

Agenda

Item #5

Request for Waiver – Citizens for Justice PAC



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

To: Commissioners
From: Benjamin Dyer, Political Committee and Lobbyist Registrar
Date: September 15, 2014
Re: Request for Waiver of Late-Filing Penalty by Citizens for Justice in Maine, Inc.
PAC

In the thirteen days before an election, all political action committees, ballot question committees and political parties must file a report within 24 hours of receiving any single contribution of \$5,000 or more or making any expenditure of \$1,000 or more.¹ On June 5, 2014, the Citizens for Justice in Maine, Inc. PAC (the PAC) made two contributions to other PACs totaling \$5,500. It was required to report these payments within 24 hours, but was late in reporting these transactions.

LEGAL REQUIREMENTS

PACs are required to report any single contribution of \$5,000 or more received or single expenditure of \$1,000 or more made during the 13 days before an election within 24 hours of that transaction. (21-A M.R.S.A. § 1059(2)(E)) If the PAC is late in filing the 24-hour report, the amount of the penalty is set by a formula which takes into consideration the amount of the transaction, the number of prior violations within a two-year period, and the number of days the report is late. (21-A M.R.S.A. § 1062-A(3))

¹ Candidates have a similar 24-hour reporting requirement, except with a lower reporting threshold (\$1,000) for contributions.

DISCUSSION

On June 5, 2014, the PAC made a \$3,000 contribution to the Senate Democratic Campaign Committee PAC and a \$2,500 contribution to the House Democratic Campaign Committee PAC. In July, when the PAC entered the transactions into the Commission's campaign finance reporting system for the 42-Day Post-Primary report, the system reminded the PAC of the late 24-hour report. The PAC filed the required 24-hour report on July 22, 2014.

Based on the statutory formula for calculating late-filed report penalties, the preliminary penalty amount totals \$2,530, calculated as follows:

| Transactions | Date | Financial Activity | Penalty Rate | Days Late | Preliminary Penalty |
|-------------------------------------|-------------|---------------------------|---------------------|------------------|----------------------------|
| Contributions to SDCC and HDCC PACs | 6/5/2014 | \$5,500 | 1% | 46 | \$2,530 |

The PAC asks that the Commission waive the penalty because the size of the penalty outweighs the harm suffered by the public from the late disclosure, and the size and experience of the PAC. The PAC notes that the harm to the public from the late-reported transactions was minimal as the expenditures did not fund advocacy, but simply contributions to another PAC's general treasury. The PAC further argues that the interest of the public in the transactions is minimal because the amounts were less than the \$5,000 threshold to require the receiving PACs to report the contributions within 24 hours. The preliminary penalty is almost half of the financial activity reported late (\$5,500). Finally, the PAC suggests it was not conscious of the 24-hour filing requirements because it does not have a history of making expenditures or receiving contributions which would trigger a 24-hour report.

STAFF RECOMMENDATION

Violations of the 24-hour reporting requirements can be serious matters. 24-hour reports play an important role in informing the electorate about how money is changing hands in the critical days just before an election. In this situation, \$5,500 changed hands without being disclosed in a timely manner. The PAC also did not file the 24-hour report until reminded by the campaign finance reporting system. However, there are mitigating factors which suggest that a reduction in the preliminary penalty would be appropriate. Neither the Senate nor House Democratic Campaign Committee PACs, the recipients of the contributions given on June 5, 2014, spent any money supporting or opposing candidates during the 24-hour reporting period before the primary election. Additionally, the Citizens for Justice in Maine PAC has had no previous violations.

For the Commission's August 27 and September 24 meetings, the Commission staff has recommended \$500 as a late-filing penalty for political committees that have a higher degree of campaign experience, and \$250 for PACs without that degree of campaign experience. At the August 27 meeting, the Commissioners generally accepted the staff's recommendations, except that it assessed a higher penalty (\$750) against the Maine Democratic Party for a late report.² Only one PAC (the Maine Credit Union League PAC) was assessed the lower penalty of \$250.

² At the August 27, 2014 meeting, the Commissioners assessed the following penalties for late-filing violations: Senate Democratic Campaign Committee (\$500 – incomplete report), Maine Democratic Party (\$750 – 24 hour report), LePage campaign (\$500 – 24 hour report), Maine Credit Union League PAC (\$250 – 24 hour report).

Weighing the factors, the staff recommends that the Commission find that the PAC failed to timely file the 24-hour report required for the June 5, 2014 transactions and assess a penalty of \$250.

Thank you for your consideration of this memo.



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

24-HOUR REPORT OF CONTRIBUTIONS AND EXPENDITURES

2014 CAMPAIGN YEAR

| COMMITTEE | | TREASURER | |
|--|------------|---|--|
| CITIZENS FOR JUSTICE IN MAINE, INC. P.O. BOX 438 AUGUSTA, ME 04332-0438 PHONE: (207) 623-2661 EMAIL: MTLA@MTLA.ORG | | STEVEN PRINCE PO BOX 438 AUGUSTA, ME 04332 PHONE: (207) 623-2661 EMAIL: MTLA@MTLA.ORG | |
| REPORT | DUE DATE | REPORTING PERIOD | |
| 24 Hour Report of Major Contributions and Expenditures | 06/06/2014 | 06/05/2014 - 06/05/2014 | |

FINANCIAL ACTIVITY SUMMARY

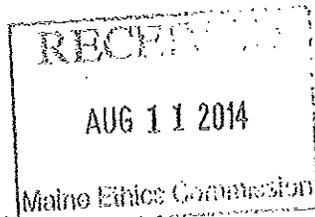
| CONTRIBUTIONS AND EXPENDITURES | |
|--------------------------------|------------|
| 1. TOTAL CONTRIBUTIONS / LOANS | \$0.00 |
| 2. TOTAL EXPENDITURES | \$5,500.00 |
| 3. TOTAL DEBTS | \$0.00 |

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

REPORT FILED BY: STEVEN PRINCE
REPORT FILED ON: 07/22/2014
LAST MODIFIED: 07/22/2014
PRINTED: 09/17/2014
COMMITTEE ID: 618

24-HOUR EXPENDITURE AND PAYEE INFORMATION

| EXPENDITURE TYPES | | | | |
|--|---|--------------|--|-------------------|
| CNS | Campaign consultants | POL | Polling and survey research | |
| CON | Contribution to other candidate, party, committee | POS | Postage for U.S. Mail and mail box fees | |
| EQP | Equipment (office machines, furniture, cell phones, etc.) | PRO | Other professional services | |
| FND | Fundraising events | PRT | Print media ads only (newspapers, magazines, etc.) | |
| FOD | Food for campaign events, volunteers | RAD | Radio ads, production costs | |
| LIT | Print and graphics (flyers, signs, palmcards, t-shirts, etc.) | SAL | Campaign workers' salaries and personnel costs | |
| MHS | Mail house (all services purchased) | TRV | Travel (fuel, mileage, lodging, etc.) | |
| OFF | Office rent, utilities, phone and internet services, supplies | TVN | TV or cable ads, production costs | |
| OTH | Other | WEB | Website design, registration, hosting, maintenance, etc. | |
| PHO | Phone banks, automated telephone calls | | | |
| DATE OF EXPENDITURE | PAYEE | REMARK | TYPE | AMOUNT |
| 6/5/2014 | HOUSE DEMOCRATIC CAMPAIGN COMMITTEE P.O. BOX 2021 AUGUSTA, ME 04338 | CONTRIBUTION | CON | \$2,500.00 |
| 6/5/2014 | SENATE DEMOCRATIC CAMPAIGN COMMITTEE P.O. BOX 2207 AUGUSTA, ME 04338 | CONTRIBUTION | CON | \$3,000.00 |
| TOTAL EXPENDITURES FOR CANDIDATE: | | | | \$5,500.00 |



William P. Logan
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IRWIN
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August 7, 2014

Jonathan Wayne, Executive Director
Maine Commission on Governmental Ethics and Election Practices
135 State House Station
Augusta, ME 04333

Re: *Request for Waiver of Preliminary Penalty – Citizens for Justice in Maine, Inc., PAC*

Dear Jonathan:

I represent the Citizens for Justice in Maine Inc., PAC (“the PAC”). Please accept this letter as a request for a waiver of the preliminary penalty amount assessed in the July 25, 2014 correspondence from Benjamin Dyer. The reasons supporting this request are as follows:

No Prior Violations.

The PAC has no history of prior violations. While the PAC Treasurer does have experience, it is worth noting that the PAC itself does not have a history of making contributions or expenditures that would trigger a 24-hour reporting requirement. In reviewing the past two election cycles (2012 and 2010) there were no contributions received or expenditures made by the PAC that would have triggered a 24-hour report. As such, it is easy to see why the Treasurer may have overlooked the need to file a 24-hour report with the Commission during this election cycle. This is even more so where the expenditure was not a mailer to support or oppose a candidate, but rather a contribution to another PAC (which paradoxically does not have a corresponding requirement to report the receipt of the contribution).

No Public Harm.

There is no appreciable public harm resulting from the late-filed report. First, the expenditure was a contribution to another PAC. It was not for any express advocacy towards a specific candidate. This is not a situation where the PAC was “funding” advocacy through other PAC. The two expenditures were simple contributions, nothing more. Also, the PAC would submit that the fact that the receiving PAC does not have to report the contributions militates in favor of a waiver of the penalty.

Jonathan Wayne
August 7, 2014
Page 2 of 2

Penalty Disproportionate to Campaign. The preliminary penalty is \$2,530.00, an amount that is grossly disproportionate to the size of the PAC or the expenditures. First, the two expenditures totaled \$5,500.00. Therefore, due solely to the daily multiplier, the penalty amount is almost one-half of the actual expenditure amount itself. Additionally, it is a significant penalty in relation to the actual contributions received by the campaign as a whole, *i.e.* over 33% of the total contributions to the PAC for 2014 as of the last filing date. The penalty amount is also grossly disproportionate to the public harm, or lack thereof, resulting from the violation. Accordingly, we submit that this also militates in favor of the Commission granting a waiver to the PAC.

The PAC intended to comply with the reporting requirements and is sorry for its error. Unfortunately, the need for 24-hour reporting was overlooked and the two expenditures went unreported. Due solely to the time between the 24-hour reporting deadline and the next scheduled reporting deadline, the oversight was unfortunately not discovered until the deadline for the 42-day post-primary report. Once it was discovered, the PAC self-reported the error to Commission staff and promptly filed the report. In order to prevent this type of error from occurring in the future, the PAC has changed its internal procedures regarding its internal calendar to note the start dates for all 24-hour reporting periods.

In light of the foregoing facts, the PAC requests that the Commission waive the preliminary penalty assessed by Commission staff either in whole or in part. If the staff or the Commission requires any additional information, please feel free to contact me at your convenience. I plan to be present at the Commission meeting this matter is scheduled for to respond to any inquiries. Thank you for your attention to this request.

Sincerely,



William P. Logan, Esq.

cc: Steven Prince, Treasurer



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

July 25, 2014

Mr. Steven Prince, Treasurer
Citizens for Justice in Maine, Inc. PAC
PO Box 438
Augusta, ME 04332

Re: Late Filing of 24-Hour Report

Dear Mr. Prince,

The Commission staff has made a preliminary determination that the Citizens for Justice in Maine, Inc., PAC (the PAC) was late in filing the 24-Hour Report required for a \$3,000 expenditure in the form of a contribution to Senate Democratic Campaign Committee PAC and a \$2,500 expenditure in the form of a contribution to the House Democratic Campaign Committee PAC the PAC reported making on June 5, 2014. The report was due by 11:59 p.m. on June 6, 2014, but was not filed until July 22, 2014. Under the Commission's statutes, the late filing of a report triggers an enforcement process. (21-A M.R.S.A. § 1062-A(3)). Based on the amount of financial activity in the report, the number of calendar days the report was late, and the PAC's history of violations, the commission staff has determined that a penalty of \$2,530 is owed. (Please see attached penalty matrix for the calculation).

The PAC may make a written request that the Commission waive the violation or penalty in whole or in part. Any request for a waiver 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 PAC filed late. Upon receiving your request, the Commission staff will schedule your appeal for an upcoming Commission meeting.

The Commission may waive the penalty 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 the PAC made a bona fide effort to file the report on time. Also, the Commission may waive the penalty if it is disproportionate to the level of experience of the person filing the report or the harm suffered by the public from the late disclosure.

Please call me at (207) 287-6221 or send me an email at benjamin.p.dyer@maine.gov if you have questions.

Sincerely,

Benjamin P. Dyer
Political Committee and Lobbyist Registrar

Enclosure: payment receipt & penalty matrix

Payment Receipt

Mail payment to:

The Maine Ethics Commission
135 State House Station
Augusta, ME 04333

Make checks payable to: "Treasurer, State of Maine."

Mr. Steven Prince, Treasurer
Citizens for Justice in Maine, Inc. PAC
PO Box 438
Augusta, ME 04332

Violation: Late 24-hour Report
Amount Due: \$2,530.00

Committee Name: Citizens for Justice in Maine, Inc., PAC

Report Title: 24-Hour Report

Due Date: June 6, 2014

Previous Violation(s): N/A

Filed Date: July 22, 2014

The penalty for late filing of a required report is a percentage of the total contributions or expenditures for the filing period, whichever is greater, multiplied by the number of calendar days the report is filed late, as follows:

For the first violation, 1%

For the second violation, 3%

For the third and each subsequent violation, 5%

A penalty begins to accrue at 11:59 p.m. on the day the report is due.

| Penalty Example: | | Your Penalty is calculated as follows: | |
|---|--|--|-------------------------|
| The treasurer files the PAC's report two (2) days late. The PAC has not had any previous late violations this biennium. The PAC reports a total of \$2,500 in contributions and \$1,500 in expenditures for the filing period. The penalty is | | | |
| \$2,500 | Greater amount of the total contributions received or expenditures made during the filing period | Contributions / Expenditures: | <u>\$5,500.00</u> |
| | | X | |
| | | Percent Prescribed: | <u>1%</u> |
| X .01 | Percent prescribed for first violation | | <u>\$55.00</u> |
| | | X | |
| \$25.00 | One percent of total contributions | Number of days late: | <u>46</u> |
| X 2 | Number of calendar days late | | |
| \$50.00 | Total Penalty | Total penalty accrued: | <u><u>\$2530.00</u></u> |

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

MAXIMUM PENALTIES

21-A M.R.S.A. Section 1062-A(3)

\$10,000 for Pre- and Post-Election Reports, Quarterly Reports and 24-Hour Reports, except that if the financial activity reported late exceeds \$50,000, the maximum penalty is one-fifth of the amount reported late.

21-A M.R.S.A. § 1059. REPORT; FILING REQUIREMENTS

Committees required to register under section 1052-A, 1053-B or 1056-B shall file an initial campaign finance report at the time of registration and thereafter shall file reports in compliance with this section. All reports must be filed by 11:59 p.m. on the day of the filing deadline, except that reports submitted to a municipal clerk must be filed by the close of business on the day of the filing deadline. [2013, c. 334, §27 (AMD).]

1. Contents; quarterly reports and election year reports.

[2007, c. 443, Pt. A, §35 (RP) .]

2. Reporting schedule. Committees shall file reports according to the following schedule.

A. All committees shall file quarterly reports:

- (1) On January 15th, and the report must be complete as of December 31st;
- (2) On April 10th, and the report must be complete as of March 31st;
- (3) On July 15th, and the report must be complete as of June 30th; and
- (4) On October 5th, and the report must be complete as of September 30th. [2011, c. 691, Pt. A, §19 (RPR) .]

B. General and primary election reports must be filed:

- (1) On the 11th day before the date on which the election is held and must be complete as of the 14th day before that date; and
- (2) On the 42nd day after the date on which the election is held and must be complete as of the 35th day after that date. [2007, c. 443, Pt. A, §35 (AMD) .]

C. Preelection and post-election reports for special elections or ballot measure campaigns must be filed:

- (1) On the 11th day before the date on which the election is held and must be complete as of the 14th day before that date; and
- (2) On the 42nd day after the date on which the election is held and must be complete as of the 35th day after that date. [2011, c. 389, §45 (AMD) .]

D. A committee that files an election report under paragraph B or C is not required to file a quarterly report when the deadline for that quarterly report falls within 10 days of the filing deadline established in paragraph B or C. [1991, c. 839, §29 (RPR) .]

E. A committee shall report any single contribution of \$5,000 or more received or single expenditure of \$1,000 or more made after the 14th day before the election and more than 24 hours before 5:00 p.m. on the day of the election within 24 hours of that contribution or expenditure. The treasurer is not required to include in this report expenditures for overhead expenses or compensation paid to an employee or other member of the campaign staff who has received payments at regular intervals that have been disclosed in previously filed campaign finance reports. As used in this paragraph, "overhead expenses" includes, but is not limited to, rent, utility payments, taxes, insurance premiums or similar administrative expenses. [2013, c. 334, §28 (AMD) .]

[2013, c. 334, §28 (AMD) .]

3. Report of expenditures made after the 11th day and more than 48 hours before any election.

[1989, c. 504, §§28, 31 (RP) .]

4. Special election reports.

[1989, c. 504, §§28, 31 (RP) .]

5. Electronic filing. Committees shall file each report required by this section through an electronic filing system developed by the commission. The commission may make an exception to this electronic filing requirement if a committee submits a written request that states that the committee lacks access to the technology or the technological ability to file reports electronically. The request for an exception must be submitted within 30 days of the registration of the committee. The commission shall grant all reasonable requests for exceptions.

[2007, c. 443, Pt. A, §35 (AMD) .]

SECTION HISTORY

1985, c. 161, §6 (NEW). 1989, c. 7, §06 (AMD). 1989, c. 504, §§28, 31 (RPR). 1989, c. 833, §§16-20 (AMD). 1991, c. 839, §29 (AMD). 2003, c. 628, §B5 (AMD). 2005, c. 301, §§25, 26 (AMD). 2007, c. 443, Pt. A, §35 (AMD). 2007, c. 571, §9 (AMD). 2009, c. 190, Pt. A, §§23, 24 (AMD). 2009, c. 366, §9 (AMD). 2009, c. 366, §12 (AFF). 2009, c. 652, Pt. A, §22 (AMD). 2011, c. 367, §2 (AMD). 2011, c. 389, §§43-45 (AMD). 2011, c. 389, §62 (AFF). 2011, c. 691, Pt. A, §19 (AMD). 2013, c. 334, §§27, 28 (AMD).

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21-A M.R.S.A. § 1062-A. FAILURE TO FILE ON TIME

1. Registration. A political action committee required to register under section 1052-A or 1053-B or a ballot question committee required to register under section 1056-B that fails to do so or that fails to provide the information required by the commission for registration may be assessed a fine of no more than \$2,500. In assessing a fine, the commission shall consider, among other things, whether the violation was intentional, the amount of campaign and financial activity that occurred before the committee registered, whether the committee intended to conceal its campaign or financial activity and the level of experience of the committee's volunteers and staff.

[2013, c. 334, §30 (AMD) .]

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 6, the commission shall determine whether a required report satisfies the requirements for timely filing. The commission may waive a penalty in whole or in part if it is disproportionate to the level of experience of the person filing the report or to 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 of the committee treasurer 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; [1999, c. 729, §9 (AMD).]

B. An error by the commission staff; or [1999, c. 729, §9 (AMD).]

C. 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. [2007, c. 443, Pt. A, §38 (AMD).]

[2009, c. 190, Pt. A, §29 (AMD) .]

→ **3. 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, 1%; [1995, c. 483, §21 (NEW).]

B. For the 2nd violation, 3%; and [1995, c. 483, §21 (NEW).]

C. For the 3rd and subsequent violations, 5%. [1995, c. 483, §21 (NEW).]

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

[2007, c. 443, Pt. A, §39 (AMD) .]

4. Maximum penalties. The maximum penalty under this subchapter is \$10,000 for reports required under section 1056-B or section 1059, except that if the financial activity reported late exceeds \$50,000, the maximum penalty is 1/5 of the amount reported late.

[2011, c. 389, §49 (AMD) .]

5. Request for a commission determination. If the commission staff finds that a political action committee has failed to file a report required under this subchapter, the commission staff shall mail a notice to the treasurer of the political action committee within 3 business days following the filing deadline informing the treasurer that a report was not received. If a political action committee files a report required under this subchapter late, a notice of preliminary penalty must be forwarded to the treasurer of the political action committee whose report is not received by 11:59 p.m. on the deadline date, informing the treasurer of the commission staff finding of violation and preliminary penalty calculated under subsection 3 and providing the treasurer with an opportunity to request a determination by the commission. A request for determination must be made within 14 calendar days of receipt of the commission's notice. A principal officer or treasurer requesting a determination may either appear in person or designate a representative to appear on the principal officer's or treasurer's behalf or submit a sworn statement explaining the mitigating circumstances for consideration by the commission. A final determination by the commission may be appealed to the Superior Court in accordance with Title 5, chapter 375, subchapter 7 and the Maine Rules of Civil Procedure, Rule 80C.

[2013, c. 334, §31 (AMD) .]

6. Final notice of penalty. After a commission meeting, notice of the final determination of the commission and the penalty, if any, imposed pursuant to this subchapter must be sent to the principal officer and the treasurer of the political action committee.

If a determination is not requested, the preliminary penalty calculated by the commission staff is final. The commission staff shall mail final notice of the penalty to the principal officer and to the treasurer of the political action committee. A detailed summary of all notices must be provided to the commission.

[2009, c. 302, §9 (AMD) .]

7. List of late-filing committees. The commission shall prepare a list of the names of political action committees that are late in filing a report required under section 1059, subsection 2, paragraph B, subparagraph (1) or section 1059, subsection 2, paragraph C or D within 30 days of the date of the election and shall make that list available for public inspection.

[2007, c. 443, Pt. A, §41 (AMD) .]

8. Failure to file. A person who fails to file a report as required by this subchapter within 30 days of the filing deadline is guilty of a Class E crime, except that, if a penalty pursuant to subsection 8-A is assessed and collected by the commission, the State may not prosecute a violation under this subsection.

[2003, c. 628, Pt. A, §8 (AMD) .]

8-A. Penalties for failure to file report. The commission may assess a civil penalty for failure to file a report required by this subchapter. The maximum penalty for failure to file a report required under section 1056-B or section 1059 is \$10,000.

[2009, c. 190, Pt. A, §31 (AMD) .]

9. Enforcement. A penalty assessed pursuant to this section that has not been paid in full within 30 days after issuance of a notice of the final determination may be enforced in accordance with section 1004-B.

[2009, c. 302, §10 (RPR) .]