



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: September 16, 2024  
Re: Local 349 PAC Fund – Waiver Request

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The Local 349 PAC Fund (the PAC) filed their 42-Day Post-Primary Report on July 22, 2024 with no activity. On September 11, 2024 the PAC filed an amended report with \$1,369.17 in contributions making the original report substantially non-complaint and triggered a preliminary penalty of \$1,369. The PAC is seeking a waiver.

### **LEGAL REQUIREMENTS**

A PAC must file a campaign finance report due 11 days before the primary election, and one due 42 days after. 21-A M.R.S. § 1059(2)(B). 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 the law, is received by the commission by 11:59 p.m. on the date it is due. 21-A M.R.S. § 1062-A(2). If a committee is late in filing a campaign finance report, the amount of the penalty is set by a formula which takes into consideration a percentage of the total contributions or expenditures, whichever is greater, the number of prior violations within a two-year period, and the number of days the report is late. 21-A M.R.S. § 1062-A(3).

### **DISCUSSION AND STAFF RECOMMENDATION**

The PAC has been registered with the Commission for many years and is an experienced filer. This is their first late report. The PAC contends that a communication error led to the substantially non-complaint report that omitted their fundraising for the period. The efilings system sends automated messages to PACs prior to each filing 2 weeks before, 1 week before and 1 day before the deadline. Additionally, the PAC filing deadlines can be viewed on their efilings homepage, and the Commission's website.

When a PAC fails to report a large swath of information, such as all of their contributions from a reporting period, Commission staff find that to be substantially non-compliant to the requirements of law. In this case, the staff applied the penalty provision as if the report was filed 50 days late on September 11, 2024, and calculated the preliminary penalty amount of \$1,369 as follows:

<b>Report</b>	<b>Deadline</b>	<b>Financial Activity</b>	<b>Penalty Rate</b>	<b>Days Late</b>	<b>Preliminary Penalty</b>
42-Day Post Primary	7/23/2024	\$1,369.17	2%	50	\$1,369

The PAC seeks a waiver of the penalty because this was an honest mistake that had no ill-intent. When they realized their error, they amended their 42-Day Post-Primary Report. There have not been any instances of substantial non-compliance in PAC reporting in recent years. The Commission staff recommend reducing the penalty to \$500.

**From:** [John Leavitt](#)  
**To:** [Currier, Martha](#)  
**Cc:** [Jeff Grinvalsky](#)  
**Subject:** Carpenters Local 349 PAC request for waiver  
**Date:** Monday, September 16, 2024 2:42:19 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

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**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.**

Hello Martha,

Thank you for taking my call and explaining the request for waiver procedure, as noted in your letter.

We received a notice that we were in error of reporting stating Substantially Non-Compliant 42 Day Post-Primary Report:

Stating the Commission staff determined Local 349 PAC owed \$1,369.

Due to an oversight by new administrator in our Portland office not forwarding information pertinent to our report, our Treasurer filed the July 22, 2024, report with incorrect information. Upon discovering contributions were made, the Treasurer amended the report on September 11, 2024, to correct the error.

Once corrected we were required to re-file the report which is the reason for the September 11 late filing.

We apologize for our error; this is the first penalty we received since we opened this PAC account over ten years, we hope the ethics committee can forgive the \$1,369 penalty. All money currently remains in our Local 349 PAC fund.

Please contact me with any questions or concerns

Sincerely,

**John Leavitt**

**Regional Business Manager**

**Maine – New Hampshire - Vermont**

**207-252-4800 / [jleavitt@nasrcc.org](mailto:jleavitt@nasrcc.org)**





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](http://www.maine.gov/ethics)  
Phone: 207-287-4179  
Fax: 207-287-6775

## 2024 CAMPAIGN FINANCE REPORT

### FOR POLITICAL ACTION COMMITTEES

COMMITTEE		TREASURER	
Local 349 PAC Fund 65 Rainmaker Drive Portland, ME 04103 PHONE: (207) 358-6658 EMAIL: <a href="mailto:jgrinvalsky@nasrcc.org">jgrinvalsky@nasrcc.org</a>		Jeffrey G Grinvalsky 65 Rainmaker Drive Portland, ME 04103 PHONE: EMAIL: <a href="mailto:jgrinvalsky@nasrcc.org">jgrinvalsky@nasrcc.org</a>	
REPORT	DUE DATE	REPORTING PERIOD	
42-Day Post-Primary Report	07/23/2024	05/29/2024 - 07/16/2024	

#### FINANCIAL ACTIVITY SUMMARY

RECEIPTS	TOTAL FOR PERIOD	TOTAL FOR YEAR
1. CASH CONTRIBUTIONS (SCHEDULE A)	\$0.00	\$0.00
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)	\$0.00	\$0.00
EXPENDITURES		
5. EXPENDITURES TO SUPPORT OR OPPOSE (SCHEDULE B)	\$0.00	\$0.00
6. OPERATING EXPENDITURES (SCHEDULE B-1)	\$0.00	\$0.00
7. LOAN REPAYMENTS (SCHEDULE C)	\$0.00	\$0.00
8. TOTAL PAYMENTS (LINE 5 + 6 + 7)	\$0.00	\$0.00
CASH SUMMARY		
9. CASH BALANCE AT BEGINNING OF PERIOD	\$16,094.89	
10. PLUS TOTAL RECEIPTS THIS PERIOD (LINE 4)	\$0.00	
11. MINUS TOTAL PAYMENTS THIS PERIOD (LINE 8)	\$0.00	
12. CASH BALANCE AT END OF PERIOD	\$16,094.89	
OTHER ACTIVITY		
13. IN-KIND CONTRIBUTIONS (SCHEDULE A-1)	\$0.00	\$0.00
14. TOTAL LOAN BALANCE AT END OF PERIOD (SCHEDULE C)	\$0.00	
15. TOTAL UNPAID DEBTS AT END OF PERIOD (SCHEDULE D)	\$0.00	

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

REPORT FILED BY: Jeffrey G Grinvalsky  
REPORT FILED ON: 7/22/2024 8:20:39 AM  
LAST MODIFIED:  
COMMITTEE ID: 6217



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](http://www.maine.gov/ethics)  
Phone: 207-287-4179  
Fax: 207-287-6775

## 2024 CAMPAIGN FINANCE REPORT

### FOR POLITICAL ACTION COMMITTEES

COMMITTEE		TREASURER	
Local 349 PAC Fund 65 Rainmaker Drive Portland, ME 04103 PHONE: (207) 358-6658 EMAIL: <a href="mailto:jgrinvalsky@nasrcc.org">jgrinvalsky@nasrcc.org</a>		Jeffrey G Grinvalsky 65 Rainmaker Drive Portland, ME 04103 PHONE: EMAIL: <a href="mailto:jgrinvalsky@nasrcc.org">jgrinvalsky@nasrcc.org</a>	
REPORT	DUE DATE	REPORTING PERIOD	
42-Day Post-Primary Report	07/23/2024	05/29/2024 - 07/16/2024	

#### FINANCIAL ACTIVITY SUMMARY

RECEIPTS	TOTAL FOR PERIOD	TOTAL FOR YEAR
1. CASH CONTRIBUTIONS (SCHEDULE A)	\$1,369.17	\$1,369.17
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)	\$1,369.17	\$1,369.17
EXPENDITURES		
5. EXPENDITURES TO SUPPORT OR OPPOSE (SCHEDULE B)	\$0.00	\$0.00
6. OPERATING EXPENDITURES (SCHEDULE B-1)	\$0.00	\$0.00
7. LOAN REPAYMENTS (SCHEDULE C)	\$0.00	\$0.00
8. TOTAL PAYMENTS (LINE 5 + 6 + 7)	\$0.00	\$0.00
CASH SUMMARY		
9. CASH BALANCE AT BEGINNING OF PERIOD	\$16,094.89	
10. PLUS TOTAL RECEIPTS THIS PERIOD (LINE 4)	\$1,369.17	
11. MINUS TOTAL PAYMENTS THIS PERIOD (LINE 8)	\$0.00	
12. CASH BALANCE AT END OF PERIOD	\$17,464.06	
OTHER ACTIVITY		
13. IN-KIND CONTRIBUTIONS (SCHEDULE A-1)	\$0.00	\$0.00
14. TOTAL LOAN BALANCE AT END OF PERIOD (SCHEDULE C)	\$0.00	
15. TOTAL UNPAID DEBTS AT END OF PERIOD (SCHEDULE D)	\$0.00	

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

REPORT FILED BY: Jeffrey G Grinvalsky  
REPORT FILED ON: 7/22/2024 8:20:39 AM  
LAST MODIFIED: 9/11/2024 11:38:07 AM  
COMMITTEE ID: 6217

## 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

2 = Candidate/ Spouse/ Domestic Partner

3 = Commercial Source

4 = Nonprofit Organization

5 = Political Action Committee

6 = Political Party Committee

7 = Ballot Question Committee

8 = Other Candidate/ Candidate Committee

9 = Candidate / Candidate Committee

10 = General Treasury Transfer

11 = Transfer from Previous Campaign

12 = Contributors giving \$50 or less

13 = Contributors giving \$100 or less

14 = Contributors giving \$200 or less

15 = MCEA Payment

16 = Financial Institution

DATE RECEIVED	CONTRIBUTOR	EMPLOYER AND OCCUPATION	TYPE	AMOUNT
6/28/2024	New England Carpenters Fund 350 Fordham Road Wilmington, MA, 01887	PAC Contributions	5	\$1,364.53
6/28/2024	North Atlantic States Carpenters 350 Fordham Road Wilmington, MA, 01887	Earned Interest Collected July through December 2023	5	\$4.64
<b>TOTAL CASH CONTRIBUTIONS</b>				<b>\$1,369.17</b>



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

**Via Electronic and US Mail**

September 11, 2024

Mr. Jeffrey Grinvalsky, Treasurer  
Local 349 PAC Fund  
65 Rainmaker Drive  
Portland ME 04103

Re: Substantially Non-Compliant 42-Day Post-Primary Report

Dear Mr. Grinvalsky:

The Commission staff has made a finding that the Local 349 PAC Fund was substantially non-compliant when it filed its 42-Day Post Primary Report on July 22, 2024 with no activity. The PAC submitted an amended report on September 11, 2024 with \$1,369.17 in contributions making the original report substantially non-compliant with the Maine's reporting laws resulting in a late-filing penalty based on the original due date of the report. As such, the report was due by 11:59 p.m. on July 23, 2024, but was not filed until September 11, 2024. Under the Commission's statutes, the late filing of a report triggers an enforcement process. (21-A M.R.S. § 1062-A). Based on the amount of financial activity in the report, the number of calendar days the report was late, and the history of violations from the committee, the Commission staff has determined a penalty of \$1,369 is owed.

If the PAC disagrees with this preliminary penalty, it may make a written request that the Commission waive the violation or penalty in whole or in part. Any request for a waiver must be made within 14 calendar days of your receipt of this notice; it must be in writing and contain a full explanation of the reasons the committee filed late. Upon receipt, staff will schedule your appeal for the next public meeting of the Commission.

The Commission may waive 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 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.

If you want to pay the penalty, you can do so online at [www.maine.gov/ethics](http://www.maine.gov/ethics) by selecting the "Penalty Payment" button, or mail a check payable to "Treasurer, State of Maine" to us at the address above.

Sincerely,

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

Martha Currier  
Assistant Director

**Committee Name:** Local 249 PAC Fund

**Prior Violations:** 0

Report Name	Activity Amount	Due Date	Days Late	Penalty Rate	Penalty
42-Day Post-Primary Report	\$1,369.17	7/23/2024	50	2%	\$1,369

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%

Any penalty of less than \$25 is waived.

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

**A required report 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.



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

Committee Name	Requested Waivers of Late-Filing Penalties	Preliminary Penalty	Final Penalty	Commission Meeting Date
<b>Waiver Requests</b>				
Maine United Auto Workers PAC	Late January Quarterly	\$400.00	\$400.00	04/25/18
Maine Health Care Assoc. PAC	Late 24-Hour Report	\$2,760.00	\$500.00	08/29/18
Fecteau Leadership PAC	Late 24-Hour Report	\$400.00	\$400.00	08/29/18
New Mainers PAC	Late 24-Hour Report	\$10,000.00	\$1,000.00	03/06/19
Senate Democratic Campaign Committee	Late January Quarterly	\$1,010.50	\$750.00	04/24/19
Unite Portland PAC ( <i>Municipal</i> )	Late IE Report	\$5,000.00	\$1,250.00	12/18/19
Unite Portland PAC ( <i>Municipal</i> )	Late IE Report	\$2,052.16	\$750.00	12/18/19
Women's Leadership Fund PAC	Late IE Report	\$100.00	\$50.00	08/11/20
Maine Truck PAC	Late 24-Hour Report	\$2,203.08	\$500.00	10/16/20
Revive Hometown Maine PAC	Late October Quarterly	\$510.00	\$250.00	10/30/20
Mainers for Health and Parental Rights	Late 24-Hour Report	\$980.00	\$750.00	01/27/21
Kittery Democratic Committee	Late 11-Day Pre-General Report	\$500.00	\$100.00	02/24/21
Madison Republican Committee of Maine	Late 11-Day Pre-General Report	\$500.00	\$100.00	02/24/21
York Town Republican Committee	Late 11-Day Pre-General Report	\$500.00	\$100.00	02/24/21
Energy PAC for Maine	Late 24-Hour Report	\$8,840.00	\$750.00	03/31/21
Protect Maine Elections	Late Initial Report	\$1,004.00	\$750.00	10/29/21
Mainers for Local Power PAC	Late 24-Hour Report	\$300,000.00	\$25,000.00	02/28/22
Mainers for Local Power PAC	Late 24-Hour Report	\$98,500.00	\$10,000.00	02/28/22
No on 3: Right to Food is Wrong for Maine	Late 24-Hour Report (3)	\$932.00	\$300.00	02/28/22
Piscataquis County Republican Committee	Late January Semiannual Report	\$500.00	\$100.00	03/30/22
Waldo County Democratic Committee	2022 July Semiannual Report	\$181.21	\$60.40	09/28/22
Lincoln County Republican Committee	2022 July Semiannual Report	\$500.00	\$100.00	09/28/22
American Leadership Committee-Maine PAC	Late IE report Oct. Quarterly Report	\$679.88	\$679.88	11/30/22
Planned Parenthood Maine Action Fund	Late IE report	\$2,433.60	\$750.00	11/30/22
We the People PAC	Late IE report	\$5,000.00	\$1,000.00	11/30/22
We the People PAC	Late IE report	\$99.96	\$99.96	11/30/22
Steve LaFreniere	Late IE Report	\$1,090.00	\$200.00	12/21/22
York Voter Alliance	Late IE report	\$672.61	\$200.00	12/21/22
Androscoggin County Democratic Committee	Late 11-Day Pre-General Report	\$99.94	\$99.94	12/21/22
Aroostook County Republican Committee	Late 11-Day Pre-General Report	\$500.00	\$100.00	01/30/23
Aroostook County Republican Committee	Late 24-Hour Report	\$120.00	\$120.00	01/30/23
Maine AFL-CIO Committee on Political Education PAC	Late 24-Hour Report	\$4,860.00	\$750.00	02/28/23
Maine United Auto Workers Council PAC	Two Late 24-Hour Reports	\$4,900.00	\$1,000.00	02/28/23
American Leadership Committee-Maine PAC	Late 42-Day Post-General Report	\$55,654.00	\$2,500.00	05/31/23
We the People PAC	Late 11 day Pre-special election report	\$1,147.50	\$400.00	08/23/23
Star City PAC	Late 11 day Pre-special election report	\$370.50	\$150.00	08/23/23

Late Major Contributor Decisions				
Committee Name	Violation	Preliminary Penalty	Final Penalty	Commission Meeting Date
<b>Waiver requests</b>				
Mainers for Local Power PAC	Late Major Contributor (2)	\$53,431.15	\$2,500.00	03/10/20
Maine Street Solutions - Protect Schools BQC	Late Major Contributor	\$25,000.00	\$2,000.00	05/27/20
Clean Energy Matters PAC	Late Major Contributor Notice	\$50,000.00	\$2,500.00	03/31/21
We the People PAC	Late Major Contributor Notice	\$11,500.00	\$2,500.00	05/26/21
Mainers for Local Power PAC	Late Major Contributor Notice	\$13,786.32	\$2,500.00	08/23/21
Maine Energy Progress	Late Major Contributor Notice	\$25,768.87	\$3,000.00	11/29/23
Dorman Products	Late Major Contributor Report	\$15,000	\$5,000.00	11/29/23
Maine Automotive Right to Repair	Late Major Contributor Notices (6)	\$240,000.00	\$35,000.00	11/29/23
Genuine Parts Company	Late Major Contributor Report	\$50,000.00	\$5,000.00	01/31/24
Our Power	Two Late Major Contributor Notices	\$28,155	\$6,000.00	02/27/24
Citizens for a Bright Future	Late Registration, late filing, lack of disclaimer	\$3,866	\$300.00	05/29/24
Planned Parenthood Maine Action Fund	Late IE Report	\$734	\$400.00	05/29/24
Bangor Fire Fighters PAC Fund	Late to update their registration	\$250.00	\$0.00	05/29/24
<b>Other Enforcement Decisions - Committees</b>				
Committee Name	Violation	Preliminary Penalty	Final Penalty	Commission Meeting Date
<b>Other Violations</b>				
Sara Gideon Leadership PAC	Contributions Made in Name of Another		\$500.00	10/30/19
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	05/26/21
Mainers for Fair Laws BQC	Missing Disclaimers in television ads		\$2,500.00	09/29/21
Working Families PAC	Over the limit contribution to Diane Russell senate campaign		\$285.00	09/29/21
American Leadership Committee-Maine PAC	Missing top three donors		\$10,000.00	11/30/22
Building the Maine House	Late 11-day Pre-Primary Report		\$0.00	07/24/24

**Memo to Commissioners re: Local 349 PAC Waiver Request –  
Text of Legal Authority Cited in Memo in order Referenced**

**21-A M.R.S. § 1059(2)(B)**

Chapter 13: Campaign Finance Reports

§ 1059. Report; filing requirements

2. Reporting schedule. A committee shall file reports according to the following schedule.

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.

**21-A M.R.S. § 1062-A(2)**

Chapter 13: Campaign Finance Reports

§ 1062-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 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.

**21-A M.R.S. § 1062-A(3)**

Chapter 13: Campaign Finance Reports

§ 1062-A. Failure to file on time

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.