Due Date	September 27, 2022	Daily Accrual Rate	\$11.60
Date Filed	December 19, 2022	Days Late	83
Previous Violations	0	Your Total Penalty	\$962.47

Payment Statement and Payment Options

From: Sharri MacDonald

Penalty Amount: \$962.47

Amount Enclosed: _____

Check/M.O. #: _____

BY MAIL: Enclose this payment statement with your payment.

Please make check or money order payable to: Treasurer, State of Maine

Mail to: Maine Ethics Commission
135 State House Station
Augusta, Maine 04333-0135

ONLINE: Go to www.maine.gov/online/ethics/penalties.



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

December 20, 2022

Sharri MacDonald
171 Portland Avenue
Old Orchard Beach, ME 04064

Re: Notice of Violation and Penalty for Late-Filed/Substantially Incomplete 11-Day Pre-General Report

Dear Ms. MacDonald:

You were required to file the 11-Day Pre-General Report on October 28, 2022 by 11:59 p.m., but the report was not substantially and completely filed until December 19, 2022. Your report is being considered late as it was substantially incomplete at the time of the original filing on October 28, 2022. Your originally filed 11-Day Pre-General Report failed to include two expenditures to Biddeford-Saco-OOB Courier totaling \$282.12. Under the Commission's statutes (21-A M.R.S.A. § 1020-A(4-A)), the late filing of a report triggers an enforcement process. The Commission staff has made a preliminary finding of violation and determined that the preliminary penalty for filing the report late is **\$293.40**. Please see the next page for the penalty calculation.

You may request that the Commission waive the penalty in whole or in part or find that there was no violation. The request must be made within 14 calendar days of your receipt of this notice. The request must be in writing and contain a full explanation of the reasons the report was filed late. Upon receiving your request, the Commission staff will schedule your request to be heard at an upcoming Commission meeting. You or your designee will have an opportunity to be heard at the meeting or you may submit a sworn statement to the Commission explaining the mitigating circumstances for its consideration.

The Commission may waive or reduce the penalty or find that there was no violation if it determines that the report was late due to mitigating circumstances, which are defined as (1) a valid emergency; (2) an error made by the Commission staff; or (3) relevant evidence that a bona fide effort was made to file the report on time. The Commission may also consider whether the penalty is disproportionate to the size of the candidate's campaign, the level of experience of the candidate, treasurer or campaign staff, or the harm to the public caused by the late disclosure.

The staff requests that you pay the preliminary penalty within 14 days of the date of your receipt of this notice if you do not intend to request a waiver. Please use the payment statement on the next page when paying by mail. You may also make a payment online at www.maine.gov/ethics by clicking the "Penalty Payment" link. Please contact me at (207) 287-4727 or lorrie.j.brann@maine.gov if you have any questions.

Sincerely,

Lorrie J. Brann
Candidate Registrar

Penalty Calculation

The penalty for filing a campaign finance report late is based on a percentage of the total contributions or expenditures for the reporting period, whichever is greater, multiplied by the number of days late. The percentage is based on your history of past violations: 2% for the first violation, 4% for the second violation, and 6% for the third and each subsequent violation. Violations for late-filed reports accumulate in the two-year period beginning on January 1st of each even-numbered year. A penalty accrues daily beginning on the day following the filing due date. Any penalty of less than \$10 is automatically waived.

How Your Penalty Was Calculated

Filer: Sharri MacDonald			
Late-Filed Report: 11-Day Pre-General Report			
Contributions	\$0.00	Penalty Base Amount	\$282.12
Expenditures	\$282.12	Percentage	2%
Due Date	October 28, 2022	Daily Accrual Rate	\$5.64
Date Filed	December 19, 2022	Days Late	52
Previous Violations	0	Your Total Penalty	\$293.40

Payment Statement and Payment Options

From: Sharri MacDonald

Penalty Amount: \$293.40

Amount Enclosed: _____

Check/M.O. #: _____

BY MAIL: Enclose this payment statement with your payment.

Please make check or money order payable to: Treasurer, State of Maine

Mail to: Maine Ethics Commission
135 State House Station
Augusta, Maine 04333-0135

ONLINE: Go to www.maine.gov/online/ethics/penalties.

Lorrie J. Brann,
Candidate Registrar
Maine Ethics Commission
135 State House Station
Augusta, ME 04333-0135

12/20/22

Dear Ms. Brann,

I am writing to ask for a waiver for the penalties I incurred for being late on reporting 3 transactions during my run for Senate district 31. I am a first time Senate candidate and this is the first time I have run utilizing clean election funding. I know candidates are given a lot of money from the MCEA and I am not a spendthrift. I utilized the minimal amount of money for the campaign and returned every penny I did not spend. You can see this from the 8 expenditures associated with my account.

There is no frivolous spending in my life as I am a part of a small business here in Old Orchard Beach, family run business since 1976. We work hard 7 days a week all year long and know the value of a dollar so spending money just to spend it does not really ring with my life. I ran to try and help people and make a difference and I appreciate the help the MCEA money afforded me in this run for Senate

I did mess up and take full responsibility for leaving out those three expenditures. My treasurer was unaware of them as well as he was doing great keeping me on track, these items just slipped through the cracks. I am hoping that the Ethics commission will grant me a waiver for the penalties. It was 100% unintentional and I am truly sorry for the misstep on my part.

I would appreciate your consideration to waive the penalties and look forward to answering any questions you may have about these expenditures.

Regards,

Sharri MacDonald

Sharri MacDonald
Senate Candidate District 31
Old Orchard Beach, Saco, Buxton



Commission on Governmental Ethics and Election Practices
 Mail: 135 State House Station, Augusta, Maine 04333
Office: 45 Memorial Circle, Augusta, Maine
 Website: www.maine.gov/ethics
 Phone: 207-287-4179
 Fax: 207-287-6775

2022 CAMPAIGN FINANCE REPORT

FOR MCEA CANDIDATES

COMMITTEE		TREASURER	
Hon. Sharri MacDonald 171 Portland Ave Old Orchard Beach, ME 04064 PHONE:(207) 590-4201 EMAIL: smacdonald@maine.rr.com		Steve Dupuis 3 Stacy Street Saco, ME 04072 PHONE: EMAIL: stephen.r.dupuis@gmail.com	
REPORT	DUE DATE	REPORTING PERIOD	
42-Day Pre-General Report	09/27/2022	07/20/2022 - 09/20/2022	

FINANCIAL ACTIVITY SUMMARY

CASH ACTIVITY		
	TOTAL FOR PERIOD	TOTAL FOR CAMPAIGN
1. CASH BALANCE FROM LAST REPORT	\$17,738.04	
2. SEED MONEY CONTRIBUTIONS	\$0.00	\$1,700.00
3. MAINE CLEAN ELECTION ACT PAYMENTS & AUTHORIZATIONS	\$0.00	\$24,025.00
4. SALE OF CAMPAIGN PROPERTY (SCHEDULE E, PART 2)	\$0.00	\$0.00
5. OTHER CASH RECEIPTS (INTEREST, ETC.,)	\$0.00	\$0.00
6. MINUS EXPENDITURES (SCHEDULE B)	\$0.00	\$7,986.96
7. CASH BALANCE AT CLOSE OF PERIOD	\$17,738.04	
OTHER ACTIVITY		
8. IN-KIND SEED MONEY CONTRIBUTIONS	\$0.00	\$0.00
9. TOTAL UNPAID DEBTS AT CLOSE OF PERIOD (SCHEDULE D)	\$300.00	

I, Steve Dupuis, CERTIFY THAT THE INFORMATION CONTAINED IN THIS REPORT IS TRUE, ACCURATE, AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

REPORT FILED BY: Steve Dupuis
 REPORT FILED ON: 9/26/2022 1:48:35 PM
 LAST MODIFIED:
 COMMITTEE ID: 424881

**SCHEDULE D
UNPAID DEBTS AND OBLIGATIONS**

- A debt or obligation is incurred if a committee places an order for a good or service without making a payment; makes a promise or agreement to pay for a good or service; signs a contract for a good or service; or receives delivery of a good or service for which the committee has not paid.
- This schedule is a list of all debts and obligations of the committee as of the end of this reporting period.

DATE OF OBLIGATION	CREDITOR	DESCRIPTION	AMOUNT
4/8/2022	CelticTide LLC 338 Main Street Saco, ME, 04072	Office supplies, rent, utilities, internet service, phone minutes and data Amount owed on office rent	\$300.00
TOTAL UNPAID DEBTS AND OBLIGATIONS			\$300.00



Commission on Governmental Ethics and Election Practices
 Mail: 135 State House Station, Augusta, Maine 04333
Office: 45 Memorial Circle, Augusta, Maine
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 Phone: 207-287-4179
 Fax: 207-287-6775

2022 CAMPAIGN FINANCE REPORT
FOR MCEA CANDIDATES

COMMITTEE		TREASURER	
Hon. Sharri MacDonald 171 Portland Ave Old Orchard Beach, ME 04064 PHONE:(207) 590-4201 EMAIL: smacdonald@maine.rr.com		Steve Dupuis 3 Stacy Street Saco, ME 04072 PHONE: EMAIL: stephen.r.dupuis@gmail.com	
REPORT	DUE DATE	REPORTING PERIOD	
42-Day Pre-General Report	09/27/2022	07/20/2022 - 09/20/2022	

FINANCIAL ACTIVITY SUMMARY

CASH ACTIVITY		
	TOTAL FOR PERIOD	TOTAL FOR CAMPAIGN
1. CASH BALANCE FROM LAST REPORT	\$17,738.04	
2. SEED MONEY CONTRIBUTIONS	\$0.00	\$1,700.00
3. MAINE CLEAN ELECTION ACT PAYMENTS & AUTHORIZATIONS	\$0.00	\$24,025.00
4. SALE OF CAMPAIGN PROPERTY (SCHEDULE E, PART 2)	\$0.00	\$0.00
5. OTHER CASH RECEIPTS (INTEREST, ETC.,)	\$0.00	\$0.00
6. MINUS EXPENDITURES (SCHEDULE B)	\$579.80	\$8,566.76
7. CASH BALANCE AT CLOSE OF PERIOD	\$17,158.24	
OTHER ACTIVITY		
8. IN-KIND SEED MONEY CONTRIBUTIONS	\$0.00	\$0.00
9. TOTAL UNPAID DEBTS AT CLOSE OF PERIOD (SCHEDULE D)	\$300.00	

I, Steve Dupuis, CERTIFY THAT THE INFORMATION CONTAINED IN THIS REPORT IS TRUE, ACCURATE, AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

REPORT FILED BY: Steve Dupuis
 REPORT FILED ON: 9/26/2022 1:48:35 PM
 LAST MODIFIED: 12/19/2022 10:26:29 AM
 COMMITTEE ID: 424881

**SCHEDULE B
EXPENDITURES**

EXPENDITURE TYPES				
APP	Apparel (t-shirts, hats, embroidery, etc.)	CON	Contribution to party committee, non-profit, other candidate, etc.	
EQP	Equipment of \$50 or more (computer, tablet, phone, furniture, etc.)	EVT	Campaign and fundraising events (venue or booth rental, entertainment, supplies, etc.)	
FOD	Food for campaign events or volunteers, catering	HRD	Hardware and small tools (hammer, nails, lumber, paint, etc.)	
LIT	Printed campaign materials (palmcards, signs, stickers, flyers, etc.)	MHS	Mail house and direct mail (design, printing, mailing, and postage all included)	
NEW	Newspaper and print media ads only	OFF	Office supplies, rent, utilities, internet service, phone minutes and data	
ONL	Social media and online advertising only	OTH	Other and fees (bank, contribution, and money order fees, etc.)	
PER	Personnel and campaign staff, consulting, and independent contractor costs	PHO	Phones (phone banking, robocalls and texts)	
POL	Polling and survey research	POS	Postage for U.S. Mail and mail box fees	
PRO	Professional services (graphic design, legal services, web design, etc.)	RAD	Radio ads, production costs	
TKT	Entrance cost to event (bean suppers, fairs, party events, etc.)	TRV	Travel (fuel, mileage, lodging, etc.)	
TVN	TV/cable ads, production, and media buyer costs only	WEB	Website and internet costs (website domain and registration, etc.)	
DATE OF EXPENDITURE	PAYEE	REMARK	TYPE	AMOUNT
8/15/2022	Banners in Vinyl 2375 Cabot BLVD Hayward, CA, 94945	Banners for event in Saco	LIT	\$579.80
TOTAL EXPENDITURES FOR CANDIDATE:				\$579.80

**SCHEDULE D
UNPAID DEBTS AND OBLIGATIONS**

- A debt or obligation is incurred if a committee places an order for a good or service without making a payment; makes a promise or agreement to pay for a good or service; signs a contract for a good or service; or receives delivery of a good or service for which the committee has not paid.
- This schedule is a list of all debts and obligations of the committee as of the end of this reporting period.

DATE OF OBLIGATION	CREDITOR	DESCRIPTION	AMOUNT
4/8/2022	CelticTide LLC 338 Main Street Saco, ME, 04072	Office supplies, rent, utilities, internet service, phone minutes and data Amount owed on office rent	\$300.00
TOTAL UNPAID DEBTS AND OBLIGATIONS			\$300.00



Commission on Governmental Ethics and Election Practices
 Mail: 135 State House Station, Augusta, Maine 04333
Office: 45 Memorial Circle, Augusta, Maine
 Website: www.maine.gov/ethics
 Phone: 207-287-4179
 Fax: 207-287-6775

2022 CAMPAIGN FINANCE REPORT

FOR MCEA CANDIDATES

COMMITTEE		TREASURER	
Hon. Sharri MacDonald 171 Portland Ave Old Orchard Beach, ME 04064 PHONE:(207) 590-4201 EMAIL: smacdonald@maine.rr.com		Steve Dupuis 3 Stacy Street Saco, ME 04072 PHONE: EMAIL: stephen.r.dupuis@gmail.com	
REPORT	DUE DATE	REPORTING PERIOD	
11-Day Pre-General Report	10/28/2022	09/21/2022 - 10/25/2022	

FINANCIAL ACTIVITY SUMMARY

CASH ACTIVITY		
	TOTAL FOR PERIOD	TOTAL FOR CAMPAIGN
1. CASH BALANCE FROM LAST REPORT	\$17,738.04	
2. SEED MONEY CONTRIBUTIONS	\$0.00	\$1,700.00
3. MAINE CLEAN ELECTION ACT PAYMENTS & AUTHORIZATIONS	\$0.00	\$24,025.00
4. SALE OF CAMPAIGN PROPERTY (SCHEDULE E, PART 2)	\$0.00	\$0.00
5. OTHER CASH RECEIPTS (INTEREST, ETC.,)	\$0.00	\$0.00
6. MINUS EXPENDITURES (SCHEDULE B)	\$0.00	\$7,986.96
7. CASH BALANCE AT CLOSE OF PERIOD	\$17,738.04	
OTHER ACTIVITY		
8. IN-KIND SEED MONEY CONTRIBUTIONS	\$0.00	\$0.00
9. TOTAL UNPAID DEBTS AT CLOSE OF PERIOD (SCHEDULE D)	\$300.00	

I, Steve Dupuis, CERTIFY THAT THE INFORMATION CONTAINED IN THIS REPORT IS TRUE, ACCURATE, AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

REPORT FILED BY: Steve Dupuis
 REPORT FILED ON: 10/28/2022 10:56:22 AM
 LAST MODIFIED:
 COMMITTEE ID: 424881

**SCHEDULE D
UNPAID DEBTS AND OBLIGATIONS**

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TOTAL UNPAID DEBTS AND OBLIGATIONS			\$300.00



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Office: 45 Memorial Circle, Augusta, Maine
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2022 CAMPAIGN FINANCE REPORT
FOR MCEA CANDIDATES

COMMITTEE		TREASURER	
Hon. Sharri MacDonald 171 Portland Ave Old Orchard Beach, ME 04064 PHONE:(207) 590-4201 EMAIL: smacdonald@maine.rr.com		Steve Dupuis 3 Stacy Street Saco, ME 04072 PHONE: EMAIL: stephen.r.dupuis@gmail.com	
REPORT	DUE DATE	REPORTING PERIOD	
11-Day Pre-General Report	10/28/2022	09/21/2022 - 10/25/2022	

FINANCIAL ACTIVITY SUMMARY

CASH ACTIVITY		
	TOTAL FOR PERIOD	TOTAL FOR CAMPAIGN
1. CASH BALANCE FROM LAST REPORT	\$17,158.24	
2. SEED MONEY CONTRIBUTIONS	\$0.00	\$1,700.00
3. MAINE CLEAN ELECTION ACT PAYMENTS & AUTHORIZATIONS	\$0.00	\$24,025.00
4. SALE OF CAMPAIGN PROPERTY (SCHEDULE E, PART 2)	\$0.00	\$0.00
5. OTHER CASH RECEIPTS (INTEREST, ETC.,)	\$0.00	\$0.00
6. <i>MINUS</i> EXPENDITURES (SCHEDULE B)	\$282.12	\$8,848.88
7. CASH BALANCE AT CLOSE OF PERIOD	\$16,876.12	
OTHER ACTIVITY		
8. IN-KIND SEED MONEY CONTRIBUTIONS	\$0.00	\$0.00
9. TOTAL UNPAID DEBTS AT CLOSE OF PERIOD (SCHEDULE D)	\$300.00	

I, Sharri, MacDonald, CERTIFY THAT THE INFORMATION CONTAINED IN THIS REPORT IS TRUE, ACCURATE, AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

REPORT FILED BY: Sharri, MacDonald
 REPORT FILED ON: 10/28/2022 10:56:22 AM
 LAST MODIFIED: 12/19/2022 10:28:42 AM
 COMMITTEE ID: 424881

**SCHEDULE B
EXPENDITURES**

EXPENDITURE TYPES				
APP	Apparel (t-shirts, hats, embroidery, etc.)	CON	Contribution to party committee, non-profit, other candidate, etc.	
EQP	Equipment of \$50 or more (computer, tablet, phone, furniture, etc.)	EVT	Campaign and fundraising events (venue or booth rental, entertainment, supplies, etc.)	
FOD	Food for campaign events or volunteers, catering	HRD	Hardware and small tools (hammer, nails, lumber, paint, etc.)	
LIT	Printed campaign materials (palmcards, signs, stickers, flyers, etc.)	MHS	Mail house and direct mail (design, printing, mailing, and postage all included)	
NEW	Newspaper and print media ads only	OFF	Office supplies, rent, utilities, internet service, phone minutes and data	
ONL	Social media and online advertising only	OTH	Other and fees (bank, contribution, and money order fees, etc.)	
PER	Personnel and campaign staff, consulting, and independent contractor costs	PHO	Phones (phone banking, robocalls and texts)	
POL	Polling and survey research	POS	Postage for U.S. Mail and mail box fees	
PRO	Professional services (graphic design, legal services, web design, etc.)	RAD	Radio ads, production costs	
TKT	Entrance cost to event (bean suppers, fairs, party events, etc.)	TRV	Travel (fuel, mileage, lodging, etc.)	
TVN	TV/cable ads, production, and media buyer costs only	WEB	Website and internet costs (website domain and registration, etc.)	
DATE OF EXPENDITURE	PAYEE	REMARK	TYPE	AMOUNT
9/30/2022	Biddeford-Saco-OOB Courier 6 Digital Drive Biddeford, ME, 04005	Newspaper ad leading up to election day	NEW	\$198.12
10/12/2022	Biddeford-Saco-OOB Courier 6 Digital Drive Biddeford, ME, 04005	Newspaper ad leading up to election day	NEW	\$84.00
TOTAL EXPENDITURES FOR CANDIDATE:				\$282.12

**SCHEDULE D
UNPAID DEBTS AND OBLIGATIONS**

- A debt or obligation is incurred if a committee places an order for a good or service without making a payment; makes a promise or agreement to pay for a good or service; signs a contract for a good or service; or receives delivery of a good or service for which the committee has not paid.
- This schedule is a list of all debts and obligations of the committee as of the end of this reporting period.

DATE OF OBLIGATION	CREDITOR	DESCRIPTION	AMOUNT
4/8/2022	CelticTide LLC 338 Main Street Saco, ME, 04072	Office supplies, rent, utilities, internet service, phone minutes and data Amount owed on office rent	\$300.00
TOTAL UNPAID DEBTS AND OBLIGATIONS			\$300.00



CHAPTER 10

Campaign Finance Reporting

FILING REPORTS — RESPONSIBILITIES & LIABILITIES

A candidate is ultimately responsible for ensuring their campaign complies with the requirements of the Election Law and the Commission's Rules. However, the legal responsibility for filing complete, timely, and accurate campaign finance reports lies squarely with the candidate's treasurer.

"The treasurer shall file complete and accurate campaign finance reports as required by section 1017." (21-A M.R.S.A. § 1016-A(2))

"The treasurer shall certify the completeness and accuracy of the information in any report of contributions and expenditures filed with the commission as required by section 1017."

(21-A M.R.S.A. § 1016)

While the responsibility for filing reports is the treasurer's, the liability for penalties arising out of reporting violations is shared by the treasurer and the candidate.

"The commission may hold the candidate and treasurer jointly and severally liable for any penalties assessed for violations of the financial reporting...requirements of [the Election Law and the Commission's Rules]."

(21-A M.R.S.A. § 1016-A(3))

If the treasurer has delegated the report filing responsibility to a deputy treasurer, that individual may be held jointly and severally liable for penalties related to reports they filed.

It is because of these significant reporting responsibilities and potential liabilities that the Commission staff strongly recommends candidates select a competent treasurer who will actively manage and oversee the campaign's financial activities and compliance with the Election Law. If a candidate, treasurer, deputy treasurer, or any other person handling financial reporting has a question about the reporting requirements, they should contact the campaign's Candidate Registrar. Many reporting questions and problems can be quickly resolved with a simple call or email.

FILING DEADLINES

Reports must be filed no later than 11:59 p.m. on the filing deadline. The only exception is for 24-Hour Reports, which must be filed within 24 hours of receiving an MCEA payment of \$1,000 or more, or making a single expenditure of \$1,000 or more, during the 13-day period prior to an election. Candidates who do not submit a report by the filing deadline will be assessed a civil penalty.

REPORTING PERIODS

Each campaign finance report covers a specific period of time. Treasurers must report all contributions received and expenditures made during the period, as well as all debts and obligations that remain unpaid at the end of a period.

Title 21-A M.R.S.
Chapter 13: Campaign Finance Reports and Finances

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§ 1012. Definitions

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3. Expenditure. The term “expenditure:”

A. Includes:

- (1) A purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value made for the purpose of influencing the nomination or election of any person to state, county or municipal office, except that a loan of money to a candidate by a financial institution in this State made in accordance with applicable banking laws and regulations and in the ordinary course of business is not included;
- (2) A contract, promise or agreement, expressed or implied, whether or not legally enforceable, to make any expenditure;

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§ 1017. Reports by candidates

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3-A. Other candidates. A treasurer of a candidate for state or county office other than the office of Governor shall file reports with the commission and municipal candidates shall file reports with the municipal clerk as follows. Once the first required report has been filed, each subsequent report must cover the period from the end date of the prior report filed.

B. Reports must be filed no later than 11:59 p.m. on the 11th day before the date on which an election is held and must be complete as of the 14th day before that date. If a report was not filed under paragraph A, the report required under this paragraph must cover all contributions and expenditures through the 14th day before the election.

D-1. Reports must be filed no later than 11:59 p.m. on the 42nd day before the date on which a general election is held and must be complete as of the 49th day before that date, except that this report is not required for candidates for municipal office.

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5. Content. A report required under this section must contain the itemized accounts of contributions received during that report filing period, including the date a contribution was received, and the name, address, occupation, principal place of business, if any, and the amount of the contribution of each person who has made a contribution or contributions aggregating in excess of \$50. The report must contain the itemized expenditures made or authorized during the report filing period, the date and purpose of each expenditure and the name and address of each payee and creditor and any refund that a payee has made to the candidate or an agent of the candidate. If the payee is a member of the candidate's household or immediate family, the candidate shall disclose the candidate's relationship to the payee in a manner prescribed by the commission. The report must contain a statement of any loan to a candidate by a financial institution in connection with that candidate's candidacy that is made during the period covered by the report, whether or not the loan is defined as a contribution under section 1012, subsection 2, paragraph A. The candidate and the treasurer are jointly and severally responsible for the timely and accurate filing of each required report.

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§ 1020-A. Failure to file on time

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2. Campaign finance reports. A campaign finance report is not timely filed unless a properly signed or electronically submitted copy of the report, substantially conforming to the disclosure requirements of this subchapter, is received by the commission by 11:59 p.m. on the date it is due. Except as provided in subsection 7, the commission shall determine whether a report satisfies the requirements for timely filing. The commission may waive a penalty in whole or in part if the commission determines that the penalty is disproportionate to the size of the candidate's campaign, the level of experience of the candidate, treasurer or campaign staff or the harm suffered by the public from the late disclosure. The commission may waive the penalty in whole or in part if the commission determines the failure to file a timely report was due to mitigating circumstances. For purposes of this section, "mitigating circumstances" means:

- A. A valid emergency determined by the commission, in the interest of the sound administration of justice, to warrant the waiver of the penalty in whole or in part;
- B. An error by the commission staff;
- C. Failure to receive notice of the filing deadline; or

D. Other circumstances determined by the commission that warrant mitigation of the penalty, based upon relevant evidence presented that a bona fide effort was made to file the report in accordance with the statutory requirements, including, but not limited to, unexplained delays in postal service or interruptions in Internet service.

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4-A. Basis for penalties. The penalty for late filing of a report required under this subchapter is a percentage of the total contributions or expenditures for the filing period, whichever is greater, multiplied by the number of calendar days late, as follows:

- A.** For the first violation, 2%;
- B.** For the 2nd violation, 4%; and
- C.** For the 3rd and subsequent violations, 6%.

Any penalty of less than \$10 is waived.

Violations accumulate on reports with filing deadlines in a 2-year period that begins on January 1st of each even-numbered year. Waiver of a penalty does not nullify the finding of a violation.

A report required to be filed under this subchapter that is sent by certified or registered United States mail and postmarked at least 2 days before the deadline is not subject to penalty.

A registration or report may be provisionally filed by transmission of a facsimile copy of the duly executed report to the commission, as long as the facsimile copy is filed by the applicable deadline and an original of the same report is received by the commission within 5 calendar days thereafter.