



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: November 18, 2022
Re: Request by Danielle Fienberg for Waiver of Late-Filing Penalty for 11-Day Pre-General Report

Candidates who participated in the 2022 general election were required to file a 11-Day Pre-General campaign finance report on October 28, 2022. Danielle Fienberg was a MCEA-financed, first time candidate for Senate District 2. A member of Ms. Fienberg's campaign team was ill and did not provide receipts for the period until October 29, at which point her treasurer logged in and filed the report, one day late.

LEGAL REQUIREMENTS

Candidates participating in an election, either primary or general, must file a report by the 11th day before the date on which the election is held, and it must be complete as of the 14th day before the election. 21-A M.R.S. § 1017(3-A)(B). When a candidate files a report late 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

Prior to the October 28 deadline the Commission's eFiling website sent automatic email reminders of the 11-Day Pre-General Report to all registered users who were required to file it. Registered users include both candidate and treasurer, and any authorized agents named by the campaign. The automated reminders are sent two weeks, one week, and one day before the deadline if the report has not yet been filed. On the afternoon of October 28, Candidate Registrar Erin Gordon also directly emailed all candidates, including Danielle Fienberg, who had not yet

filed to remind them of the deadline urging them to contact their assigned Candidate Registrar by the end of the day if they needed assistance.

Ms. Fienberg was waiting for final receipts for her campaign’s Facebook ads, which were in the charge of a campaign volunteer, Jonathan, who became ill with COVID-19 the week of the filing deadline and was unable to communicate with her until Saturday, October 29. At that point, Ms. Fienberg emailed Ms. Gordon to communicate the situation and advise that they would be filing the report as soon as possible, and it was filed later that day.

Based on the statutory formula for calculating late-filing penalties, the preliminary penalty amount is \$368.12, calculated as follows:

Report	Deadline	Financial Activity	Penalty Rate	Days Late	Preliminary Penalty
11-Day Pre-General Report	10/28/22	\$18,406.02	2%	1	\$368.12

In a letter dated October 31, Ms. Fienberg asks that the Commission waive the preliminary penalty, because of the medical emergency that delayed its filing.

STAFF RECOMMENDATION

Ms. Fienberg was aware of the filing deadline and was attempting to prepare her records to file the report. The Facebook invoices they were waiting on represent a relatively small fraction of her total activity on the 11-Day Pre-General Report. Had Ms. Fienberg reached out to Ms. Gordon on Friday, she would have been advised to file the report and later to amend it with the missing expenditures to avoid the late-filing penalty.

Generally, since 2018, the Commission has waived late-filing penalties against legislative candidates downward to a range of \$300-\$400, for example:

- from \$529.00 to \$350.00 – late 42-Day Post-Primary Report by Mark Lawrence in 2020
- from \$637.50 to \$250.00 – late July Semiannual Report by Robyn Stanicki in 2021
- from \$3,744.00 to \$400.00 – late 24-Hour Report by Cathleen Nichols in 2019

The Commission *declined* to waive preliminary penalties that were already below \$300:

- \$50.00 – late 24-Hour Report by Troy Jackson in 2021
- \$34.90 – late 42-Day Post-Primary Report by John Chambers in 2022
- \$18.03 – late 42-Day Post-Primary Report by Benjamin Meiklejohn in 2022

Staff do not recommend reducing the \$368.12 preliminary penalty. Although the circumstances of her volunteer's illness were unfortunate and unpredictable, it is ultimately the responsibility of the candidate and her treasurer to ensure timely reporting.

Thank you for your consideration of this memo.

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

Re: Notice of Violation and Penalty for Late-Filed 11-Day Pre-General Report Waiver Request

I am writing to request a waiver and/or reduction of the penalty assessed to my campaign, or a finding of no violation.

We made every effort to file in a timely fashion, however one of my team members became ill with covid-19 and was not capable of producing the receipts he was responsible for in time. We did reach out and communicate to my candidate registrar to update on when we anticipated being able to finalize the report, and ultimately did so. My team member would be willing to both attest to his medical emergency and provide evidence of his covid positive status during that time frame.

Jonathan was responsible for social media set up and expenses, specifically with Facebook. Due to my own technical inexperience and Facebook's administrative tools, I could not access the receipts without him, nor could my treasurer. We could see how much was spent in total for the entire campaign, but without the itemized receipts, we were unable to meet the reporting requirements for just the time period as required by the commission. He was ill enough to not be able to communicate for a full 5 days and as soon as he was able to, we finished and finalized the report.

I would also request that the Commission consider the penalty's size compared to my campaign, my campaign's inexperience, and the level of harm to the public by receiving the disclosure one day late.

Thank you,
Danielle Fienberg



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

October 31, 2022
Danielle Fienberg
36 Turner Street, G3
Presque Isle, Maine 04769

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

Dear Ms. Fienberg:

You were required to file the 11-Day Pre-General Report on October 28, 2022 by 11:59 p.m. (21-A M.R.S. § 1017 (3-A)(B)), but the report was not filed until October 29, 2022. 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 \$368.12. 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 \$10 is automatically waived.

How Your Penalty Was Calculated

Filer: Danielle Fienberg			
Late-Filed Report: 11-Day Pre-General Report			
Contributions	\$0	Penalty Base Amount	\$368.12
Expenditures	\$18,406.02	Percentage	2%
Due Date	10/28/2022	Daily Accrual Rate	\$368.12
Date Filed	10/29/2022	Days Late	1
Previous Violations	0	Your Total Penalty	\$368.12

Payment Statement and Payment Options

From: Danielle Fienberg

Penalty Amount: \$368.12

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.



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 MCEA CANDIDATES

COMMITTEE		TREASURER	
Mrs. Danielle Anne Fienberg 36 Turner St, G3 Presque Isle, ME 04769 PHONE:(415) 312-4543 EMAIL: daniellejohnsonny@gmail.com		Mr. Brandon-Lee Maxwell Dayton 58 N. Perley Brook Road Fort Kent, ME 04743 PHONE: EMAIL: brandonlee.dayton@maine.edu	
REPORT	DUE DATE	REPORTING PERIOD	
11-Day Pre-General Report	10/28/2022	09/21/2022 - 10/25/2022	

FINANCIAL ACTIVITY SUMMARY

CASH ACTIVITY		
	TOTAL FOR PERIOD	TOTAL FOR CAMPAIGN
1. CASH BALANCE FROM LAST REPORT	\$21,520.47	
2. SEED MONEY CONTRIBUTIONS	\$0.00	\$2,081.00
3. MAINE CLEAN ELECTION ACT PAYMENTS & AUTHORIZATIONS	\$0.00	\$21,849.34
4. SALE OF CAMPAIGN PROPERTY (SCHEDULE E, PART 2)	\$0.00	\$0.00
5. OTHER CASH RECEIPTS (INTEREST, ETC.,)	\$0.00	\$0.00
6. MINUS EXPENDITURES (SCHEDULE B)	\$18,406.02	\$20,815.89
7. CASH BALANCE AT CLOSE OF PERIOD	\$3,114.45	
OTHER ACTIVITY		
8. IN-KIND SEED MONEY CONTRIBUTIONS	\$0.00	\$0.00
9. TOTAL UNPAID DEBTS AT CLOSE OF PERIOD (SCHEDULE D)	\$0.00	

I, Brandon-Lee Maxwell Dayton, CERTIFY THAT THE INFORMATION CONTAINED IN THIS REPORT IS TRUE, ACCURATE, AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

REPORT FILED BY: Brandon-Lee Maxwell Dayton
REPORT FILED ON: 10/29/2022 11:09:42 PM
LAST MODIFIED:
COMMITTEE ID: 446832

**SCHEDULE B
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
9/26/2022	Meta Platforms Inc 1601 WILLOW ROAD MENLO PARK, CA, 94025	Facebook Ad	ONL	\$25.00
9/26/2022	Meta Platforms Inc 1601 WILLOW ROAD MENLO PARK, CA, 94025	Facebook Ad	ONL	\$35.00
9/26/2022	TD Bank 680 Main Street Presque Isle, ME, 04769	Money Order fee	OTH	\$5.00
9/27/2022	Meta Platforms Inc 1601 WILLOW ROAD MENLO PARK, CA, 94025	Facebook Ad	ONL	\$50.00
9/28/2022	Meta Platforms Inc 1601 WILLOW ROAD MENLO PARK, CA, 94025	Facebook Ad	ONL	\$75.00
9/28/2022	Shell 283 MAIN STREET PRESQUE ISLE, ME, 04769	Fuel	TRV	\$57.09
9/29/2022	Print Works 260 MISSILE STREET PRESQUE ISLE, ME, 04769	Yard Signs	LIT	\$986.38
9/30/2022	Meta Platforms Inc 1601 WILLOW ROAD MENLO PARK, CA, 94025	Facebook Ad	ONL	\$75.00
10/4/2022	TD Bank 680 Main Street Presque Isle, ME, 04769	Maintenance Fee for Bank	OTH	\$15.00
10/4/2022	TD Bank 680 Main Street Presque Isle, ME, 04769	Paper Statement Fee	OTH	\$1.00

10/6/2022	Weebly 460 BRYANT STREET SAN FRANCISCO, CA, 94107	Website	WEB	\$16.00
10/11/2022	Meta Platforms Inc 1601 WILLOW ROAD MENLO PARK, CA, 94025	Facebook Ad	ONL	\$125.00
10/11/2022	VistaPrint 275 Wyman Street Waltham, ME, 02451	Mailer	MHS	\$2,628.86
10/12/2022	Print Works 260 MISSILE STREET PRESQUE ISLE, ME, 04769	Yard Signs	LIT	\$986.38
10/13/2022	Armand Kerechuk 3611 Gundry Avenue Long Beach, CA, 90807	Graphic Design and Production	PRO	\$568.00
10/13/2022	VistaPrint 275 Wyman Street Waltham, ME, 02451	Mailer	MHS	\$2,411.49
10/14/2022	Meta Platforms Inc 1601 WILLOW ROAD MENLO PARK, CA, 94025	Facebook Ad	ONL	\$50.76
10/17/2022	SBS Carbon Copy 54 MAIN STREET WATERVILLE, ME, 04901	Mailer	MHS	\$273.03
10/18/2022	Erikson Communication Group, Inc 157 Park Row Suite 102 Brunswick, ME, 04011	Social media ad/online advertisement	ONL	\$7,556.26
10/18/2022	Erikson Communication Group, Inc 157 Park Row Suite 102 Brunswick, ME, 04011	Radio ad	RAD	\$2,429.77
10/18/2022	Walmart 781 MAIN STREET PRESQUE ISLE, ME, 04769	Money Order Fee	OTH	\$1.00
10/20/2022	Weebly 460 BRYANT STREET SAN FRANCISCO, CA, 94107	Website	WEB	\$35.00
TOTAL EXPENDITURES FOR CANDIDATE:				\$18,406.02

Gordon, Erin

From: Danielle Fienberg <daniellejohnsonny@gmail.com>
Sent: Saturday, October 29, 2022 10:17 AM
To: Gordon, Erin; Brandon Dayton
Subject: Re: DUE TODAY: 11-Day Pre-General Report

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 Erin,

One of my team members has caught covid, and with being so sick, was not able to get the receipts he was holding to Brandon in time. As soon as we have those and can input them, the report will be filed. I expect that can be done by today.

Sorry for the delay,
Danielle

On Fri, Oct 28, 2022 at 1:38 PM Gordon, Erin <Erin.Gordon@maine.gov> wrote:

Good afternoon,

You are receiving this email because you are required to file the 11-Day Pre-General Report and it is still unfiled. This report must be filed online at www.mainecampaignfinance.com no later than 11:59 p.m. tonight. Please make sure that you can log in to the eFiling site today by 5 p.m. so that we can assist you if necessary.

Note to MCEA Candidates: campaign finance reports must be filed by your treasurer. If your treasurer is unavailable, contact your assigned Candidate Registrar immediately.

REMEMBER: We are currently within the 24-hour reporting period. Any new transactions of **\$1,000 or more** between now and the election must be added to eFiling and filed within 24 hours.

As always, do not hesitate to reach out if you have questions or concerns. Thank you,

Erin Gordon

Candidate Registrar

(207) 287-3651

Lorrie Brann

Candidate Registrar

(207) 287-4727

Maine Ethics Commission | www.maine.gov/ethics

135 State House Station, Augusta, ME 04333-0135

45 Memorial Circle, Augusta, ME

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.

3. Other candidates. [Repealed]

3-A. Other candidates. A treasurer of a candidate for state or county office other than the office of Governor shall file reports with the commission and municipal candidates shall file reports with the municipal clerk 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 in which an election for the candidate's particular office is not scheduled, when any candidate or candidate's political committee has received contributions in excess of \$500 or made or authorized expenditures in excess of \$500, 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 treasurer of the candidate 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 11th day before the date on which an election is held and must be complete as of the 14th 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 14th day before the election.



C. If the candidate has an opponent who is on the ballot or who is a declared write-in candidate, any single contribution of \$1,000 or more received or any single expenditure of \$1,000 or more made after the 14th day before any election and more than 24 hours before 11:59 p.m. on the day of any election must be reported within 24 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.

D. 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.

D-1. Reports must be filed no later than 11:59 p.m. on the 42nd day before the date on which a general election is held and must be complete as of the 49th day before that date, except that this report is not required for candidates for municipal office.

E. 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 D must be reported as provided by this paragraph. The treasurer of a candidate 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.

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

3-B. Accelerated reporting schedule. [Repealed]

4. New candidate or nominee. A candidate for nomination or a nominee chosen to fill a vacancy under chapter 5, subchapter 3 is subject to section 1013-A, subsection 1, except that the candidate shall register the name of a treasurer or political committee and all other information required in section 1013-A, subsection 1, paragraphs A and B within 7 days after the candidate’s appointment or at least 6 days

§ 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. [Repealed]

 **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 \$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.

5. [Repealed]

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.