



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

To: Commissioners
 From: Martha Currier, Assistant Director
 Date: March 11, 2022
 Re: Piscataquis County Republican Committee – Waiver Request

On January 25, 2022, the Piscataquis County Republican Committee (the “Committee”) filed a January Semiannual Report, which was due on January 18, 2022 covering activity 1/1/2021-12/31/2021. Commission staff assessed a preliminary penalty for the Committee’s activity based on the statutory guidelines.¹ The Committee filed a timely request for a waiver of the \$500 penalty.

LEGAL REQUIREMENTS

Local activists in Maine’s political parties may form committees at the municipal or county levels (*e.g.*, the Portland Democratic Committee or the Knox County Republican Committee). These committees are required to file one to three campaign finance reports with the Commission per year if the contributions it has received, and expenditures made during the year exceed \$1,500; otherwise, they are exempt from reporting.

Registration of Local Party Committees. Every year in which a general election is scheduled, the State Party Committees shall submit to the Commission a consolidated report of all officers for each local party committee. 21-A M.R.S. § 1013-A(3).

Local Party Committee Filing Schedule. During a non-election year, local party committees must file reports on July 15th, and on January 15th. A local party committee that receives and

¹ Commission staff erred by issuing a preliminary penalty notice for \$1,353.94 on 1/26/2022. After realizing the statutory maximum in this case is \$500, an amended penalty notice was issued on 3/11/2022.

expends less than \$1,500 in one calendar year is exempt from the reporting requirements for that year. 21-A M.R.S. §§ 1017-A(4-B) & (7).

Penalties. The penalty for a late filing of a report is a statutory calculation that considers the total contributions or expenditures for the filing period, the number of days late, and a statutory percentage. 21-A M.R.S. § 1020-A(4-A). The maximum penalty for municipal, district and county committees under this section is \$500. 21-A M.R.S. § 1020-A(5-A)(D)

Waivers. The Commission may waive a penalty in whole or in part if the penalty is disproportionate to the size of the campaign, level of experience of the officers, or the harm suffered by the public from the late disclosure. The Commission may also waive the penalty, in whole or in part, if the Commission finds mitigating circumstances. 21-A M.R.S. § 1020-A(5-A)(D).

DISCUSSION AND STAFF RECOMMENDATION

Based on the statutory formula for calculating late-filed report penalties, the preliminary penalty amount is \$500, calculated as follows:

Report	Date Due	Financial Activity	Penalty Rate	Days Late	Preliminary Penalty
2021 January Semiannual Report	1/18/2022	\$9,671.07	2%	7	\$500 (MAX)

The Committee's treasurer, Johanna D. Turner, requests a waiver. The Committee contends that, due to a lack of experience (this was her first time as a party treasurer), lack of activity by the committee for the last four years, and her inability to reach out to the Commission during business hours due to her employment, and difficulty reaching Commission staff all contributed to the late filing of the report.

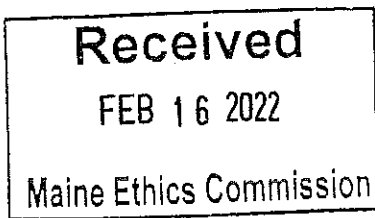
Ms. Turner reached out to the Commission staff when she became aware that a report was due from their committee based on financial activity on 1/21/2022. Unfortunately, this was during the timeframe when the former PAC, Party and Lobbyist Registrar was transitioning out of the office and staff were unable to respond to her until 1/24/2022. Additionally, we experienced challenges getting her login credentials working on our e-filing website so she could file the necessary report. Once resolved, she was able to file the report on 1/25/2022.

Precedent. When local party committees file campaign finance reports late, the Commission has a history of treating them with a greater degree of leniency compared to other filers, due to the difficulty of notifying the correct officers of the filing deadlines, the lack of training available to treasurers and other officers, and the scarcity of funds with which to pay financial penalties. The Commission's most recent precedent regarding local party committee waivers occurred at the February 2021 meeting when three late local party committee reports for the 11-Day Pre-General campaign finance report were all reduced from \$500 to \$100 (the Kittery Democratic Committee, the York Town Republican Committee, and the Madison Republican Committee of Maine).

Recommendation. Commission staff recommends a reduction of the penalty to \$100.

Commission staff credits that the Committee has very little experience and that there was no intent to deceive the public. A penalty in this range seems more proportional to the harm suffered by the public, the presented mitigating factors, and the Commission's history with similar cases.

Thank you for your attention in this matter.



Johanna D. Turner
Piscataquis County Republican Committee
13 Atkinson Road
Dover Foxcroft, ME 04426

February 8, 2022

State of Maine
Commission on Governmental Ethics
And Election Practices
135 State House Station
Augusta, ME 04333-0135

Re: Late Filing of 2022 Local Party Committee January Semiannual Report

Dear Commission Staff:

I have received your letter regarding the penalty that was assessed due to the late filing of our 2022 Local Party Committee January Semiannual campaign finance report.

I am writing this letter to request that the Commission waive the penalty. Our committee has been quite stagnant the past few years with no donations or fundraising revenues coming into the account and, on the other side of things, no expenditures going out. We had a new committee chair elected in 2021 and she has worked hard to revitalize the committee and generate some revenue via fundraising and seeking donations. For the first time in at least 4 years we have had account activity.

Because I had not dealt with ethics report filing for the committee before I was not aware of the deadline to file. When my board chair reached out to ask me if we needed to file a report, I started looking into it. Because I work multiple jobs and work until 4 or 5 weekdays, I had to try to figure it out after hours when I was not able to call to ask the questions I needed such as "how do I get a log in?" I sent an email to Michael Dunn on January 21st to ask for assistance because I could not find where I could log in or register and needed to know what to do. Mr. Dunn forwarded my email to Martha as he was transitioning out of the office. Martha reached out to me on Monday, got the information she needed to update me as the treasurer for the committee which she told me would generate an email with an electronic filing password. She also provided me with the link to sign in page. Additionally, Martha let me know the report was late and was accruing a penalty. It was after work when I was able to go in to file but I still had not received the password. I took time off from work on Tuesday the 25th, I reached out to Martha to let her know I still hadn't received an email. Martha provided me with a username and password. I tried to log in and got an error message that the user name was incorrect, I also got an invalid message when I tried the password. I tried to use the retrieval links for

username/password and was also unsuccessful. I reached back out to Martha who was able to help me and get me in to where I needed to be. I was able to get my report in and filed on Tuesday the 25th.

I am asking that you consider a waiver based on my newness in this role and unawareness of the filing deadlines and requirements. I would also ask that you consider that the committee has not had previous delinquencies.

Marth was very helpful and easy to work with and I do really appreciate that! I felt frustrated and helpless, and she really made a difference.

I have enclosed our email thread for your reference and to validate the contents and timeline of this letter.

Thank you for your consideration.

A handwritten signature in black ink that reads "Johanna Turner". The signature is written in a cursive, flowing style.

Johanna Turner, Treasurer
Piscataquis County Republican Committee

Fw: Piscataquis County Republicans

From: Johanna Turner (johannaturner@yahoo.com)

To: johannaturner@yahoo.com

Date: Wednesday, February 9, 2022, 02:36 PM EST

----- Forwarded Message -----

From: Johanna Turner <johannaturner@yahoo.com>
To: Currier, Martha <Martha.Currier@maine.gov>
Sent: Tuesday, January 25, 2022, 12:59:47 PM EST
Subject: Re: Piscataquis County Republicans

it worked for me this time. thank you so much!!

On Tuesday, January 25, 2022, 12:50:46 PM EST, Currier, Martha <martha.currier@maine.gov> wrote:

Something weird happened, but I have confirmed that

LOGIN CREDENTIALS

Does work – I just logged in as you here.

From: Johanna Turner <johannaturner@yahoo.com>
Sent: Tuesday, January 25, 2022 12:31 PM
To: Currier, Martha <Martha.Currier@maine.gov>
Subject: Re: Piscataquis County Republicans

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

So after your last email i got this message:

Thank you for registering with the Maine Ethics Commission.

This email has your username and a link to set up your password to access the electronic filing system for political candidates, political committees and lobbyists in Maine. Please click the link and follow the instructions to create a password. Please create a password as soon as possible.

If you already have an active user name and password and would like to use one user name and password for both accounts, contact the Commission Staff. (This option is not available for candidates.)

Your username: .

Password link: <https://mainecampaignfinance.com/#/RetrievePassword/f3366de1-5c43-40b0-9f06-8969baa7edb3>

When you want to return to the e-filing system, please use this link - <https://mainecampaignfinance.com/> - and click Filer Login and enter your user name and password.

If you believe you've received this email in error or have any questions, please contact the Commission Staff.

Thank you,
Maine Ethics Commission Staff
(207) 287-4179
ethics@maine.gov

I tried to log in with what you gave me and it said it was incorrect. then I tried the password link in the above email and it said it was invalid. I tried to use my email address and clicked the "I forgot my username" link and got this message...

A request has been made to contact you with your User Name information for the Ethics Disclosure or Campaign Finance Filer System. This email is in response to that request.

Your User Name information has been provided in the table below. Please note that each application has a unique User Name.

APPLICATION	NAME	USER NAME	ROLE	FILER	EMAIL	STATUS
Campaign Finance Reports	Johanna Turner		Treasurer	Piscataquis Republican County Committee	johannaturner@yahoo.com	Active

If you are an active user in the Campaign finance System for multiple committees (political action committees, ballot question committees, and political party committees only) and would like to merge multiple User Names into one account in order to access your multiple committees with a single User Name, please contact the Maine Ethics Commission staff for assistance.

If you did not make this request or have any question, please contact the Maine Ethics Commission Staff.

I tried logging in with the security question or answer. but didn't know the password and when I hit the "I forgot my password" I didn't know the

I don't know what to do next!

Sorry to make this so convoluted!

On Tuesday, January 25, 2022, 11:28:47 AM EST, Currier, Martha <martha.currier@maine.gov> wrote:

I'm not sure where things went wrong, but I think you should be all set now.

Username: J

Password: ;

Penalties are calculated based on the total number of contributions or expenditures received – whichever is greater – multiplied by 2% for the first violation of the committee during a two year period starting, in this case, with 2022.

The Local Party Committee Guidebook is on our [website](#) and should answer many of your questions.

Martha

From: Johanna Turner <johannaturner@yahoo.com>
Sent: Tuesday, January 25, 2022 10:22 AM
To: Currier, Martha <Martha.Currier@maine.gov>
Subject: Re: Piscataquis County Republicans

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you for your help!

I have not seen any email with the efilng password. I've checked my spam folder. Should I just be patient?

Also, do you know how the penalties accrue?

Have a good day!

Johanna

On Monday, January 24, 2022, 12:12:09 PM EST, Currier, Martha <martha.currier@maine.gov> wrote:

I've updated you as the treasurer for the committee and you will be receiving an email with notification of your electronic filing password. If you do not see it in your inbox, it sometimes ends up in the junk folder. The website for filing this report is <https://mainecampaignfinance.com/#/index> and you'll sign in through the Register/Sign in button on the top right of the screen.

Please note that penalties accrue daily, so filing your report ASAP is critically important to reduce the amount of your penalty.

Martha

From: Johanna Turner <johannaturner@yahoo.com>
Sent: Monday, January 24, 2022 10:14 AM
To: Currier, Martha <Martha.Currier@maine.gov>
Subject: Re: Piscataquis County Republicans

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

my mailing address is

13 Atkinson Road
Dover Foxcroft, ME 04426

Thanks!

On Monday, January 24, 2022, 09:53:58 AM EST, Currier, Martha <martha.currier@maine.gov> wrote:

Ms. Turner,

Mr. Dunn forwarded me your email as he is transitioning out of the office this week. The deadline to file the most recent report was last Tuesday, so in order to avoid daily accumulating penalties I would like to help you as soon as possible.

In order to get you into our system, please provide me with your address.

Thank you,

Martha

Martha Currier

Assistant Director
Maine Ethics Commission

135 S.H.S.

Augusta, ME 04333-0135

Direct (207) 287-3024

Main (207) 287-4179

From: Johanna Turner <johannaturner@yahoo.com>
Sent: Friday, January 21, 2022 4:22 PM
To: Dunn, Michael <Michael.Dunn@maine.gov>
Subject: Piscataquis County Republicans

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi there:

I am hoping you can help me. I am the treasurer for the Piscataquis County Republican Committee and it has come to my attention that we need to file a report with ethics because we raised over \$1500. I can not find where I can log in or register. I need to know what to do.

thanks!

Johanna Turner

207-717-5479



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

March 11, 2022

AMENDED NOTICE

Johanna Turner
Piscataquis Republican County Committee
13 Atkinson Road
Dover-Foxcroft, ME 04426

Re: Late Filing of Piscataquis Republican County Committee's 2022 January Semiannual

Dear Ms. Turner:

This is amended preliminary penalty notice is to replace the one sent to you on 1/26/2022, which erroneously calculated the preliminary penalty amount. The statutory maximum for late local party committee reports is \$500.

The Commission staff has made a finding that the Piscataquis Republican County Committee (the Committee) was late in filing its 2022 Local Party Committee January Semiannual campaign finance report. The report was due by 11:59 p.m. on 1/18/2022 but was not filed until 01/25/2022. Under the Commission's statutes, the late filing of a 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 the PAC's history of violations, the Commission staff has determined that a penalty of \$500.00 is owed. (Please see attached penalty matrix for the calculation.)

Your request for waiver received on 2/16/2022 will be considered at the next Commission meeting on March 30th. 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) 287-3024 or email at Martha.Currier@Maine.Gov if you have questions.

Sincerely,

A handwritten signature in blue ink that reads "Martha Currier".

Martha Currier
Assistant Director

PAYMENT RECEIPT
(Please enclose with payment.)

Mail payment to:

Maine Ethics Commission
135 State House Station
Augusta, ME 04333

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

Johanna Turner
Piscataquis Republican County Committee
13 Atkinson Road
Dover-Foxcroft, ME 04426

Violation: Late 2022 Local Party Committee January Semiannual Report
Amount Due: \$500.00

Committee Name: Piscataquis Republican County Committee

Prior Violations: None

Report Name	Activity Amount	Due Date	Days Late	Penalty Rate	Penalty
2022 Local Party Committee January Semiannual Report	\$9,671.07	1/18/2022	7	2%	\$500.00

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, 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.

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.

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.

MAXIMUM PENALTIES

21-A M.R.S. §1020-A(5)(A)

Five hundred dollars for municipal, district and county committees for reports required under section 1017-A, subsection 4-B.



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

2022 CAMPAIGN FINANCE REPORT

FOR PARTY COMMITTEES

COMMITTEE		TREASURER	
Piscataquis Republican County Committee 13 Atkinson Road Dover-Foxcroft, ME 04426 PHONE:(207) 717-5479 EMAIL: johannaturner@yahoo.com		Ms. Johanna Turner 13 Atkinson Road Dover Foxcroft, ME 04426 PHONE: EMAIL: johannaturner@yahoo.com	
REPORT	DUE DATE	REPORTING PERIOD	
2022 January Semiannual Report - Local Party Committee	01/18/2022	01/01/2021 - 12/31/2021	

FINANCIAL ACTIVITY SUMMARY

RECEIPTS	TOTAL FOR PERIOD	TOTAL FOR YEAR
1. CASH CONTRIBUTIONS (SCHEDULE A)	\$9,671.07	\$9,671.07
2. OTHER CASH RECEIPTS (INTEREST, ETC.)	\$0.00	\$0.00
3. LOANS (SCHEDULE C)	\$0.00	\$0.00
4. TOTAL RECEIPTS (LINE 1 + 2 + 3)	\$9,671.07	\$9,671.07
EXPENDITURES		
5. EXPENDITURES TO SUPPORT OR OPPOSE (SCHEDULE B)	\$0.00	\$0.00
6. OPERATING EXPENDITURES (SCHEDULE B-1)	\$1,525.09	\$1,525.09
7. LOAN REPAYMENTS (SCHEDULE C)	\$0.00	\$0.00
8. TOTAL PAYMENTS (LINE 5 + 6 + 7)	\$1,525.09	\$1,525.09
OTHER ACTIVITY		
9. IN-KIND CONTRIBUTIONS (SCHEDULE A-1)	\$0.00	\$0.00
10. TOTAL LOAN BALANCE AT END OF PERIOD (SCHEDULE C)	\$0.00	
11. TOTAL UNPAID DEBTS AT END OF PERIOD (SCHEDULE D)	\$0.00	

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

REPORT FILED BY: Johanna Turner
REPORT FILED ON: 1/25/2022 7:28:09 PM
LAST MODIFIED:
COMMITTEE ID: 2154

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	EMPLOYER AND OCCUPATION	TYPE	AMOUNT
7/14/2021	Contributors giving \$200 or less	Donations and Donation Jar at Redemption Center	14	\$142.35
7/14/2021	Contributors giving \$200 or less	Donations from Redemption Center	14	\$104.60
7/14/2021	Contributors giving \$200 or less	Donations from Redemption Center	14	\$12.00
7/14/2021	Contributors giving \$200 or less	Raffle Tickets	14	\$880.00
7/15/2021	Contributors giving \$200 or less	Raffle Tickets	14	\$590.00
7/17/2021	Contributors giving \$200 or less	Raffle Tickets	14	\$1,080.00
7/25/2021	Contributors giving \$200 or less	Raffle Tickets	14	\$450.00
8/14/2021	Contributors giving \$200 or less	Donations from Redemption Center	14	\$25.10
8/30/2021	Contributors giving \$200 or less	Raffle Tickets	14	\$4,430.00

8/30/2021	Contributors giving \$200 or less	donations	14	\$431.82
9/2/2021	Contributors giving \$200 or less	raffle	14	\$295.00
9/13/2021	Maine GOP 9 Higgins Street Augusta, ME, 04330	Donation to help with Office Expenses	6	\$1,000.00
9/27/2021	Contributors giving \$200 or less	Donations	14	\$68.65
12/15/2021	Contributors giving \$200 or less	Bumper sticker sales and Donations	14	\$161.55
TOTAL CASH CONTRIBUTIONS				\$9,671.07

**SCHEDULE B-1
OPERATING EXPENDITURES**

EXPENDITURE TYPES				
APP	Apparel (t-shirts, hats, embroidery, etc.)	CON	Contribution to party committee, non-profit, other candidate, etc.	
EQP	Equipment of \$50 or more (computer, tablet, phone, furniture, etc.)	EVT	Campaign and fundraising events (venue or booth rental, entertainment, supplies, etc.)	
FOD	Food for campaign events or volunteers, catering	HRD	Hardware and small tools (hammer, nails, lumber, paint, etc.)	
LIT	Printed campaign materials (palmcards, signs, stickers, flyers, etc.)	MHS	Mail house and direct mail (design, printing, mailing, and postage all included)	
NEW	Newspaper and print media ads only	OFF	Office supplies, rent, utilities, internet service, phone minutes and data	
ONL	Social media and online advertising only	OTH	Other and fees (bank, contribution, and money order fees, etc.)	
PER	Personnel and campaign staff, consulting, and independent contractor costs	PHO	Phones (phone banking, robocalls and texts)	
POL	Polling and survey research	POS	Postage for U.S. Mail and mail box fees	
PRO	Professional services (graphic design, legal services, web design, etc.)	RAD	Radio ads, production costs	
TKT	Entrance cost to event (bean suppers, fairs, party events, etc.)	TRV	Travel (fuel, mileage, lodging, etc.)	
TVN	TV/cable ads, production, and media buyer costs only	WEB	Website and internet costs (website domain and registration, etc.)	
DATE OF EXPENDITURE	PAYEE	REMARK	TYPE	AMOUNT
1/20/2021	Piscataquis County Chamber of Commerce 1033 Soth Street Dover Foxcroft, ME, 04426	Membership Dues	OTH	\$180.00
8/5/2021	Build A Sign 11525A Stonehollow Dr Suite 100 Austin, TX, 78758	Bumper Stickers	APP	\$422.00
8/19/2021	Build A Sign 11525A Stonehollow Dr Suite 100 Austin, TX, 78758	Campaign Signs	LIT	\$104.80
9/2/2021	Windham Weaponry 999 Roosevelt Trail Suite 22 Windham, ME, 04062	Raffle prize	OTH	\$502.50
10/25/2021	Red Maple Inn North Main Street Guilford, ME, 04443	Lodging for speaker coming to speak at county meeting	EVT	\$103.55
11/3/2021	Mission Impizzable West Main Street Dover Foxcroft, ME, 04426	Food for workers on election day - sign wave	FOD	\$39.18
11/4/2021	Dave's World 16 Summer Street Dover-Foxcroft, ME, 04426	Office Phone	PHO	\$141.44
11/5/2021	Home Depot STILLWATER AVENUE BANGOR, ME, 04401	Heater for Office	OFF	\$31.62
TOTAL OPERATING EXPENDITURES				\$1,525.09

Title 21-A Maine Revised Statutes

§1013-A. Registration

...

3. Party committees. The district, county and municipal committees of parties shall submit to their state party committees the names, mailing addresses and e-mail addresses of all their officers and of their treasurers and the name and address of the principal paid employee, if any, within 10 days after the appointment, election or hiring of these persons. Municipal committees shall file copies of the same information with the municipal clerk. No later than June 15th of each year, the state party committee shall submit to the commission a consolidated report of the names, mailing addresses and e-mail addresses of the chair and treasurer of the district, county and municipal committees of that party or of another officer if a chair or treasurer has not been appointed.

[PL 2021, c. 132, §4 (AMD).]

...

§1017-A. Reports of contributions and expenditures by party committees

...

4-B. Filing schedule for municipal, district and county party committees. Municipal, district and county party committees shall file reports according to the following schedule.

A. Reports filed during an election year must be filed with the commission by 11:59 p.m. on:

(1) July 15th and be complete as of June 30th;

(2) The 11th day before the date on which the general election is held and must be complete up to the 14th day before that date; and

(3) January 15th and be complete as of December 31st. [PL 2009, c. 190, Pt. A, §12 (AMD).]

B. Reports filed during a nonelection year must be filed by 11:59 p.m. on:

(1) July 15th and be complete as of June 30th; and

(2) January 15th and be complete as of December 31st. [PL 2007, c. 443, Pt. A, §17 (AMD).]

C. A committee shall report any single contribution of \$5,000 or more received or any expenditure of \$1,000 or more made after the 14th day before a general or special election and more than 24 hours before 11:59 p.m. on the day of the election within 24 hours of that contribution or expenditure. The committee 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. [PL 2019, c. 323, §13 (AMD).]

[PL 2019, c. 323, §13 (AMD).]

4-C. Electronic filing. State party 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 party committee submits a written request that states that the party committee lacks access to the technology or the technological ability to file reports electronically. The request for an exception must be submitted by March 1st of the election year. The commission shall grant all reasonable requests for exceptions.

[PL 2007, c. 443, Pt. A, §17 (AMD).]

5. Penalties. A party committee is subject to the penalties in section 1020-A, subsection 4-A. [RR 2003, c. 1, §13 (COR).]

6. Notice; forms. A state party committee shall notify all county, district and municipal party committees of the same political party of the party committee reporting requirements. The party committees shall obtain the necessary forms from the commission to complete the filing requirements. [PL 1991, c. 839, §23 (NEW); PL 1991, c. 839, §33 (AFF).]

7. Exemption. Any party committee receiving and expending less than \$1,500 in one calendar year is exempt from the reporting requirements of this section for that year. [PL 1991, c. 839, §23 (NEW); PL 1991, c. 839, §33 (AFF).]

...

§1020-A. Failure to file on time

...

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

A. A valid emergency determined by the commission, in the interest of the sound administration of justice, to warrant the waiver of the penalty in whole or in part; [PL 1999, c. 729, §5 (AMD).]

B. An error by the commission staff; [PL 1999, c. 729, §5 (AMD).]

C. Failure to receive notice of the filing deadline; or [PL 1999, c. 729, §5 (AMD).]

D. Other circumstances determined by the commission that warrant mitigation of the penalty, based upon relevant evidence presented that a bona fide effort was made to file the report in accordance with the statutory requirements, including, but not limited to, unexplained delays in postal service or interruptions in Internet service. [PL 2009, c. 190, Pt. A, §13 (AMD).]
[PL 2009, c. 190, Pt. A, §13 (AMD).]

3. Municipal campaign finance reports. Municipal campaign finance reports must be filed, subject to all the provisions of this subchapter, with the municipal clerk on forms prescribed by the Commission on Governmental Ethics and Election Practices. The municipal clerk shall send any notice of lateness required by subsection 6 and shall notify the commission of any late reports subject to a penalty.

[PL 2011, c. 389, §22 (AMD); PL 2011, c. 389, §62 (AFF).]

4. Basis for penalties.

[PL 2001, c. 470, §7 (AMD); MRSA 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, 2%; [IB 2015, c. 1, §7 (AMD).]
- B. For the 2nd violation, 4%; and [IB 2015, c. 1, §7 (AMD).]
- C. For the 3rd and subsequent violations, 6%. [IB 2015, c. 1, §7 (AMD).]

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.

[IB 2015, c. 1, §7 (AMD).]

5. Maximum penalties.

[PL 2001, c. 470, §8 (AMD); MRSA T. 21-A §1020-A, sub-§5 (RP).]

5-A. Maximum penalties. Penalties assessed under this subchapter may not exceed:

A. Five thousand dollars for reports required under section 1017, subsection 2, paragraph B, C, D, E or H; section 1017, subsection 3-A, paragraph B, C, D, D-1 or F; and section 1017, subsection 4, 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; [PL 2019, c. 323, §19 (AMD).]

A-1. Five thousand dollars for reports required under section 1019-B, subsection 4, 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; [PL 2019, c. 323, §19 (AMD).]

B. Five thousand dollars for state party committee reports required under section 1017-A, subsection 4-A, paragraphs A, B, C and E, 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; [PL 2019, c. 323, §19 (AMD).]

C. One thousand dollars for reports required under section 1017, subsection 2, paragraphs A and F and section 1017, subsection 3-A, paragraphs A and E; or [PL 2011, c. 558, §4 (AMD).]

D. Five hundred dollars for municipal, district and county committees for reports required under section 1017-A, subsection 4-B. [PL 2011, c. 558, §4 (AMD).]

E. [PL 2011, c. 558, §5 (RP).]

[PL 2019, c. 323, §19 (AMD).]

...