



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

To: Commissioners
From: Jonathan Wayne, Executive Director
Date: April 27, 2026
Re: Grow Maine PAC – Request for Waiver of Late-Filing Penalty

Grow Maine PAC was required to file a quarterly campaign finance report by April 10, 2026 covering January-March 2026. The PAC filed the report six days late on April 16, 2026. The preliminary penalty for the late filing is \$1,847.52. Due to the transition to a new electronic filing system, the PAC did not receive three automated reminder emails prior to the April 10 deadline and an automated notice of unfiled report on the day after the deadline. For this reason, Commission staff recommends a full or substantial waiver of the \$1,847.52 penalty.

LEGAL REQUIREMENTS

Duty for PACs to file quarterly campaign finance reports. A PAC must file a quarterly campaign finance report by April 10th covering January through March. 21-A M.R.S. § 1059(2)(A)(2).

Late-filing procedures for campaign finance reports. If a PAC files a report late, the Commission staff sends a notice of preliminary penalty to the PAC. 21-A M.R.S. § 1062-A(5). The Commission staff calculates the amount of the preliminary penalty based on the number of days the report is filed late multiplied by a percentage of the total contributions or expenditures in the report, whichever is greater. § 1062-A(3). The percentage for a first violation in a two-year period is 2%. The Commission is authorized to waive part or all of the penalty. The PAC has the option of asking the Commission for a determination of the penalty, usually referred to as a request for a waiver. § 1062-A(5). If the PAC does not ask for a waiver, the preliminary penalty calculated by staff becomes final and must be paid within 30 days to avoid referral to the Attorney General for collection. § 1062-A(6)&(9).

WAIVERS OF LATE-FILING PENALTIES GENERALLY

The Commission receives regular campaign finance reports from candidates, PACs, ballot question committees, and party committees organized at the state and local level. The filers are required to file reports using the Commission's eFiling system, except for local party committees. The deadline for most of the reports is 11:59 p.m. on the day the report is due.

Most of these campaign finance filers try to file required campaign finance reports on time. Sometimes mistakes happen, which cause reports to be filed late. Many of the mistakes appear to be in good faith: for example, someone misunderstood that a report was due; there was a miscommunication within the campaign about a deadline or a transaction that required a special report; someone thought they had completed the process for filing a report but did not; the person filing the report waited until the last minute. If a filer misses a deadline, it's important for them to file the report as soon as possible because the late-filing penalties accrue each day.

If the late filer does not want to pay the preliminary penalty calculated by staff based on the formula in statute, they may request a determination by the Commission, which is considered at a public meeting. The staff offers a recommendation on each waiver request based on past Commission decisions and other factors, but the final decision on each case is made by the appointed members of the Commission. The statutory formula can result in a preliminary penalty that is very high, in which case the Commission sometimes waives a significant portion of the preliminary penalty.

In 2015, Maine voters approved a citizen initiative modifying Maine's campaign finance laws. Among other changes, the penalties doubled for first-time late filings. The Commission responded by doubling its penalty decisions. Consequently, since April 2018 when a PAC has filed a report late, the staff has generally recommended late-filing penalties against PACs of \$750 or more, with some reductions below \$750 for good cause.

The Commission staff maintains a chart of penalty decisions by the Commission, which is among the materials for this item. Staff recommend skimming the chart to receive an overview of past decisions.

Often, when a report is filed late due to a good-faith mistake, the Commission will partially waive the penalty to avoid a disproportionately high penalty or to acknowledge the filer made an effort to file the report. In other words, the Commission recognizes the good-faith

reasons for the late filing, but decides some penalty is nevertheless appropriate to encourage all filers to submit campaign finance reports on time.

WAIVER REQUEST BY GROW MAINE PAC

Grow Maine filed the April Quarterly report six days late on April 16, 2026. The Commission’s Political Committee and Lobbyist Registrar notified the PAC by letter (attached) that the preliminary penalty is \$1,847.52, calculated as follows:

Report Name	Activity in Report	Due Date	Days Late	Penalty Rate	Penalty
April Quarterly	\$15,396.00	4/10/2026	6	2%	\$1,847.52

The primary reason for the PAC’s waiver request is the Commission’s transition to a new eFiling system. As a general update, the phase-in of the Commission’s new eFiling system has been set back by several weeks because the data conversion phase took longer than planned by our new vendor. The vendor needed to take more than 10 years of campaign finance data (transactions, filers, reports, amendments, *etc.*) from the tables in our old vendor’s database and convert that data so it would show up accurately in the new vendor’s database. This was a very complex project and our new vendor encountered issues it did not expect. We approved the final data conversion last week. Consequently, some features of the overall functionality that we hoped our filers and staff would have available in February-March will be rolled out in the coming weeks. The Commission staff plans on providing updates to the Commission at future Commission meetings. In spite of the problems our new vendor had with the unique challenge of converting our old vendor’s data, we have faith in our new vendor and believe in the long run it will work with our department to build a user-friendly, long-lasting eFiling and public access software.

In its written waiver request (attached), Grow Maine offers the following reasons for requesting a waiver of the \$1,847.52 preliminary penalty:

This is the first late-filing violation in the history of Grow Maine and the first violation for Rep. David Boyer, who has been actively involved in Maine politics for more than a decade with a perfect compliance record. The late filing occurred during a period of transition to the Commission’s new ethics filing system, which proved confusing for our committee. The automated reminder

emails that we have historically relied upon did not generate, and unfortunately the follow-up reminder email from you was inadvertently missed. As a result, the report was filed six days late on April 16, 2026.

The PAC also bases its request on the reduced harm to the public from the six-day late disclosure.

DISCUSSION AND RECOMMENDATION

The Commission staff educate our campaign finance filers about their deadlines in different ways. Our eFiling system sends out automated email reminders, which is the issue in this case. Also, at the beginning of each year, we publish the attached filing schedule for PACs that lists all the deadlines. PAC treasurers can enter those deadlines in an electronic calendar, a calendar on their wall, or scribble the dates on a post-it note to put on their refrigerator door. They don't have to rely on the automated email reminders alone.


Generally, the Commission does not grant a full waiver when a report is filed late because the filer encountered some challenge with the Commission's eFiling site. The Commission may grant a partial waiver but still assess some penalty to reinforce that filers need to see the process through to the end.


In this case, however, Commission staff believe Grow Maine has presented a meritorious reason for granting a full or substantial waiver. Before each PAC filing deadline, our old eFiling system would send three pre-deadline reminders to PACs fourteen days, seven days, and one day before each deadline. It's understandable that PACs like Grow Maine would rely on these automated email reminders. If a report was not filed by the deadline, it would send an automated notice of unfiled report the following morning, which was helpful in minimizing late-filing penalties.


On April 7, 2026, our Political Committee and Lobbyist Registrar sent the email reminder on the next page to PAC treasurers and principal officers. We have confirmed that the email was sent to Grow Maine's treasurer and principal officer. The email, however, was still a temporary reduction in assistance compared to the automated reminders from our old system.

Commission staff recommends a full or substantial waiver of the \$1,847.52 penalty. If the Commission is not ready to grant a full waiver, we would propose \$250 as an alternative.

ACTION REQUIRED: Campaign Finance Reports DUE FRIDAY, April 10th

 Hoefler, Heidi
To
Cc: Hoefler, Heidi

 This message was sent with High importance.

 Reply  Reply All  Forward  

Tue 4/7/2026 3:48 PM

Hello Committee Filers!

Looks like the new system is not sending out "report due" reminders so I am stepping in for the system to remind you that the Q1 reports (aka **2026 April Quarterly**) for **PACs, BQCs, and State Party Committees** have been loaded up to each filer's (aka committee's) dashboard. This report is **due on or before 11:59 pm on Friday, April 10th**.

- If you have not already done so, please create a new user account in the new [Maine Campaign Finance Disclosure System](#) . Here are instructions on how to do that – [Create a New User Account](#) .
- Able to log in to the new system but not connected to your filer(s)/committee(s)? Here are instructions on how to do that – [Request to Join a Filer \(aka Committee\)](#) .
- Want to invite someone to join your filer? Here are instructions on how to do that -- [Invite a User to a Filer](#) .

Please note – This list of "users" was compiled using data in the new Maine Campaign Finance Disclosure System. Please disregard if you are no longer associated with a committee. Please also **disregard if you are a local party committee officer or authorized agent**.

Heidi

Heidi Hoefler, Esq.
Political Committee & Lobbyist Registrar
Maine Ethics Commission
135 State House Station | Augusta, ME 04333
207.287.4709 (phone) | 207.287.6775 (fax)

Commission Penalty Decisions - PACs, BQCs, Party Committees (2018 - present)

Committee Name	Requested Waivers of Late-Filing Penalties	Preliminary Penalty	Final Penalty	Commission Meeting Date
Waiver Requests				
Maine United Auto Workers PAC	Late January Quarterly	\$400.00	\$400.00	4/25/2018
Maine Health Care Assoc. PAC	Late 24-Hour Report	\$2,760.00	\$500.00	8/29/2018
Fecteau Leadership PAC	Late 24-Hour Report	\$400.00	\$400.00	8/29/2018
New Mainers PAC	Late 24-Hour Report	\$10,000.00	\$1,000.00	3/6/2019
Senate Democratic Campaign Committee	Late January Quarterly	\$1,010.50	\$750.00	4/24/2019
Unite Portland PAC (<i>Municipal</i>)	Late IE Report	\$5,000.00	\$1,250.00	12/18/2019
Unite Portland PAC (<i>Municipal</i>)	Late IE Report	\$2,052.16	\$750.00	12/18/2019
Women's Leadership Fund PAC	Late IE Report	\$100.00	\$50.00	8/11/2020
Maine Truck PAC	Late 24-Hour Report	\$2,203.08	\$500.00	10/16/2020
Revive Hometown Maine PAC	Late October Quarterly	\$510.00	\$250.00	10/30/2020
Mainers for Health and Parental Rights	Late 24-Hour Report	\$980.00	\$750.00	1/27/2021
Kittery Democratic Committee	Late 11-Day Pre-General Report	\$500.00	\$100.00	2/24/2021
Madison Republican Committee of Maine	Late 11-Day Pre-General Report	\$500.00	\$100.00	2/24/2021
York Town Republican Committee	Late 11-Day Pre-General Report	\$500.00	\$100.00	2/24/2021
Energy PAC for Maine	Late 24-Hour Report	\$8,840.00	\$750.00	3/31/2021
Protect Maine Elections	Late Initial Report	\$1,004.00	\$750.00	10/29/2021
Mainers for Local Power PAC	Late 24-Hour Report	\$300,000.00	\$25,000.00	2/28/2022
Mainers for Local Power PAC	Late 24-Hour Report	\$98,500.00	\$10,000.00	2/28/2022
No on 3: Right to Food is Wrong for Maine	Late 24-Hour Report (3)	\$932.00	\$300.00	2/28/2022
Piscataquis County Republican Committee	Late January Semiannual Report	\$500.00	\$100.00	3/30/2022
Waldo County Democratic Committee	2022 July Semiannual Report	\$181.21	\$60.40	9/28/2022
Lincoln County Republican Committee	2022 July Semiannual Report	\$500.00	\$100.00	9/28/2022
American Leadership Committee-Maine PAC	Late IE report Oct. Quarterly Report	\$679.88	\$679.88	11/30/2022
Planned Parenthood Maine Action Fund	Late IE report	\$2,433.60	\$750.00	11/30/2022
We the People PAC	Late IE report	\$5,000.00	\$1,000.00	11/30/2022
We the People PAC	Late IE report	\$99.96	\$99.96	11/30/2022
Steve LaFreniere	Late IE Report	\$1,090.00	\$200.00	12/21/2022
York Voter Alliance	Late IE report	\$672.61	\$200.00	12/21/2022
Androscoggin County Democratic Committee	Late 11-Day Pre-General Report	\$99.94	\$99.94	12/21/2022
Aroostook County Republican Committee	Late 11-Day Pre-General Report	\$500.00	\$100.00	1/30/2023
Aroostook County Republican Committee	Late 24-Hour Report	\$120.00	\$120.00	1/30/2023
Maine AFL-CIO Committee on Political Education PAC	Late 24-Hour Report	\$4,860.00	\$750.00	2/28/2023
Maine United Auto Workers Council PAC	Two Late 24-Hour Reports	\$4,900.00	\$1,000.00	2/28/2023
American Leadership Committee-Maine PAC	Late 42-Day Post-General Report	\$55,654.00	\$2,500.00	5/31/2023

We the People PAC	Late 11 day Pre-special election report	\$1,147.50	\$400.00	8/23/2023
Star City PAC	Late 11 day Pre-special election report	\$370.50	\$150.00	8/23/2023
Citizens for a Bright Future	Late Registration, late filing	\$3,866.00	\$250.00	5/29/2024
Citizens for a Bright Future	Missing Disclaimers on signs		\$50.00	5/29/2024
Planned Parenthood Maine Action Fund	Late IE Report	\$733.60	\$400.00	5/29/2024
Bangor Fire Fighters PAC Fund	Late to update their registration	\$250.00	\$0.00	5/29/2024
Maine Republican Party	2 Late 24-Hour Reports	\$38,839.80	\$3,000.00	9/25/2024
Friends of Maine Hospitals PAC	Late 24-Hour Report	\$900.00	\$500.00	9/25/2024
Local 349 PAC Fund	Substantially non-compliant 42-Day Post-Primary Report	\$1,369.00	\$500.00	9/25/2024
Maine Labor Climate PAC	Late 60-Day Pre-General IE Report	\$534.44	\$400.00	9/25/2024
Bright Future Maine PAC	Late 2-Day Pre-Primary IE	\$6,411.30	\$375.00	9/25/2024
Democrats of Kennebunk, Kennebunkport and Ar	Late July Semi-Annual Report	\$500.00	\$100.00	10/30/2024
Bright Future Maine PAC	Late 24-Hour Report	\$2,800.00	\$1,000.00	12/18/2024
Cumberland County Republican Committee	Late IE Report	\$382.50	\$100.00	12/18/2024
FAM PAC	Late IE Report	\$365.40	\$365.40	12/18/2024
ActBlue Maine PAC	Late July Semi-Annual Report	\$683,731.00	\$100,000.00	9/24/2025
Protect ME – No Red Flag BQC	Late Registration	\$500.00	\$500.00	9/24/2025
Save Maine Absentee Voting	Late 24-Hour Report	\$10,000.00	\$500.00	1/28/2026
Late Major Contributor Decisions				
Committee Name	Violation	Preliminary Penalty	Final Penalty	Commission Meeting Date
Waiver requests				
Mainers for Local Power PAC	Late Major Contributor (2)	\$53,431.15	\$2,500.00	3/10/2020
Maine Street Solutions - Protect Schools BQC	Late Major Contributor	\$25,000.00	\$2,000.00	5/27/2020
Clean Energy Matters PAC	Late Major Contributor Notice	\$50,000.00	\$2,500.00	3/31/2021
We the People PAC	Late Major Contributor Notice	\$11,500.00	\$2,500.00	5/26/2021
Mainers for Local Power PAC	Late Major Contributor Notice	\$13,786.32	\$2,500.00	8/23/2021
Maine Energy Progress	Late Major Contributor Notice	\$25,768.87	\$3,000.00	11/29/2023
Dorman Products	Late Major Contributor Report	\$15,000.00	\$5,000.00	11/29/2023
Maine Automotive Right to Repair	Late Major Contributor Notices (6)	\$240,000.00	\$35,000.00	11/29/2023
Genuine Parts Company	Late Major Contributor Report	\$50,000.00	\$5,000.00	1/31/2024
Our Power	Two Late Major Contributor Notices	\$28,155.08	\$6,000.00	2/27/2024
Other Enforcement Decisions				
Committee Name	Violation	Preliminary Penalty	Final Penalty	Commission Meeting Date
Other Violations				
Sara Gideon Leadership PAC	Contributions Made in Name of Another		\$500.00	10/30/2019

Working Families PAC	Failure to file 2020 October Quarterly; 11-Day Pre-General, 42-Day Post-General, and 2021 January Quarterly and April Quarterly campaign finance reports		\$3,750.00	5/26/2021
Mainers for Fair Laws BQC	Missing Disclaimers in television ads		\$2,500.00	9/29/2021
Working Families PAC	Over the limit contribution to Diane Russell senate campaign		\$285.00	9/29/2021
American Leadership Committee-Maine PAC	Missing top three donors		\$10,000.00	11/30/2022
Building the Maine House	Late 11-day Pre-Primary Report		\$0.00	7/24/2024
Jake Ducharme	Missing Disclosures on Saviello signs		\$0.00	10/30/2024
Cape Says Yes to S	Missing Disclosure on advertisement		\$0.00	10/30/2024
Cape Elizabeth School Referendum	Missing Disclosure on advertisement		\$0.00	10/30/2024
Yes on 1/Freeport	Missing Disclosures on mailer		\$50.00	10/30/2024
Auburn Democratic City Committee	Missing Disclosure on advertisement		\$0.00	10/30/2024
Maine Senate Republican PAC	making an over-the-limit contribution		\$1,000.00	1/29/2025
Maine Senate Republican PAC	making a material false statement		\$0.00	1/29/2025
Senate Democratic Campaign Committee	inaccurate attribution & payment		\$159.50	1/29/2025
Aroostook County Democratic Committee	Missing address on disclosure message		\$0.00	9/24/2025
Aroostook County Democratic Committee	Missing paid for/authorized by message		\$0.00	9/24/2025



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

Sent via Email and US Mail

April 22, 2026

Sara McKee, Treasurer
Grow Maine
112 Verrill Road
Poland, ME 04274

Re: Notice of Late Filing of 2026 April Quarterly Report and Preliminary Penalty

Dear Sara McKee:

The Commission on Governmental Ethics and Election Practices (the "Commission") staff found that the Grow Maine (the "committee") was late in filing its 2026 April Quarterly Report (the "report"). Although the report was due by 11:59 p.m. on April 10, 2026, it was not filed until April 16, 2026.

Per 21-A M.R.S. § 1020-A, the late filing of the report triggers an enforcement process. Based on the amount of financial activity in the report, the number of calendar days the report was late, and any history of violations by the committee, the Commission staff determined the preliminary penalty for this violation is \$1,847.52 (see calculation matrix on next page). Please note that if between the date of this notice and December 31, 2027, the committee files another report that is late, the penalty percentage increases from 2% to 4% (see next page).

If you disagree with the preliminary penalty, the committee may submit to the Commission a written request for a waiver or reduction of the preliminary penalty (an "appeal"). An appeal request must be made within 14 calendar days of your receipt of this notice. The appeal request must include a full explanation of the reasons the committee filed its report late. Upon receiving your request for an appeal, the Commission staff will schedule the hearing of your appeal for an upcoming Commission meeting.

The Commission may waive or reduce the penalty if it determines 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 the committee made a bona fide effort to file the report on time. Also, the Commission may waive or reduce 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 see below for instructions on how to pay the penalty.

Sincerely,

A handwritten signature in blue ink that reads "Heidi Hoefler".

Heidi Hoefler
Political Committee & Lobbyist Registrar

Committee Name: Grow Maine
Prior Violations: 0

Report Name	Activity Amount	Due Date	Days Late	Penalty Rate	Penalty
2026 April Quarterly	\$15,396.00	04/10/2026	6	2%	\$1,847.52

The statutory amount of the preliminary penalty is determined by the greater of total contributions or expenditures for the reporting period, multiplied by a percentage based on the number of violations in a 2-year period that resets on January 1 of each even-numbered year (see below), multiplied by the number of calendar days the report was late.

- For the first violation, 2%
- For the second violation, 4%
- For the third and each subsequent violation, 6%

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

As noted above, violations accumulate on reports filed late in the 2-year period that begins on January 1st of each even-numbered year. The waiver or reduction of a penalty does not nullify the finding of a violation for the purpose of calculating a penalty.

To make a payment, within 14 days of the date of this notice please either mail a check payable to "Treasurer, State of Maine" to us at 135 State House Station, Augusta, ME 04333-0135 or pay online at www.maine.gov/ethics by selecting the "Penalty Payment" button at the bottom right of the web page.

Sara McKee, Treasurer
Grow Maine
112 Verrill Road
Poland, ME 04274

April 23, 2026

Heidi Hoefler
Political Committee & Lobbyist Registrar
Maine Commission on Governmental Ethics and Election Practices
135 State House Station
Augusta, ME 04333-0135

Re: Appeal of Preliminary Penalty – Notice of Late Filing of 2026 April Quarterly Report (Grow Maine)

Dear Ms. Hoefler and Members of the Commission: I am writing on behalf of Grow Maine to formally appeal the preliminary penalty of \$1,847.52 assessed for the late filing of our 2026 April Quarterly Report. We respectfully request that the Commission waive the penalty in full, or in the alternative, reduce it substantially.

This is the first late-filing violation in the history of Grow Maine and the first violation for Rep. David Boyer, who has been actively involved in Maine politics for more than a decade with a perfect compliance record. The late filing occurred during a period of transition to the Commission's new ethics filing system, which proved confusing for our committee. The automated reminder emails that we have historically relied upon did not generate, and unfortunately the follow-up reminder email from you was inadvertently missed. As a result, the report was filed six days late on April 16, 2026.

Grow Maine was not active in any campaigns during this reporting period, and the six-day delay caused minimal public harm or loss of transparency. We acknowledge that the ultimate responsibility for timely filing rests with the committee, and we take that obligation seriously. However, given the confusion created by the new system, the absence of the usual automated reminders, our long history of compliance, the limited public impact, and the fact that this is a first-time violation for a committee led by an experienced filer, we believe the penalty is disproportionate.

We therefore ask the Commission to exercise its discretion under 21-A M.R.S. § 1020-A and waive (or materially reduce) the preliminary penalty considering these mitigating circumstances. We are happy to provide any additional information or appear before the Commission at the next scheduled meeting to discuss this matter. Thank you for your consideration and for the important work you do to uphold transparency in Maine elections. We remain committed to full and timely compliance going forward.

Sincerely,

Sara McKee
Treasurer
Grow Maine cc: David Boyer



**Political Action Committees (PACs) ■ Ballot Question Committees (BQCs)
 State Party Committees**

2026 Campaign Finance Reports

Filing Schedules ■ Reporting Periods ■ Filing Deadlines

Election Dates		
Primary	June 9, 2026	
General	November 3, 2026	
Regular Reports		
Name of Report	Reporting Period	Filing Deadline
First Quarter 2026	January 1 – March 31, 2026	April 10, 2026
11-Day Pre-Primary	April 1 – May 26, 2026	May 29, 2026
42-Day Post-Primary	May 27 – July 14, 2026	July 21, 2026
End of Third Quarter 2026	July 15 - September 30, 2026	October 5, 2026
11-Day Pre-General	October 1 – October 20, 2026	October 23, 2026
42-Day Post-General	October 21 – December 8, 2026	December 15, 2026
End of Fourth Quarter	December 9 – December 31, 2026	January 15, 2027
24-Hour Report for Certain Contributions or Expenditures*		
* A separate 24-hour report is not required for an expenditure reported in an Independent Expenditure report.		
Any single contribution of \$10,000 or more received or single expenditure of \$2,500 or more made by a committee during the Reporting Period must be reported no later than 11:59 p.m. on the following calendar day.		
Election	Reporting Period	
Primary	May 27 – June 8, 2026	
General	October 21 – November 2, 2026	
Independent Expenditure (“IE”) Reports		
A public communication costing more than \$1,000 that clearly identifies a candidate, advocates for a candidate’s election or defeat, was made independently of the candidate, their political committee, and agents of either, must be reported.		
Name of Report	Reporting Period	Filing Deadline
60-Day Pre-Primary IE	January 1 - April 9, 2026	April 10, 2026
2-Day Pre-Primary IE	April 10 - May 26, 2026	Within 2 calendar days of the expenditure
1-Day Pre-Primary IE	May 27 - June 8, 2026	Within 1 calendar day of the expenditure
60-Day Pre-General IE	June 9 - September 3, 2026	September 4, 2026
2-Day Pre-General IE	September 4 - October 20, 2026	Within 2 calendar days of the expenditure
1-Day Pre-General IE	October 21 - November 2, 2026	Within 1 calendar day of the expenditure
Important Information about Filing Deadlines and Penalties		
Reports are due on or before 11:59 p.m. on the day of the filing deadline. Penalties for late filings accrue daily and the penalty clock starts ticking at midnight.		

21-A M.R.S. § 1059. Report; filing requirements

A committee required to register under section 1052-A or 1053-B shall file an initial campaign finance report within 7 days of registration or within 14 days of having been required to register, whichever comes first, 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.

- 1. Contents; quarterly reports and election year reports.** [2007, ch. 443, § A-35 (RP).]
- 2. Reporting schedule.** A committee shall file reports according to the following schedule.

A. A committee 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.

B. During any year in which primary and general elections are held, a committee shall file primary and general election reports in addition to the reports required under paragraph A:

- (1) On the 11th day before the date on which the election is held, which 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, which must be complete as of the 35th day after that date.

A committee shall file primary and general election reports even if the committee did not engage in financial activity to influence the primary or general election.

C. In any election year other than a year described in paragraph B, if a committee has received contributions or made expenditures for the purpose of influencing a ballot question election, a special election or a municipal candidate or referendum election subject to Title 30-A, section 2502, the committee shall file preelection and post-election reports:

- (1) On the 11th day before the date on which the election is held, which 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, which must be complete as of the 35th day after that date.

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.

E. If a committee is required to file a report 11 days before an election pursuant to paragraph B or C, the committee shall report any single contribution of \$10,000 or more received or single expenditure of \$2,500 or more made after the 14th day before the

§ 1059. Report; filing requirements

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.

3. Report of expenditures made after the 11th day and more than 48 hours before any election. [1989, ch. 504, §§ 28, 31 (RP).]

4. Special election reports. [1989, ch. 504, §§ 28, 31 (RP).]

5. Electronic filing. A committee shall file each report required by this section through an electronic filing system developed by the commission. Notwithstanding any provision of this chapter to the contrary, for purposes of entering and retrieving information, the electronic filing system may categorize ballot question committees as a subcategory of political action committees. 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.

21-A M.R.S. § 1062-A. Failure to file on time

1. Registration. A political action committee required to register under section 1052-A, 1053-A or 1053-B or a ballot question committee required to register under section 1053-A 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.

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;

B. An error by the commission staff; or

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.

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, 2%;

B. For the 2nd violation, 4%; and

C. For the 3rd and subsequent violations, 6%.

Any penalty of less than \$25 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.

4. Maximum penalties. The maximum penalty under this subchapter is \$10,000 for reports required under section 1053-A or 1059, except that if the dollar amount of the financial activity that was not timely filed or did not substantially conform to the reporting requirements of this subchapter exceeds \$50,000, the maximum penalty is 100% of the dollar amount of that financial activity.

5. Request for commission determination. If a committee files a report required under this subchapter late, a notice of preliminary penalty must be forwarded to the treasurer of the 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.

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 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 committee. A detailed summary of all notices must be provided to the commission.

7. List of late-filing committees. [2025, ch. 224, § 26 (RP).]

8. Penalties for failure to file report. If the commission staff finds that a committee or other person has failed to file a report required under this subchapter, the commission staff shall send by regular mail and e-mail a notice to the committee treasurer or other responsible officer within 3 business days following the filing deadline informing the committee treasurer or other responsible officer that the report has not been received. If the report remains unfiled after 10 days, the commission staff shall send another notice by regular mail and e-mail. If the committee or other person has not filed the report after these 2 notices, commission staff may refer the violation to the commission, which may, after providing notice and an opportunity to be heard, determine whether a violation has occurred and, if so, the amount of any penalty. The maximum penalty for failure to file a report required under section 1059 is \$10,000 or the amount of financial activity not reported, whichever is greater. A person who fails to file a report as required by this subchapter after the commission has sent the first 2 notices required in this subsection is guilty of a Class E crime, except that, if a penalty is assessed pursuant to this subsection and collected by the commission, the State may not prosecute a violation under this subsection.

8-A. Penalties for failure to file report. [2025, ch. 224, § 28 (RP).]

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.