



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

To: Commissioners
From: Emma Burke, Political Committee & Lobbyist Registrar
Date: December 9, 2022
Re: Request by Steve LaFreniere for Waiver of Late-Filing Penalty Due to Late 2-Day Pre-
General Independent Expenditure Report

Steve LaFreniere was required to file a 2-Day Pre-General Independent Expenditure (IE) Report no later than October 16, 2022. Mr. LaFreniere filed the report on November 7th, 22 days late. The preliminary penalty is \$1,090.44. Mr. LaFreniere is requesting a waiver of the penalty.

LEGAL REQUIREMENTS

Any person, party committee, political committee or political action committee that makes any independent expenditure in excess of \$250 per candidate in an election from the 60th day through the 14th day before an election, must file a report within two calendar days of the expenditure. 94-270 C.M.R. Ch. 1 § 10(3)(B)(2). If a person 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. § 1020-A(4-A).

DISCUSSION

On October 17th, Lynn Weston, a resident of Brownville, emailed Executive Director Jonathan Wayne about yard signs on display in Brownville. Ms. Weston attached a picture of yard signs stating “Communist Mills Sucks” with no disclosure statement. Ms. Weston received responses from Mr. Wayne and Assistant Director Martha Currier on October 18th. On October 25th, Ms. Weston emailed Ms. Currier stating she had learned who was disseminating the signs, a Steve LaFreniere. Within the few days after, Political Committee & Lobbyist Registrar Emma Burke sent a letter to Mr. LaFreniere at his business, Eastbrook Timer Company, describing the concerns

about his signs and that reporting to the Commission may be necessary. After the letter was received, Mr. LaFreniere’s partner, Joy Oakes, called Ms. Burke. Ms. Burke explained the rules regarding disclosure statements and independent expenditures, and how independent expenditures of more than \$250 must be reported to the Commission, regardless of whether it is a registered PAC or party committee financing the communication. Ms. Oakes stated she understood, and Ms. Burke sent Ms. Oakes an Independent Expenditure Report form for her to complete and submit to the office.

At this juncture, Mr. LaFreniere was correcting the disclosure issues within the 10 days allowed by statute (21-A M.R.S. § 1014(4)), and, on November 7th, the Commission received an Independent Expenditure Report completed by Ms. Oakes showing a \$2,478.28 expenditure for yard signs on October 14th.

Based on the statutory formula for calculating late-filing penalties, the preliminary penalties amount to \$1,090.44, calculated as follows:

Report	Deadline	Financial Activity	Penalty Rate	Days Late	Preliminary Penalty
2-Day Pre-General IE Report	10/16/2022	\$2,478.28	2%	22	\$1,090.44

In the waiver request submitted for Mr. LaFreniere, his attorney argues the penalty should be waived due to it being disproportionate to the experience of Mr. LaFreniere and Ms. Oakes to limited harm suffered by the public. The attorney further states that Mr. LaFreniere and Ms. Oakes have never been involved politically and decided on their own they wanted to finance and distribute yard signs, and simply did not know the rules and regulations regarding them.

STAFF RECOMMENDATION

IE reports are considered essential for public awareness prior to general elections. Without these reports, any interested member of the press, public, or candidate campaigns would need to wade through thousands of transactions on reports covering greater lengths of time, to determine if any candidate supporting or opposing purchases had been made. In this case, the appearance of these signs in Brownville caused concern as there was no way for a general member of the public to

know who paid for and disseminated them, and the “derogatory” language of some of the signs drew increased attention to them.

There have not been any cases similar enough in recent history to this to provide precedence guidance to the Commission, other than the other case before you today. Most late filing penalties are assessed against candidates, PACs, or other committees that are registered with the Commission (see attached chart). Mr. LaFreniere and Ms. Oakes do not constitute a PAC, nor were they required to register as one, thus there was treasurer to be experienced, and there were no reminders to be received. The Commission staff do strongly believe, however, if funds are to be raised and spent on communications encouraging Mainers to vote in a certain way, the individuals involved are obliged to know and follow the rules and laws put in place to regulate such behavior, even though that is arguably burdensome. The Commission staff recommends reducing the penalty to \$200.00 to account for the limited public harm, as the signs were only disseminated in a small area, the inexperience of the individuals involved, and not wanting to infringe upon the rights of Mr. LaFreniere and Ms. Oakes to finance political communications of their choosing.

The signs did not initially comply 21-A M.R.S. § 1014(2) because they did not state who paid for them. The Commission staff does not recommend any action on this because Mr. LaFreniere remedied the signs once he learned about the requirement.

Thank you for your consideration of this memo.



Charles W. Cox, Esq.

Email: charles@bloomerrussell.com

November 28, 2022

State of Maine Commission on Governmental Ethics and Election
Practices 135 State House Station
Augusta, ME 04330-0135
Via email: emma.burke@maine.gov

**Re: Late Filing of 2-Day pre-General Independent Expenditure Report
Request to waive penalty for late filing - Stephen LaFreniere and Joy Oakes**

Dear Commission Members,

I have attached a late filing notice and penalty date of 11/14/2022 to Stephen LaFreniere and Joy Oakes.

Mr. LaFreniere and Ms. Oaks are requesting the commission waive the penalty of \$1094.44 as being disproportionate to the level of experience of persons filing or the harm suffered by the public from the late disclosure.

Mr. LaFreniere and Ms. Oaks are a couple and reside in Brownville, Maine for the past decade. Ms. Oaks is trained as a registered nurse but currently is not practicing. She assists Mr. LaFreniere in his business. Mr. LaFreniere is a self-employed wood harvester and land seller. Mr. LaFreniere is in his 60's and Ms. Oaks is in her 50's. Neither individual has any experience in politics. Neither has ever been involved in organized politics in any manner – although they have made political contributions to candidates in the past. Both became concerned this election cycle about what they perceive as the worrying direction the State of Maine is going – they are particularly concerned about inflation, heating oil prices and what they believe is government overspending and over-regulation. They had a strong preference for Candidate Paul LePage over Candidate Governor Mills.

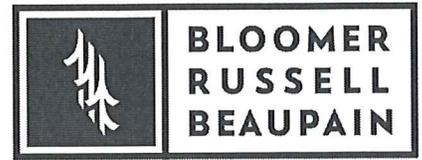
They decided for themselves – with no motivation from anyone else - to order and pay for political signage which they then placed in public places in the local areas – primarily along public roads. There were two basic signs 1/3 of the signage was derogatory of Candidate Mills and the other 2/3 was in support of Candidate LePage. Not having ever participated in organized political activity they were not aware of the requirement to report their own personal political expenditures for such activity. Once they learned of the requirement to report Ms. Oaks promptly filed a true and accurate statement of the expenditure. They are now aware of the requirements for election expenditures and will honor them if they are ever again motivated to engage in such activity again. These two individuals viewed the

Bangor
175 Exchange Street, Ste. 200
Bangor, ME 04401
Tel. 207.942.7110
Fax. 866.764.6952

Millinocket
96 Central Street
Millinocket, ME 04462
Tel. 207.723.9793
Fax. 207.723.6447

Houlton
72 Main Street
Houlton, ME 04730
Tel. 207.521.5220
Fax. 207.521.5225

Charles W. Cox, Esq.



expenditures as an exercise of free speech – something they were doing independently and one their own. They were not aware that the activity they chose – printing and displaying political signs that influenced the election of a candidate was required to be reported.

If you require other information please let me know and I will attend to it.

Sincerely,

A handwritten signature in blue ink that reads "Charles W. Cox".

Charles W. Cox
Maine Bar No. 3714
Attorney for Joy Oakes and Stephen M. LaFreniere

Bangor

175 Exchange Street, Ste. 200
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STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0135

December 6, 2022

Joy Oakes & Stephen LaFreniere
1013 Main Road
Brownville, Maine 04414

Re: Late Filing of 2-Day Pre-General Independent Expenditure Report

Dear Joy and Stephen:

The Commission staff has made a finding you were late in filing a 2-Day Pre-General Independent Expenditure campaign finance report. The report was due by 11:59 p.m. on October 16, 2022 but was not filed until November 7, 2022. Under the Commission's statutes, the late filing of a report triggers an enforcement process. (21-A M.R.S.A. § 1020-A). Based on the amount of financial activity in the report, the number of calendar days the report was late, and any history of violations from the committee, the Commission staff has determined a penalty of \$1,090.44 is owed. (Please see attached penalty matrix for the calculation.)

The committee may make a written request 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. The request must be in writing and contain a full explanation of the reasons the committee filed late. Upon receiving your request, the Commission staff will schedule your appeal for an upcoming Commission meeting.

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.

Please call (207) 287-4709 or send an email to emma.burke@maine.gov if you have questions.

Sincerely,

Emma Burke
Political Committee & Lobbyist Registrar

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."

Joy Oakes & Stephen LaFreniere
1013 Main Road
Brownville, Maine 04414

Violation: Late 2-Day Pre-General Independent Expenditure Report
Amount Due: \$1,090.44

Committee Name: Joy Oakes & Stephen LaFreniere

Prior Violations: 0

Report Name	Activity Amount	Due Date	Days Late	Penalty Rate	Penalty
2-Day Pre-General Independent Expenditure Report	\$2,478.28	10/16/2022	22	2%	\$1,090.44

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 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.A. Section 1020-A(5-A)

\$5,000 for Intendent Expenditure Reports, except if the financial activity reported late exceeds \$50,000, the maximum penalty is 100% of the amount reported late.



Received
 NOV 10 2022
 Maine Ethics Commission

Commission on Governmental Ethics and Election Practices
 Mail: 135 State House Station, Augusta, Maine 04333
 Office: 45 Memorial Circle, Augusta ME, 04333

Website: www.maine.gov/ethics
 Phone: 207-287-4179
 Fax: 207-287-6775

INDEPENDENT EXPENDITURES AFFIDAVIT

AFFIDAVIT

STATE OF Maine

COUNTY OF Piscataquis

I, Joy A. Oakes, being duly sworn, attest that I, or the organization that I am affiliated with, made each of the expenditures listed in the attached report independently, and not in cooperation, consultation, or concert with, or at the request or suggestion of, any candidate, authorized committee or agent of a candidate in a race affected by any expenditure listed in this report.

Joy A. Oakes
 Signature of Affiant

Nov. 7, 2022
 Date

I certify that on the date set forth below, the individual named above did appear personally before me and that I did identify this applicant by: (a) comparing his/her physical appearance with the photograph on the identifying document presented by the applicant and with the photograph affixed thereto, and (b) comparing the applicant's signature made in my presence on this form with the signature on his/her identifying document.

The statements on this document are subscribed and sworn to before me by the applicant on this 7th day of November, 2022.

Notary Public Signature: Autumn R. Chadwick

My Notary Commission Expires: 1-11-2029

Autumn R. Chadwick
 Notary Public, State of Maine
 My Commission Expires 1/11/2029

**Schedule B-IE-2
PAYMENTS AND OBLIGATIONS**

- Please indicate the date, payee, expenditure type, and amount of each expenditure.
- If you are reporting an agreement or obligation to make a future payment, please check (☐) the box next to the expenditure type.
- Duplicate as needed.

EXPENDITURE TYPES

APP	Apparel (t-shirts, hats, embroidery, etc.)	PER	Personnel and campaign staff, consulting, and independent contractors
CON	Contribution to party committee, non-profit, other	PHO	Phones (phone banking, robocalls, and texts)
EQP	Equipment of \$50 or more (computer, tablet, phone, furniture, etc.)	POL	Polling and survey research
EVT	Campaign and fundraising events (venue/booth rental, entertainment, supplies, etc.)	POS	Postage for US Mail and mailbox fees
FOD	Food for campaign events or volunteers, catering	PRO	Professional services (graphic design, legal services, web design)
HRD	Hardware and small tools (hammer, nails, lumber, paint, etc.)	RAD	Radio ads and production costs only
LIT	Printed campaign materials (palmcards, signs, stickers, flyers etc.)	TKT	Entrance cost to event (bean suppers, fairs, party events, etc.)
MHS	Mail house and direct mail (design, printing, mailing, and postage)	TRV	Travel (mileage and lodging, etc.)
OFF	Office supplies, rent, utilities, internet service, phone minutes/data	TVN	TV/Cable ads, production, and media buyer costs only
ONL	Social medial and online advertising only	WEB	Website and internet costs (website domain and registration, etc.)
OTH	Other and fees (bank, contribution, and money order fees, etc.)		

Date of Expenditure	Payee, Address, Zip Code	Expenditure Type	✓	Amount
10/14/22	Snowman Printing, 1 Parkers Dr., Bangor, Me 04401	LIT		\$2,478.28

A. Expenditures for this page ⇒

B. Total for all other Schedule B-IE-2 pages (if any) ⇒

C. Total independent expenditures for this reporting period (A+B).

This amount should equal the total amount for all candidates listed on Schedule B-IE-1. ⇒ \$2,478.28

Invoice #	Invoice Date
171440	10/14/2022
Sales Rep: DWIGHT KING	
Customer#: 2497	
Page:	1

RA-COC-005902

Printers Drive Hermon, Maine 04401
207.848.7300 Fax: 207.848.7400

BILL TO:

Eastbrook Timber Co, Inc

1013 Main Road
 Brownville, ME 04414

SHIP TO:

Eastbrook Timber Co, Inc

1013 Main Road
 Brownville, ME 04414
 Attn: Steve

Ref/PO#

Customer's Terms	Customer's Phone	Customer's Fax	Customer Contact	Purchase Order #	Customer Service Rep.
0	-	-	Stephen LaFreniere	Steve	DWIGHT

Quantity	Description	Tax	Sub-Total
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100 SIGNS - Communist Mills
 24x18
 White 4mm Coro
 Black / black
 With H stakes

Y

770.77

\$2,474.28

200 SIGNS - LePage For Governor
 24x18
 White 4mm Coro
 Pms 286 and 199 / same
 With H stakes

Y

1,574.52

Joy Paid with her

*Am Exp Green (I will reimburse
 the money to her)*

.5% interest will be charged on all past due invoices

Sub-Total 2,345.29
 Tax 128.99
 Freight 0.00

Thank You



Deposit 0.00
Amount Due \$ 2,474.28

Burke, Emma

From: Currier, Martha
Sent: Monday, October 31, 2022 12:11 PM
To: Burke, Emma
Subject: FW: Illegal road sign

From: Lynn Weston <lweston@me.com>
Sent: Monday, October 17, 2022 8:45 PM
To: Wayne, Jonathan <Jonathan.Wayne@maine.gov>
Subject: Illegal road sign

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

I'm sending you a picture of what I think is an illegal road sign and they're popping up all over. This one is in Brownville, not too far from the school. The front and back look the same. No indication of who placed them or paid for them. It's my understanding the DOT can take them down. The message is so totally inappropriate that I think the state needs to take action. They are also on the road from Lagrange to Bangor. Please let me know what action you'll consider taking. Thank you.



your actions will be.

§1019-B. Reports of independent expenditures

1. Independent expenditures; definition. For the purposes of this section, an "independent expenditure" means any expenditure made by a person, party committee or political action committee that is not made in cooperation, consultation or concert with, or at the request or suggestion of, a candidate, a candidate's authorized political committee or an agent of either and that:

A. Is made to design, produce or disseminate any communication that expressly advocates the election or defeat of a clearly identified candidate; or [PL 2021, c. 132, §7 (AMD).]

B. Unless the person, party committee or political action committee making the expenditure demonstrates under subsection 2 that the expenditure was not intended to influence the nomination, election or defeat of the candidate, is made to design, produce or disseminate a communication that names or depicts a clearly identified candidate and is disseminated during the 28 days, including election day, before a primary election; during the 35 days, including election day, before a special election; or from Labor Day to a general election day. [PL 2021, c. 132, §7 (AMD).]

[PL 2021, c. 132, §7 (AMD).]

2. Commission determination. A person, party committee or political action committee may request a determination that an expenditure that otherwise meets the definition of an independent expenditure under subsection 1, paragraph B is not an independent expenditure by filing a signed written statement with the commission within 7 days of disseminating the communication stating that the cost was not incurred with the intent to influence the nomination, election or defeat of a candidate, supported by any additional evidence the person, party committee or political action committee chooses to submit. The commission may gather any additional evidence it determines relevant and material and shall determine by a preponderance of the evidence whether the cost was incurred with intent to influence the nomination, election or defeat of a candidate.

[PL 2021, c. 132, §8 (AMD).]

3. Report required; content; rules.

[PL 2009, c. 524, §6 (RPR); MRSA T. 21-A §1019-B, sub-§3 (RP).]

4. Report required; content; rules. A person, party committee or political action committee that makes any independent expenditure in excess of \$250 during any one candidate's election shall file a report with the commission. In the case of a municipal election, the report must be filed with the municipal clerk.

A. A report required by this subsection must be filed with the commission according to a reporting schedule that the commission shall establish by rule that takes into consideration existing campaign finance reporting requirements. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [PL 2011, c. 558, §2 (AMD).]

B. A report required by this subsection must contain an itemized account of each expenditure in excess of \$250 in any one candidate's election, the date and purpose of each expenditure and the name of each payee or creditor. The report must state whether the expenditure is in support of or in opposition to the candidate and must include, under penalty of perjury, as provided in Title 17-A, section 451, a statement under oath or affirmation whether the expenditure is made in cooperation, consultation or concert with, or at the request or suggestion of, the candidate or an authorized committee or agent of the candidate. [PL 2015, c. 350, §6 (AMD).]

C. A report required by this subsection must be on a form prescribed and prepared by the commission. A person filing this report may use additional pages if necessary, but the pages must be the same size as the pages of the form. The commission may adopt procedures requiring the electronic filing of an independent expenditure report, as long as the commission receives the statement made under oath or affirmation set out in paragraph B by the filing deadline and the commission adopts an exception for persons who lack access to the required technology or the

§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.

[PL 2019, c. 323, §18 (AMD).]

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).]

6. Request for a commission determination. If the commission staff finds that a candidate or political committee has failed to file a report required under this subchapter, the commission staff shall mail a notice to the candidate or political committee within 3 business days following the filing deadline informing the candidate or political committee that a report was not received. 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.

[PL 2013, c. 334, §17 (AMD).]

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.

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	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	\$2,686.68	\$50.00	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

Late Major Contributor Decisions (2020 - present)				
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	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
Other Enforcement Decisions - Committees (2018 - present)				
Committee Name	Violation	Preliminary Penalty	Final Penalty	Commission Meeting Date
Other Violations				
Sara Gideon Leadership PAC	Contributions Made in Name of Another		\$500.00	10/30/19
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