



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

To: Commissioners
From: Erin Gordon, Candidate Registrar
Date: October 17, 2016
Re: Request for Waiver of Late-Filing Penalty by Scott Gaiason

Scott Gaiason is running for election to the House of Representatives in District 56 as a Maine Clean Election Act (MCEA) candidate. He had no opponent in the June 14, 2016 primary election. On July 26, 2016, all candidates for state office were required to file the 42-Day Post-Primary campaign finance report. Mr. Gaiason's report was filed two days late, on July 28, 2016.

LEGAL REQUIREMENTS

Candidates are required to file reports with the Commission no later than 11:59 p.m. on the 42nd day after the date on which an election is held, and reports must be complete as of the 35th day before that date. (21-A M.R.S.A. § 1017(3-A)(D)) If the candidate is late in filing a regularly scheduled campaign finance 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.A. § 1020-A(4-A))

DISCUSSION

Mr. Gaiason had an uncontested primary election, and his MCEA payment for the general election was issued on June 13, 2016. The report covered the seven-week period of June 1 to July 19, 2016. His 42-Day Post-Primary Report was required to include his receipt of a \$5,000 MCEA payment for the general election (entered by the Commission staff in the e-filing system) and six expenditures from July 5 to July 11, totaling \$299.59.

According to the waiver request submitted by the candidate, Mr. Gaiason had come to believe that the deadline was July 28 (rather than the actual deadline of July 26). He realized his error on July 27 when he looked at his emails. He received another email on the morning of July 28 from registrar Erin Gordon notifying him that the report had still not been filed and was now two days late. He entered his transactions and his treasurer filed the report that afternoon.

The preliminary penalty is calculated as follows:

Report	Due Date	Financial Activity	Penalty Rate	Days Late	Preliminary Penalty
42-Day Post-Primary	07/26/2016	\$5,000.00	2%	2	\$200.00

In his request for a waiver, Mr. Gaiason cites attention deficit disorder as a contributing factor for the mix-up of the deadline, and expresses that the preliminary penalty of \$200 would be a financial hardship.

RECOMMENDATION

Mr. Gaiason is a first-time candidate with a first-time treasurer (his wife) who had successfully filed two reports prior to this 42-Day Post-Primary Report. The Commission staff recommends reducing the penalty by half to \$100. The strength of the waiver request seems roughly analogous to that of Rep. MaryAnne Kinney, who appeared before you at your September meeting. She had left Maine during the week leading up to the deadline, and apparently did not keep track of the July 26 deadline. You reduced her penalty from \$200 to \$100.

We do not recommend a full waiver, because (as outlined below) the candidate and treasurer had sufficient notice of the July 26 filing requirement. We have attached some educational materials sent directly to or available to all legislative candidates, including the reminder newsletter for that report (one side only), a sheet from the Quick Guide (mailed to all registered candidates), and the filing schedule (in the registration packet of forms and on the agency website).

Another point in favor of a waiver is that the level of harm to the public from the late filing is relatively small. The report was only two days late and contained the candidate's receipt of \$5,000 in MCEA funds and six expenditures totaling less than \$300. The report was filed three months to go before the general election.

Thank you for your consideration of this memo.

September 29, 2016
32 Huston Street, #3
Lisbon Falls, ME 04252



Commission on Governmental Ethics
135 State House Station
Augusta, ME 04333

Folks,

I am writing this to ask for a penalty waiver for being late for the 42 day post-primary report which was to be filed 7/26/2016.

By way of explanation, I have some issues which cause me some forgetfulness. I have been diagnosed with ADD which sometimes shows up. This may be one of those times. I'm not sure if it did but what happened for me is that I had another deadline which was for 7/28/2016 and I somehow had that fully planted in my mind. I do know that I did not have a sense of urgency because of this. It was not until I received the notice when I opened my email on late on 7/27 that I realized I had missed the deadline.

It can be seen from the few items on the report that it was clearly not complexity that I was late, merely this misunderstanding. I am hoping you will waive this penalty or at least some of it. Much of my income is from social security. As a seventy year old army veteran who is finally stepping up to add my energy to the political process, I am hoping for some sympathy.

Thank you for your consideration.



Scott N. Gaiason



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

2016 CAMPAIGN FINANCE REPORT

FOR MCEA CANDIDATES

COMMITTEE		TREASURER	
SCOTT N GAIASON 32 HUSTON STREET LISBON FALLS, ME 04252 PHONE: (207) 751-4799 EMAIL: SCOTTGAIASON@GMAIL.COM		CAROLYNN S GAIASON 32 HUSTON STREET LISBON FALLS, ME 04252 PHONE: (207) 522-2420 EMAIL: CAROLYNN.GAIASON@GMAIL.COM	
REPORT	DUE DATE	REPORTING PERIOD	
42-DAY POST-PRIMARY REPORT	07/26/2016	06/01/2016 - 07/19/2016	

FINANCIAL ACTIVITY SUMMARY

CASH ACTIVITY		
	TOTAL FOR THIS PERIOD	TOTAL FOR CAMPAIGN
1. CASH BALANCE FROM LAST REPORT	\$471.80	
2. SEED MONEY CONTRIBUTIONS	\$0.00	\$245.00
3. MAINE CLEAN ELECTION ACT PAYMENTS & AUTHORIZATIONS	\$5,000.00	\$5,491.68
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)	\$299.59	\$564.47
7. CASH BALANCE AT CLOSE OF PERIOD	\$5,172.21	
OTHER ACTIVITY		
8. IN-KIND SEED MONEY CONTRIBUTIONS	\$0.00	\$0.00
9. TOTAL UNPAID DEBTS AT CLOSE OF PERIOD (SCHEDULE D)	\$0.00	

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

REPORT FILED BY: CAROLYNN S GAIASON
REPORT FILED ON: 07/28/2016
LAST MODIFIED: 07/28/2016
PRINTED: 10/12/2016
COMMITTEE ID: 9296

**SCHEDULE A
CASH CONTRIBUTIONS**

- For contributors who gave more than \$50, the names, address, occupation, and employer must be reported. If "information requested" is listed instead of occupation and employer, the candidate is waiting to receive that information.
- Cash contributions of \$50 or less can be added together and reported as a lump sum.
- Contributor Types

- | | |
|--|--|
| 1 = Individual | 9 = Candidate / Candidate Committee |
| 2 = Candidate/ Spouse/ Domestic Partner | 10 = General Treasury Transfer |
| 3 = Commercial Source | 11 = Transfer from Previous Campaign |
| 4 = Nonprofit Organization | 12 = Contributors giving \$50 or less |
| 5 = Political Action Committee | 13 = Contributors giving \$100 or less |
| 6 = Political Party Committee | 14 = Contributors giving \$200 or less |
| 7 = Ballot Question Committee | 15 = MCEA Payment |
| 8 = Other Candidate/ Candidate Committee | 16 = Financial Institution |

DATE RECEIVED	CONTRIBUTOR	OCCUPATION AND EMPLOYER	TYPE	AMOUNT
6/13/2016	MCEA Payment		15	\$5,000.00
TOTAL CASH CONTRIBUTIONS				\$5,000.00

**SCHEDULE B
EXPENDITURES**

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
7/5/2016	RENY'S 65 TOPSHAM FAIR MALL RD. TOPSHAM, ME 04086	AMERICAN FLAG FOR MOXIE RUN	OTH	\$15.81
7/8/2016	AMAZON.COM 410 TERRY AVE SEATTLE, WA 98109	BALLOON RIBBONS FOR THE MOXIE PARADE	PRT	\$36.39
7/8/2016	TARGET 125 TOPSHAM FAIR ROAD TOPSHAM, ME 04086	IRON ON FORMS FOR T-SHIRT GRAPHICS	LIT	\$25.29
7/9/2016	JOANN FABRIC 49 TOPSHAM FAIR ROAD TOPSHAM, ME 04086	T SHIRTS FOR MOXIE PARADE	LIT	\$25.79
7/9/2016	JOANN FABRIC 49 TOPSHAM FAIR ROAD TOPSHAM, ME 04086	ADDITIONAL T SHIRTS FOR THE MOXIE PARADE	LIT	\$12.10
7/11/2016	MATHESON WELDING SUPPLY 44 HAMMOND ST LEWISTON, ME 04240	HELIUM TANK FOR BALLOONS FOR MOXIE PARADE	OTH	\$184.21
TOTAL EXPENDITURES FOR CANDIDATE:				\$299.59

Sample automated email sent to candidates and their treasurers two weeks before filing deadline

(actual email sent to Candidate Gary Capehart)

From: ethics@maine.gov <ethics@maine.gov>
Sent: Tuesday, July 12, 2016 5:25 AM
To: GARY27BU@MSN.COM
Subject: REPORT DUE REMINDER FOR GARY E CAPEHART

Maine Ethics Commission
135 State House Station
Augusta ME 04333-0135
207-287-4179

07/12/2016

GARY E CAPEHART
Candidate

REMINDER OF UPCOMING REPORT FILING DEADLINE

Your next report (42-DAY POST-PRIMARY REPORT) must be filed no later than 11:59 p.m. on 07/26/2016.

To file your report, log into the e-filing website at www.mainecampaignfinance.com. If you need assistance in filing this report or have questions about the reporting requirements, please contact the Maine Ethics Commission staff at (207) 287-4179, or by email at ethics@maine.gov.

If you believe you have received this e-mail in error, please contact us so that we can correct our records. Thank you.



42 DAY POST-PRIMARY REPORT REMINDER FOR MCEA CANDIDATES

Campaign Finance Report Due July 26, 2016

REPORT	DEADLINE	REPORT PERIOD
42-Day Post-Primary Report	Tuesday, July 26, 2016 by 11:59 p.m.	June 1 through July 19, 2016

Inside this issue:

Candidates Defeated in the Primary	2
Tool for Identifying Reporting Errors	2
Keep Complete Records	2
Reimbursements for Mileage and Fuel	3
Payments for Salary and Consulting	3
Payments to Family and Household Members	3

All MCEA candidates are required to file campaign finance reports electronically using the Commission's e-filing system except candidates who submitted an e-filing waiver and are filing on paper forms.*

To log into the E-Filing system:

- Go to the Commission's e-filing website: www.mainecampaignfinance.com.
- Click the blue "Filer Login" button.
- Enter your user name and password. If you have any problems logging in, please contact the Commission as soon as possible before the filing deadline.
- Only Treasurers are allowed to file the completed financial report; MCEA candidates cannot file the report.

Filing Tip: Preview

Before clicking the "File" button, review the entire report to ensure accuracy. Use the "Preview" button on the "File Campaign Finance Report" screen. As a MCEA candidate, your report must disclose every dollar of public funds spent on your campaign.

File Campaign Finance Report

Report Name	42-DAY POST-PRIMARY REPORT	Report Due Date	07/26/2016
Committee		Reporting Period	06/01/2016 through 07/19/2016
Committee Type	Candidate	Committee ID	139

<div style="border: 1px solid red; border-radius: 50%; padding: 5px; display: inline-block;"> <div style="background-color: red; color: white; padding: 2px 5px; margin-bottom: 2px;">Preview</div> <div style="background-color: red; color: white; padding: 2px 5px; margin-bottom: 2px;">File</div> <div style="background-color: red; color: white; padding: 2px 5px;">Go Back</div> </div>	Review the report detail before submitting. File this report. Return to the Filings Administration page. (Data will be saved but report will not be filed.)
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Filing Tip: To View Filed Reports

To view and print a filed report, click the Filings tab. All reports you have filed will be listed in the "Filing History" table. Click "View" to see the report.

Filing History								
Report	Period Begin	Period End	Due Date	Filed	Amended	View	Amend	
42-DAY POST-PRIMARY	5/28/2014	7/15/2014	7/22/2014	7/3/2014	No	View	Amend	
11-DAY PRE-PRIMARY	4/2/2014	5/27/2014	5/30/2014	5/30/2014	Yes	View	Amend	
SEED MONEY	11/7/2012	4/1/2014	4/22/2014	4/1/2014	Yes	View	Amend	
Candidate Registration				1/9/2014	No	View	Amend	

* For candidates filing on paper, the Commission's fax machine operates 24 hours a day. However, staff will be available only until 5:00 p.m. on 7/26/2016 to confirm receipt of a faxed report and to offer assistance and answer questions about filing reports.

REMINDER!



**42-Day Post-Primary Report Deadline:
July 26, 2016 by 11:59 p.m.**

Mailing Label

**Inside:
Important Filing Reminders
&
Tips to Help with Reports!**

MAINE ETHICS COMMISSION
135 State House Station
Augusta, ME 04333-0135



2016 GENERAL INFORMATION - MAINE CLEAN ELECTION ACT CANDIDATES

Introduction

Dear Candidate:

Thank you for registering as a legislative candidate in Maine’s 2016 elections. This Quick Guide introduces you to the key elements of running as a Maine Clean Election Act candidate. You will find more detailed information in the 2016 Guidebook for Maine Clean Election Act Candidates. Neither this Quick Guide nor the Candidate Guidebook, however, is a substitute for the Commission’s statutes and rules. Please do not hesitate to email or call your Candidate Registrar if you have any questions. We are here to help in any way that we can.

- Ethics Commission Staff

Filing Financial Reports

Maine Clean Election Act candidates must file financial reports according to the schedule below. If reports are late, the Commission assesses late-filing penalties automatically, and penalties increase every day. Therefore, it is critical that candidates file the report by 11:59 p.m. on each deadline. Please get an early start. The Commission staff is available to help until 5:00 p.m. on each filing deadline.

Filing Schedule

Report	Due Date	Period Begin Date	Period End Date
Seed Money Report*	April 20, 2016	Date of Registration	Date of Certification
11-Day Pre-Primary Report	June 3, 2016	End of Seed Money Report	May 31, 2016
42-Day Post-Primary Report	July 26, 2016	June 1, 2016	July 19, 2016
42-Day Pre-General Report	September 27, 2016	July 20, 2016	September 20, 2016
11-Day Pre-General Report	October 28, 2016	September 21, 2016	October 25, 2016
42-Day Post-General Report	December 20, 2016	October 26, 2016	December 13, 2016

24-Hour Reporting Periods**

June 1 - June 13, 2016 (before the Primary Election)

October 26 - November 7, 2016 (before the General Election)

* Candidates who collect **more than \$500 in seed money before January 1, 2016** must file a January Semiannual Report by January 15, 2016. Their Seed Money Report would then have a Period Begin Date of January 1, 2016.

** In the thirteen days prior to an election, campaigns are responsible for filing 24-Hour Reports if they **accept a single contribution of \$1,000 or more, or make a single expenditure of \$1,000 or more**. Within one day of the contribution or expenditure that triggers a 24-Hour Report, campaigns must log in to the E-Filing website, add the transaction, and then file the automatically created 24-Hour Report.



2016 FILING SCHEDULE

For Maine Clean Election Act Legislative Candidates

PRIMARY ELECTION: JUNE 14, 2016

GENERAL ELECTION: NOVEMBER 8, 2016

TYPE OF REPORT	FILING DEADLINE (BY 11:59 P.M.)	REPORT PERIOD
Seed Money Report*	April 20, 2016	Date of first seed money contribution – date of certification request For Senate candidates who filed a <u>Semiannual Report</u> *: January 1, 2016 – date of certification request
11-Day Pre-Primary	June 3, 2016	End of Seed Money Report — May 31, 2016
42-Day Post-Primary	July 26, 2016	June 1 — July 19, 2016
42-Day Pre-General	September 27, 2016	July 20 — September 20, 2016
11-Day Pre-General	October 28, 2016	September 21 — October 25, 2016
42-Day Post-General	December 20, 2016	October 26 — December 13, 2016
*PLEASE NOTE: Candidates collecting more than \$500 in seed money contributions in 2015 must file a 2016 January Semiannual campaign finance report by 11:59 p.m. on January 15, 2016 showing all seed money contributions and expenditures through December 31, 2015.		

24-HOUR REPORTS

24-HOUR REPORTING PERIODS (13 DAYS BEFORE THE ELECTION)	WHAT TO REPORT	WHEN TO FILE
Primary: June 1 – June 13, 2016 General: October 26 – November 7, 2016	Any single expenditure of \$1,000 or more. Orders placed with or obligations made to vendors for goods or services are considered expenditures at the time the obligations are made.	<u>Within 24 hours</u> , including weekends and holidays, of making the expenditure, incurring the obligation, or placing the order.

HOW TO FILE REPORTS

Using the Commission's Website. Candidates who receive or expect to receive at least \$1,500 for their campaigns must file reports electronically on the Commission's website. Candidates or treasurers must enter the required information and the treasurer must click "File Report" by 11:59 p.m. on the filing deadline. Candidates who lack access to the technology or the technological ability to file reports on the internet may request a waiver by April 15, 2016. The Commission will grant all reasonable requests.

Using Paper Forms. For candidates who are not required to file electronically, each original campaign finance report signed by the candidate and treasurer must be properly filed with the Commission by the filing deadline, except in two circumstances. A properly signed report may be faxed to the Commission office at (207) 287-6775 by 11:59 p.m. on the deadline, provided that the Commission receives the original report within 5 calendar days. A report mailed to the Commission by certified or registered mail and postmarked at least 2 days before the filing deadline will not be considered late, even if it is received after the deadline.

Commission staff will be available until 5:00 p.m. on filing deadlines to offer assistance to candidates and campaign staff.

September 7, 2016

Scott Gaiason
32 Huston Street
Lisbon Falls, ME 04252

Re: Notice of Delinquent Penalty Payment

Dear Mr. Gaiason:

You were assigned a preliminary penalty of \$200.00 on July 29, 2016, due to a late-filed 42-Day Post-Primary Report. 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.

This is your second notice regarding this penalty payment, as you were given 14 days to pay the penalty, or request a waiver of the penalty. The staff has yet to receive either of the two.

The staff requests that you pay the preliminary penalty within 14 days of the date of your receipt of this notice, or request a waiver. Failure to do so will result in the forwarding of this penalty to the Office of the Attorney General for collection. Please pay by mail or you may also make a payment online at www.maine.gov/ethics by clicking the "Penalty Payment" link. Please contact the Commission staff at (207) 287-4179 or ethics@maine.gov if you have any questions.

Sincerely,

Erin Gordon
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: Scott Gaiason			
Late-Filed Report: 42-Day Post-Primary			
Contributions	\$5,000.00	Penalty Base Amount	\$5,000.00
Expenditures	\$299.59	Percentage	2%
Due Date	07/26/2016	Daily Accrual Rate	\$100.00
Date Filed	07/28/2016	Days Late	2
Previous Violations	0	Your Total Penalty	\$200.00

PAYMENT STATEMENT AND PAYMENT OPTIONS

From: Scott Gaiason

Penalty Amount: \$ 200.00

Penalty ID: N/A

Amount Enclosed: _____

Check/M.O. #: _____

BY MAIL: Enclose this payment statement with your payment so that it will be properly accounted for.

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. Please include the penalty ID so that your payment will be properly accounted for.

Maine Revised Statutes
Title 21-A: ELECTIONS
Chapter 13: CAMPAIGN REPORTS AND FINANCES

§1017. REPORTS BY CANDIDATES

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.

A. In any calendar year in which an election for the candidate's particular office is not scheduled, when any candidate or candidate's political committee has received contributions in excess of \$500 or made or authorized expenditures in excess of \$500, reports must be filed no later than 11:59 p.m. on July 15th of that year and January 15th of the following calendar year. These reports must include all contributions made to and all expenditures made or authorized by or on behalf of the candidate or the treasurer of the candidate as of the end of the preceding month, except those covered by a previous report. [2007, c. 443, Pt. A, §16 (AMD).]

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. [2007, c. 443, Pt. A, §16 (AMD).]

C. Any single contribution of \$1,000 or more received or any single expenditure of \$1,000 or more made after the 14th day before any election and more than 24 hours before 11:59 p.m. on the day of any election must be reported within 24 hours that contribution or expenditure. The candidate or 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, §11 (AMD).]

⇒ D. Reports must be filed no later than 11:59 p.m. on the 42nd day after the date on which an election is held and must be complete for the filing period as of the 35th day after that date. [2007, c. 443, Pt. A, §16 (AMD).]

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. [2009, c. 190, Pt. A, §5 (AMD).]

E. Unless further reports will be filed in relation to a later election in the same calendar year, the disposition of any surplus or deficit in excess of \$100 shown in the reports described in paragraph D must be reported as provided by this paragraph. The treasurer of a candidate with a surplus or deficit in excess of \$100 shall file reports semiannually with the

commission within 15 days following the end of the 2nd and 4th quarters of the State's fiscal year, complete as of the last day of the quarter, until the surplus is disposed of or the deficit is liquidated. The first report under this paragraph is not required until the 15th day of the period beginning at least 90 days from the date of the election. The reports will be considered timely if filed electronically or in person with the commission on that date or postmarked on that date. The reports must set forth any contributions for the purpose of liquidating the deficit, in the same manner as contributions are set forth in other reports required in this section. [2007, c. 443, Pt. A, §16 (AMD).]

F. Reports with respect to a candidate who seeks nomination by petition must be filed on the same dates that reports must be filed by a candidate for the same office who seeks that nomination by primary election. [1991, c. 839, §15 (AMD); 1991, c. 839, §34 (AFF) .]

[2013, c. 334, §11 (AMD) .]

Maine Revised Statutes
Title 21-A: ELECTIONS
Chapter 13: CAMPAIGN REPORTS AND FINANCES

§1020-A. FAILURE TO FILE ON TIME

4. Basis for penalties.

[2001, c. 470, §7 (AMD); T. 21-A, §1020-A, sub-§4 (RP) .]

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, 1%; [2001, c. 714, Pt. PP, §1 (NEW); 2001, c. 714, Pt. PP, §2 (AFF).]

B. For the 2nd violation, 3%; and [2001, c. 714, Pt. PP, §1 (NEW); 2001, c. 714, Pt. PP, §2 (AFF).]

C. For the 3rd and subsequent violations, 5%. [2001, c. 714, Pt. PP, §1 (NEW); 2001, c. 714, Pt. PP, §2 (AFF).]

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.

[2011, c. 558, §3 (AMD) .]