



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: June 12, 2026
Re: Request for Waiver of Late Filing Penalty by Representative James Thorne

Representative James Thorne is an experienced candidate running for House. He is financing his campaign through the Maine Clean Election Act program. Rep. Thorne was required to file the 11-Day Pre-Primary Report by 11:59 p.m. on May 29, 2026. The report was filed on June 1, three days late. The preliminary penalty for the late report is \$34.50, and Rep. Thorne is requesting a full waiver of the penalty.

LEGAL REQUIREMENTS

Candidates for Legislature are required to file the 11-Day Pre-Primary Report no later than 11:59 p.m. on the 11th day before the date on which an election is held and must be complete for the filing period as of the 14th day before that date. 21-A M.R.S. § 1017(3-A)(C). When a candidate files a late campaign finance report, the amount of the preliminary penalty is set by a statutory formula which takes into consideration a percentage of the total contributions or expenditures, whichever is greater, the number of prior violations within a two-year period, and the number of days the report is late. 21-A M.R.S. § 1020-A(4-A). The candidate may request a waiver of the preliminary penalty due to mitigating circumstances under § 1020-A(2)&(6).

DISCUSSION

On May 22, Candidate Registrar Erin Gordon sent an email reminder to all candidates assigned the 11-Day Pre-Primary Report one week before the May 29 filing deadline. Ms. Gordon sent another email early in the afternoon of May 29 to any candidates who had not yet filed the report, advising them that if they were receiving the email, the report still needed to be filed. This email contained a reminder that the treasurer, not the candidate, must file reports for MCEA candidates. Rep. Thorne and his treasurer, Thomas Thorne, received both emails.

Based on the statutory formula for late-filing penalties, the preliminary penalty amount is \$34.50, calculated as follows:

Report	Deadline	Financial Activity	Penalty Rate	Days Late	Preliminary Penalty
11-Day Pre-Primary Report	05/29/2026	\$575.00	2%	3	\$34.50

In his waiver request, Rep. Thorne states that his treasurer misread the first reminder email as a notice of 11 days remaining to file the report. Neither Rep. Thorne nor his treasurer checked their email on the day the report was due. On Monday, receiving an email from Ms. Gordon that the report was now overdue, Rep. Thorne contacted his treasurer and the report was filed.

STAFF RECOMMENDATION

Timely campaign finance reports are an integral part of campaign finance transparency and disclosure. The Legislature deems timely filing to be of the utmost importance, as the statute requires late-filing penalties to increase by each day past the due date the report is filed. All campaigns are expected to pay attention to and meet all reporting deadlines, especially when multiple reminders are sent for each due date. Even when candidates have missed deadlines acting in good faith, the Commission has assessed penalties to reinforce the importance of filing campaign finance reports on time.

A chart of candidate penalties since 2018 is attached. In recent election years, the Commission generally has reduced late-filing penalties against candidates to a range of \$300 - \$350. The most recent examples, from the 2024 election cycle, are:

- from \$1,117.21 to \$300 – late 42-Day Post-General Report by Holly Rae Eaton
- from \$1,938.64 to 300 – late 24-Hour Report by Laura Supica
- from \$1,851.80 to 300 – late 24-Hour Report by Reda Edelman

The Commission has generally declined to waive preliminary penalties that were already below \$300, most recently:

- \$184.43 – late 11-Day Pre-Primary Report by Kevin Freeman
- \$43.98 – late 24-Hour Report by Scott Cyrway
- \$64.90 – late 42-Day Pre-General Report by Flavia DeBrito

Because Rep. Thorne's preliminary penalty of \$34.50 is already below the usual range of penalties when a candidate files a campaign finance report late, the Commission staff does not recommend a waiver of the penalty or violation.

Attn: Maine Ethics Commission
RE: Late Filing Penalty
(11-Day Pre-Primary Report)

James E. Thorne
House District 35 Candidate
458 Irish Rd
Carmel, ME 04419

Dear Commission Members,

I am submitting this request for waiver of penalty for late filing of the 11 day pre-primary report on behalf of my campaign and my treasurer, Thomas N. Thorne.

Early in the week that this report was due, I spoke with my treasurer, also my older brother, Thomas N. Thorne, about receiving an email notice about this report being due. He confirmed that he had received the email and that he would file it.

Neither of us checked our email on that Friday that the report was due. On the following Monday, I noticed the email from ethics, stating that the report had not been received and was now late. I called my brother and asked him if he had filed the report. He said he had not, that he understood he had 11 days to file from the date of the email notification, the previous week. I told him it was not an "11 day notice", but that it was the name of the report that was required to be filed by last Friday!

My treasurer misinterpreted the name of the report with how many days he had to file it, upon receipt of the email. While I understand that attention-to-detail from a 71 year old CPA is not an excuse, it is the reason this report was not filed on time. I also know that procrastination on my treasurer's part to put off filing this report, as long as he did, is also not an excuse, but it is the reason.

I have made it a point to keep my Campaign finances as simple as possible, in order to make my treasurer's responsibilities as light as possible, not spending any of the money, or collecting more than the minimum number of Qualifying Contributions, for the ease of reporting and filing.

I have since had a very pointed "Come-to-Jesus" conversation with my treasurer, about the importance of filing these reports ahead of deadline, for this very reason. Know that I have made it a point to run clean, ethical campaigns thus far (3 previous, successful campaigns) and would like to continue doing so, without the blemish of an imposed penalty, if at all possible.

I am not sure if any of the other candidates' treasurers were misled or thrown off by the name of this 11 day pre-primary report, and had late filings, but I feel that the name of the report was as much the cause for my treasurers late filing, as was his propensity for procrastination.

Thank you for your consideration on this matter, and please know it's not the amount of the fine, as much as it is the principle of an imposed penalty, without intended malice.

Jim Thorne, candidate
House District 35
Carmel • Hermon

Filing Details

[Go to Filer Profile](#)

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View filing information and itemized transactions

ID	d_01kt2bgyc1f7bs52mmrz7pztwa
Report Type	Mcea Campaign Finance
Report Status	Filed
Version	0
Created At	June 01, 2026 15:45
Submitted By	Thomas Thorne
Date Submitted	June 01, 2026 15:46

Filing Information

Report Name	11 Day Pre Primary Mcea Report
Reporting Period	April 24, 2026 - May 26, 2026
Report Due Date	May 29, 2026 23:59
Filer	James E Thorne
Version of Report	Original

Filer Information

Name	James E Thorne
Email	jimthorneformaine@gmail.com

Phone Number	(207) 735-5827
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Treasurer Information

Name	Thomas Thorne
Email	tntcpa2003@aol.com

Filing Summary

Balance at the Beginning of the Period	\$100.00
Total MCEA Payments	\$575.00
Total Bank Interest	\$0.00
Total Expenditures	\$0.00
Return of MCEA Funds	\$0.00
Balance at the End of the Period	\$675.00
Debt Balance	\$0.00

Itemized Monetary Contributions

No itemized monetary contributions reported

Returned Monetary Contributions

No returned monetary contributions reported

Itemized In-Kind Contributions

No itemized in-kind contributions reported

Returned In-Kind Contributions

No returned in-kind contributions reported

Bank Interest

No bank interest reported

Returned Bank Interest

No returned bank interest reported

Previous Campaign Transfers

No previous campaign transfers reported

Returned Previous Campaign Transfers

No returned previous campaign transfers reported

Expenditures

No expenditures reported

Returned Expenditures

No returned expenditures reported

MCEA Payments

Transaction Type	Date	Amount
Mcea Payment	April 24, 2026	\$575.00
Contact Type	Name	Address
Individual	—	—

Returned MCEA Funds

No returned MCEA funds reported

Debts

No debts reported

Debt Payments

No debt payments reported

Loans

No loans reported

Loan Forgivenesses

No loan forgivenesses reported

Loan Payments

No loan payments reported

Open Debts

No debts reported

Open Loans

No loans reported

Certification

Certification Acknowledged Yes

Certification Statement I, Thomas Thorne, certify that the information contained in this report is true, accurate, and complete to the best of my knowledge.

Certified By Thomas Thorne

Certified By Email tntcpa2003@aol.com

Certification Date June 01, 2026 15:46



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

June 2, 2026

James Thorne
458 Irish Road
Carmel, Maine 04419

Re: Notice of Violation and Penalty for Late-Filed 11-Day Pre-Primary Report

Dear Rep. Thorne:

You were required to file the 11-Day Pre-Primary Report on May 29, 2026 by 11:59 p.m. (21-A M.R.S. § 1017 (3-A)(B)), but the report was not filed until June 1, 2026. Under the Commission's statutes, the late filing of a report triggers an enforcement process (21-A M.R.S. § 1020-A(4-A)). The Commission staff has made a preliminary finding of violation and determined the preliminary penalty for filing the report late is **\$34.50**. Please see the next page for the penalty calculation.

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

The Commission may waive or reduce the penalty or find there was no violation 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 that a bona fide effort was made to file the report on time. (21-A M.R.S. § 1020-A(2)) The Commission may also consider whether the penalty is disproportionate to the size of the candidate's campaign, the level of experience of the candidate, treasurer or campaign staff, or the harm to the public caused by the late disclosure.

The staff requests you pay the preliminary penalty within 14 days of the date of your receipt of this notice if you do not intend to request a waiver. Please use the payment statement on the next page when paying by mail. You may also make a payment online at www.maine.gov/ethics by clicking the "Penalty Payment" link. Please contact me at (207) 287-3651 or erin.gordon@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 \$25 is automatically waived.

How Your Penalty Was Calculated

Filer: James Thorne			
Late-Filed Report: 11-Day Pre-Primary Report			
Contributions	\$575.00	Penalty Base Amount	\$575.00
Expenditures	\$0	Percentage	2%
Due Date	05/29/2026	Daily Accrual Rate	\$11.50
Date Filed	06/01/2026	Days Late	3
Previous Violations	0	Your Total Penalty	\$34.50

Payment Statement and Payment Options

From: James Thorne

Penalty Amount: \$34.50

Amount Enclosed: _____

Check/M.O. #: _____

BY MAIL: Enclose this payment statement with your payment.

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

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

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

Gordon, Erin

From: Gordon, Erin
Sent: Friday, May 22, 2026 10:25 AM
Subject: REMINDER: 11-Day Pre-Primary Report Due Next Friday

Good morning, Candidates and Treasurers:

The 11-Day Pre-Primary Report is due **next Friday, May 29, 2026, by 11:59 p.m.** This report covers your campaign activity through May 26. The report is filed online at our new eFiling site, www.mainecampaignfinancedisclosure.com.

HOW TO ENTER TRANSACTIONS: <https://maine-disclosure-system.refined.site/space/MESUPPORT/2563670019/Add+a+transaction>

HOW TO FILE: <https://maine-disclosure-system.refined.site/space/MESUPPORT/2564521988/File+a+campaign+finance+report>

- Please note that the report is not completely filed until you check the box affirming its accuracy and click **Submit**.

If you have not logged into the new site yet, let me know as soon as possible so that we can get you set up.

Please let me know if you have any questions. Thank you,

Erin Gordon

Candidate Registrar

Maine Ethics Commission

(207) 287-3651 | www.maine.gov/ethics

135 State House Station, Augusta, ME 04333-0135

45 Memorial Circle, Augusta, ME

Gordon, Erin

From: Gordon, Erin
Sent: Friday, May 29, 2026 2:03 PM
Subject: REPORT DUE TODAY: 11-Day Pre-Primary Report

Good afternoon, candidates and treasurers,

You are receiving this email because your campaign has been assigned the 11-Day Pre-Primary Report, due today by 11:59 p.m., and **you are required to file it.**

Log into www.mainecampaignfinancedisclosure.com to access the campaign and file the report. If you are unable to log in, please contact me *as soon as possible*; I am available until 5:00 today to assist.

Note to MCEA candidates: your treasurer must file your report on your behalf.

The following user guides may be helpful as you navigate the site:

HOW TO ENTER TRANSACTIONS: <https://maine-disclosure-system.refined.site/space/MESUPPORT/2563670019/Add+a+transaction>

HOW TO FILE: <https://maine-disclosure-system.refined.site/space/MESUPPORT/2564521988/File+a+campaign+finance+report>

- Please note that the report is not completely filed until you check the box affirming its accuracy and click **Submit**.

Do not hesitate to reach out with questions. Thank you,

Erin Gordon

Candidate Registrar

Maine Ethics Commission

(207) 287-3651 | www.maine.gov/ethics

135 State House Station, Augusta, ME 04333-0135

45 Memorial Circle, Augusta, ME

**Commission Penalty Decisions - Candidates
(2018 - present)**

Candidate	Late Report/Other Violation	Preliminary Penalty	Final Penalty	Commission Meeting Date
Legislative and County candidates				
James Boyle	Late January Semiannual Report	\$1,000.00	\$500.00	03/28/18
Diane Russell	Substantially Non-Compliant January Semiannual		\$100.00	05/30/18
Diane Russell	Substantially Non-Compliant 42-Day Pre-Primary		\$200.00	05/30/18
Ian Schwartz	Late 24-Hour Report	\$384.37	\$300.00	08/29/18
Danny Costain	Late 24-Hour Report	\$2,991.36	\$300.00	08/29/18
Jeffrey Slocum	Late July Semiannual	\$112.00	\$112.00	08/29/18
Mark Lawrence	11-Day Pre-Primary (not compliant)	\$1,739.73	\$400.00	09/26/18
John Tuttle, Jr.	Late 42-Day Post Primary	\$432.00	\$250.00	09/26/18
Dana Dow	Late 24-Hour Report	\$115.93	\$115.93	11/28/18
Jan Collins	Late 24-Hour Report	\$2,565.38	\$300.00	12/19/18
Cynthia Soma-Hernandez	Commingling of funds		\$100.00	12/19/18
John Clark	MCEA Violation-Contributions after Certification		\$250.00	03/06/19
Cathleen Nichols	Late 24-Hour Report	\$3,744.00	\$400.00	03/06/19
James LaBrecque	Late 42-Day Post General	\$235.03	\$235.03	03/06/19
Mark Remick	Late 24-Hour Report (2)	\$2,011.85	\$400.00	03/06/19
Stephen Ball	Commingling of funds waived since he returned \$115 of MCEA funds		\$100.00	06/04/19
Philip Spiller (<i>Municipal</i>)	Late 24-Hour Report (3)	\$2,395.28	\$900.00	12/18/19
Edward Cohen	Failure to Register		\$100.00	05/27/20
Mark Lawrence	Late 42-Day Post Primary	\$529.50	\$350.00	10/16/20
Brian Redmond	Late 42-Day Post Primary	\$84.00	\$84.00	10/16/20
Mark Andre	Late 42-Day Post Primary	\$132.00	\$132.00	10/16/20
Jeffrey Pierce	Late 42-Day Pre-General	\$40.37	\$40.37	10/30/20
Steve Collins	No Disclaimer on Signs		\$200.00	12/18/20
Troy Jackson	Late 24-Hour Report	\$50.00	\$50.00	01/27/21
Scott Gaiason	Late 11-Day Pre-General Report	\$109.54	\$109.54	01/27/21
William Guerrette	No Disclaimer on Signs		\$0.00	03/08/21
Robyn Stanicki	Late July Semiannual Report	\$637.50	\$250.00	10/29/21
Howard Patten	Failure to Register		\$100.00	04/27/22
Timothy Keenan	Failure to Register		\$100.00	04/27/22
John V. Chambers	Late 42-Day Post Primary	\$34.90	\$34.90	09/28/22
Benjamin J. Meiklejohn	Late 42-Day Post Primary	\$18.03	\$18.03	09/28/22
Nancy Piche	Failure to File SOSOI		\$100.00	09/28/22
Timothy Keenan	Failure to File SOSOI		\$100.00	09/28/22
Daniel Merrill	Failure to File SOSOI		\$100.00	09/28/22
Susan Bernard	No Disclaimer on mailing		\$75.00	10/26/22
Danielle Fienberg	Late 11-Day Pre-General Report	\$368.12	\$300.00	11/30/22
Stephen Hanrahan	Late 24-Hour Report	\$423.54	\$300.00	11/30/22
David Thurston	Late 11-Day Pre-General Report	\$139.82	\$100.00	11/30/22
Scott Gaisaon	Substantially Non-Compliant 11-Day Pre-General Report	\$135.43	\$135.43	11/30/22

Matthea Daughtry	Late 11-Day Pre-General Report	\$658.21	\$150.00	12/21/22
Robert McCarthy	Late 24-Hour Report	\$308.09	\$300.00	12/21/22
Ronald Russell	Late 24-Hour Report	\$1,573.52	\$350.00	01/30/23
Reagan Paul	Late 24-Hour Report	\$1,945.30	\$350.00	01/30/23
Neil MacLean, Jr.	Late 24-Hour Report	\$3,680.00	\$350.00	01/30/23
Sharri MacDonald	Substantially Non-Compliant Pre-General Report	\$962.47	\$150.00	01/30/23
Sharri MacDonald	Substantially Non-Compliant Pre-General Report	\$293.40	\$50.00	01/30/23
Frank Roma	MCEA Overspending		\$200.00	01/30/23
Joseph Galletta	Late registration	\$100.00	\$100.00	05/29/24
John DeVeau	2 Late Semiannual Reports		\$200.00	09/25/24
Richard Cyr	Late 42-Day Pre-General Report	\$498.50	\$300.00	10/30/24
Flavia DeBrito	Late 42-Day Pre-General Report	\$64.90	\$64.90	10/30/24
Scott Cyrway	Late 24-Hour Report	\$43.98	\$43.98	12/18/24
Leo Kenney	Late 11-Day Pre-Primary	\$835.37	\$300.00	12/18/24
Kevin Freeman	Late 11-Day Pre-Primary	\$184.43	\$184.43	12/18/24
Rogert Albert	2 Late 24-Hour Reports	\$2,482.60	\$400.00	01/29/25
Steven Bishop	Late 24-Hour Report	\$2,707.62	\$300.00	01/29/25
Walter Runte	Late 24-Hour Report	\$1,275.55	\$300.00	01/29/25
Joseph Rafferty, Jr.	Late 24-Hour Report	\$5,000.00	\$300.00	01/29/25
Joe Boyd	Late 24-Hour Report	\$2,262.62	\$300.00	01/29/25
Reda Edelman	Late 24-Hour Report	\$1,851.80	\$300.00	01/29/25
Laura Supica	Late 24-Hour Report	\$1,938.64	\$300.00	02/26/25
Holly Rae Eaton	Late 42-Day Post-General Report	\$1,117.21	\$300.00	02/26/25
John DeVeau	Late Semiannual Report	\$500.00	\$500.00	04/30/25
David McCrea	Accepting an unreported In-Kind Contribution	\$0.00	\$0.00	09/24/25
Roland Danny Martin	Accepting an unreported In-Kind Contribution	\$0.00	\$0.00	09/24/25
Vance Mclaughlin	Accepting an unreported In-Kind Contribution	\$0.00	\$0.00	09/24/25
Melanie Tompkins	Accepting an unreported In-Kind Contribution	\$0.00	\$0.00	09/24/25
Kevin Freeman	Accepting an unreported In-Kind Contribution	\$0.00	\$0.00	09/24/25
Matthew Rush	Accepting an unreported In-Kind Contribution	\$0.00	\$0.00	09/24/25
Frank Mawson Blauvelt, Jr.	Late registration		\$100.00	06/01/26
Frank Mawson Blauvelt, Jr.	Late Semiannual Report	\$1,000.00	\$300.00	06/01/26
Candidates for Governor				
Mark Eves	Late 24-Hour Report (2)	\$1,378.70	\$500.00	09/26/18
Paul R. LePage	Late 42-Day Pre-Primary	\$9,091.83	\$3,000.00	06/22/22
Ethan Alcorn	Late 42-Day Pre-Primary	\$200.00	\$200.00	06/22/22

21-A M.R.S. § 1017. Reports by candidates

1. Federal candidates. [2007, ch. 443, § A-16 (RP).]

2. Gubernatorial candidates. A treasurer of a candidate for the office of Governor shall file reports with the commission 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, other than a gubernatorial election year, in which the candidate or the candidate's political committee has received contributions in excess of \$1,000 or made or authorized expenditures in excess of \$1,000, 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 candidate's treasurer as of the end of the preceding month, except those covered by a previous report.

B. Reports must be filed no later than 11:59 p.m. on the 42nd day before the date on which an election is held and must be complete as of the 49th 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 49th day before the election.

C. 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.

D. If the candidate has an opponent who is on the ballot or who is a declared write-in candidate, any single contribution of \$10,000 or more received or any single expenditure of \$10,000 or more made after the 14th day before the election and more than 48 hours before 11:59 p.m. on the day of the election must be reported within 48 hours of 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.

E. 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.

F. 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 E must be reported as provided in this



paragraph. The treasurer of a candidate or political committee 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.

G. Unless otherwise specified in this subsection, reports must be complete back to the end date of the previous report filing period. The reports described in paragraph E, if filed with respect to a primary election, are considered previous reports in relation to reports concerning a general election.

H. Reports with respect to a candidate who seeks nomination by petition for the office of Governor must be filed on the same dates that reports must be filed with respect to a candidate who seeks that nomination by primary election.

. . .

21-A M.R.S. § 1020-A. Failure to file on time

1. Registration. A candidate that fails to register the name of a candidate, treasurer or political committee with the commission within the time allowed by section 1013-A, subsection 1 may be assessed a forfeiture of \$100. The commission shall determine whether a registration satisfies the requirements for timely filing under section 1013-A, subsection 1.

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

- A.** A valid emergency determined by the commission, in the interest of the sound administration of justice, to warrant the waiver of the penalty in whole or in part;
- B.** An error by the commission staff;
- C.** Failure to receive notice of the filing deadline; or
- D.** Other circumstances determined by the commission that warrant mitigation of the penalty, based upon relevant evidence presented that a bona fide effort was made to file the report in accordance with the statutory requirements, including, but not limited to, unexplained delays in postal service or interruptions in Internet service.

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.

4. Basis for penalties. [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%;
- 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 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.

5. Maximum penalties. [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;

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;

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;

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

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

E. [2011, ch. 558, § 5 (RP).]

6. Request for commission determination. If a candidate or a political committee files a report required under this subchapter late, a notice of preliminary penalty must be sent to the candidate or political committee whose registration or campaign finance report was not received by 11:59 p.m. on the deadline date, informing the candidate or political committee of the staff finding of violation and preliminary penalty calculated under subsection 4-A and providing the candidate or political committee with an opportunity to request a determination by the commission. Any request for a determination must be made within 14 calendar days of receipt of the commission's notice. A candidate or political committee requesting a determination may either appear in person or designate a representative to appear on the candidate's or political committee'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.

7. Final notice of penalty. If a determination has been requested by the candidate or political committee and made by the commission, notice of the commission's final determination and the penalty, if any, imposed pursuant to this subchapter must be sent to the candidate and the political 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 candidate and treasurer. A detailed summary of all notices must be provided to the commission.

8. Penalties for failure to file report. If the commission staff finds that a candidate, party 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 candidate, party committee or person within 3 business days following the filing deadline informing the candidate, party committee or person 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 candidate, party committee or person has not filed the report after these 2 notices, the 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 penalty may not exceed the maximum penalties as provided in subsection 5-A. A candidate party committee or other person who fails to file a report as required by this subchapter after the commission has sent the first 2 notices required by this subsection is guilty of a Class E crime. As an alternative to assessing a penalty, the commission may refer the violation to the Office of the Attorney General for potential criminal prosecution.

8-A. Penalties for failure to file report. [2025, ch. 224, § 15 (RP).]

9. List of late-filing candidates. [2025, ch. 224, § 16 (RP).]

10. 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.