



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: September 16, 2022
Re: Request by Lincoln County Republican Committee for Waiver of Late-Filing Penalty
Due to Late 2022 July Semiannual Report

The Lincoln County Republican Committee (LCRC) was required to file the 2022 July Semiannual Report by 11:59 p.m. on July 15, 2022. LCRC's treasurer, Ronald Cohen, filed the report on July 19th, four days late. The preliminary penalty for the late report is the statutory maximum of \$500.00. LCRC is requesting a waiver of the penalty.

LEGAL REQUIREMENTS

Local and county party committees are required to file one to three campaign finance reports with the Commission per year if the contributions it has received, or expenditures made during the calendar year, exceed \$1,500; otherwise, they are exempt from reporting. 21-A M.R.S. §§ 1017-A(4-B)(A) & (7). If a committee files a campaign finance report late, the amount of the penalty is set by a statutory formula that 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 late. 21-A M.R.S. § 1020-A(4-A).

DISCUSSION

On July 1, 2022, Ms. Burke mailed a postcard reminder to every local and county party official identified by the state party committees. Mr. Cohen was included as a recipient of the mailing. On July 8th, Mr. Cohen emailed Ms. Burke to inform her he had just been elected as LCRC's treasurer and did not have access to the committee's bank records, and would likely be unable to file a report on time. He asked if a report was required and whether they would be allowed an extension. Ms. Burke responded extensions are not allowed under statute, and would need more

information to determine if LCRC was required to file a report as a report would need to be added to their eFiling account. Local and county party committees, unlike candidates and statewide committees, do not have campaign finance reports automatically assigned because many of them are not required to file at all, due to the \$1,500 reporting threshold. Therefore, Commission staff must be informed by a local or county party committee if they need a report before the filing deadline.

Mr. Cohen received access to LCRC's bank records on July 15th, and began entering transactions into their eFiling account. On July 17th, Ms. Burke was reviewing administrative eFiling notifications, and realized the unfiled transactions entered by Mr. Cohen came to more than \$1,500.00. Ms. Burke added the 2022 July Semiannual Report to LCRC's filing schedule, and emailed Mr. Cohen to inform him it was added and the report should be filed as soon as possible. Mr. Cohen replied the same day stating he would file the report that evening. The 2022 July Semiannual Report for LCRC was filed at 10:45 p.m. on Tuesday, July 19th.

Based on the statutory formula for calculating late-filing penalties, the preliminary penalty amount is \$769.70, reduced to the statutory maximum of \$500.00 for local party committees, calculated as follows:

Report	Deadline	Financial Activity	Penalty Rate	Days Late	Preliminary Penalty
2022 July Semiannual Report	07/15/2022	\$9,621.30	2%	4	\$769.70 \$500.00

LCRC's waiver request reiterates the difficulties of the treasurer being recently elected without having access to the committee's bank records, and with the entire committee's leadership having recently resigned.

STAFF RECOMMENDATION

Timely filed campaign finance reports are an integral part of campaign finance transparency and disclosure because the statute requires late-filing penalties to increase daily after the reporting deadline. All committees are expected to pay attention to and meet all reporting deadlines.

However, the Commission staff is sympathetic to Mr. Cohen's position, and is of the opinion he made a good faith effort and a *bona fide* attempt to get the report filed.

Since 2018, the Commission has considered waiver requests from a total of four municipal or county party committees. In all four cases, the preliminary penalty was the \$500 maximum, and the Commission reduced the penalty to \$100. In this case, the preliminary penalty of \$500.00 is well over the \$100 range, and there are numerous mitigating factors. Mr. Cohen is an inexperienced filer and treasurer, and was unable to access the committee's bank records until the filing deadline. Therefore, the Commission staff recommends reducing the penalty to \$100.00.

Thank you for your consideration of this memo.



Emma Burke
45 Memorial Circle
Augusta, ME 04330

August 3, 2022

Dear Ms. Burke,

Thank you for speaking with me regarding the campaign finance report. As you are already aware, the report was filed 4 days late due to circumstances beyond my control. I am seeking a waiver of the penalty assessed for the lateness. When we spoke a couple of days before the report was due, I had explained to you about not having access to the bank records for the Lincoln County Republican Committee. On July 15th, 2022 I was finally able to gain access and was given printouts of the bank account from the bank. I immediately began entering the transactions to the best of my ability onto the Maine Ethics Commission website.

On July 17th, 2022 you sent me an email letting me know that I did not file the report because I didn't let the commission know I needed to file. I had all the information uploaded onto the site but was not able to file the report. We had our entire Executive Committee resign in one meeting so none of the other committee members were able to assist me.

I look forward to hearing from you regarding this matter.

Respectfully submitted,

Ronald Cohen
Treasurer, LCRC

Cc: LCRC Committee

LINCOLN COUNTY REPUBLICAN COMMITTEE

CHAIR	Katie Winchenbach	STATE COMMITTEEWOMAN	Jeanette Wheeler
VICE CHAIR	Steve Karp	STATE COMMITTEEMAN	Joe Felice
TREASURER	Ronald Cohen		
SECRETARY	Bill Morrison		



STATE OF MAINE
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AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0135

July 20, 2022

Ronald Cohen
Lincoln County Republican Committee
6 Arthur Drive
Boothbay Harbor, Maine 04358

Re: Party Committee Late Filing of 2022 July Semiannual Report

Dear Ronald:

The Commission staff has made a finding the Lincoln County Republican Committee ("the committee") was late in filing its 2022 July Semiannual campaign finance report. The report was due by 11:59 p.m. on July 15, 2022 but was not filed until July 19, 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 \$769.70 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."

Ronald Cohen
Lincoln County Republican Committee
6 Arthur Drive
Boothbay Harbor, Maine 04358

Violation:	Late 2022 July Semiannual Report
Amount Due:	\$769.70

Committee Name: Lincoln County Republican Committee

Prior Violations: 0

Report Name	Activity Amount	Due Date	Days Late	Penalty Rate	Penalty
2022 July Semiannual Report	\$9,621.30	07/15/2022	4	2%	\$769.70

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.



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

2022 CAMPAIGN FINANCE REPORT

FOR PARTY COMMITTEES

COMMITTEE		TREASURER	
Lincoln County Republican Committee PO Box 653 Waldoboro, ME 04572 PHONE: (207) 542-5589 EMAIL: smmclaren@msn.com		Ronald Cohen 6 Arthur Drive Boothbay Harbor, ME 04358 PHONE: EMAIL: cohenservicesllc2014@gmail.com	
REPORT	DUE DATE	REPORTING PERIOD	
July Semiannual - Local Party Committee	07/15/2022	01/01/2022 - 06/30/2022	

FINANCIAL ACTIVITY SUMMARY

RECEIPTS	TOTAL FOR PERIOD	TOTAL FOR YEAR
1. CASH CONTRIBUTIONS (SCHEDULE A)	\$9.33	\$9.33
2. OTHER CASH RECEIPTS (INTEREST, ETC.)	\$9,611.97	\$9,611.97
3. LOANS (SCHEDULE C)	\$0.00	\$0.00
4. TOTAL RECEIPTS (LINE 1 + 2 + 3)	\$9,621.30	\$9,621.30
EXPENDITURES		
5. EXPENDITURES TO SUPPORT OR OPPOSE (SCHEDULE B)	\$0.00	\$0.00
6. OPERATING EXPENDITURES (SCHEDULE B-1)	\$5,902.05	\$5,902.05
7. LOAN REPAYMENTS (SCHEDULE C)	\$0.00	\$0.00
8. TOTAL PAYMENTS (LINE 5 + 6 + 7)	\$5,902.05	\$5,902.05
OTHER ACTIVITY		
9. IN-KIND CONTRIBUTIONS (SCHEDULE A-1)	\$0.00	\$0.00
10. TOTAL LOAN BALANCE AT END OF PERIOD (SCHEDULE C)	\$0.00	
11. TOTAL UNPAID DEBTS AT END OF PERIOD (SCHEDULE D)	\$0.00	

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

REPORT FILED BY: Ronald Cohen
REPORT FILED ON: 7/19/2022 10:45:38 PM
LAST MODIFIED:
COMMITTEE ID: 797

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
1/11/2022	joseph Grant 540 Birch Point Road woscasset, ME, 04578	retired Retired	1	\$9.33
TOTAL CASH CONTRIBUTIONS				\$9.33

**SCHEDULE B-1
OPERATING EXPENDITURES**

EXPENDITURE TYPES				
APP	Apparel (t-shirts, hats, embroidery, etc.)	CON	Contribution to party committee, non-profit, other candidate, etc.	
EQP	Equipment of \$50 or more (computer, tablet, phone, furniture, etc.)	EVT	Campaign and fundraising events (venue or booth rental, entertainment, supplies, etc.)	
FOD	Food for campaign events or volunteers, catering	HRD	Hardware and small tools (hammer, nails, lumber, paint, etc.)	
LIT	Printed campaign materials (palmcards, signs, stickers, flyers, etc.)	MHS	Mail house and direct mail (design, printing, mailing, and postage all included)	
NEW	Newspaper and print media ads only	OFF	Office supplies, rent, utilities, internet service, phone minutes and data	
ONL	Social media and online advertising only	OTH	Other and fees (bank, contribution, and money order fees, etc.)	
PER	Personnel and campaign staff, consulting, and independent contractor costs	PHO	Phones (phone banking, robocalls and texts)	
POL	Polling and survey research	POS	Postage for U.S. Mail and mail box fees	
PRO	Professional services (graphic design, legal services, web design, etc.)	RAD	Radio ads, production costs	
TKT	Entrance cost to event (bean suppers, fairs, party events, etc.)	TRV	Travel (fuel, mileage, lodging, etc.)	
TVN	TV/cable ads, production, and media buyer costs only	WEB	Website and internet costs (website domain and registration, etc.)	
DATE OF EXPENDITURE	PAYEE	REMARK	TYPE	AMOUNT
1/11/2022	Wiscasset Community Center 242 Gardiner Rd Wiscasset, ME, 04578	Meeting Location for LCRC	EVT	\$150.00
1/13/2022	Stone Cove Catering 1297 Bristol Rd Bristol, ME, 04539	Deposit on food for Event in February	FOD	\$1,101.60
1/20/2022	Staples 235 CAMDEN ST ROCKLAND, ME, 04841	Purchase Ink for Printer	OFF	\$23.20
1/21/2022	USPS MAIN ST WALDOBORO, ME, 04572	Stamps	POS	\$58.00
2/10/2022	COPY SHOP 62 OLD FERRY RD WISCASSET, ME, 04578	Printed Raffle Tickets for Gun Raffle	EVT	\$174.34
2/14/2022	Stone Cove Catering 1297 Bristol Rd Bristol, ME, 04539	Balance due on Food for February Event	FOD	\$2,870.40
2/18/2022	GODADDY.COM 14455 N. HAYDEN RD., SUITE. 226 SCOTTSDALE, AZ, 85260-6947	Web Domain	WEB	\$21.17
2/28/2022	Liberty Tree Arms 65 Washington Rd Waldoboro, ME, 04572	Money used to put gun on hold for Raffle Winner	EVT	\$723.73
4/4/2022	Charles Lilly Post 149 181 Friendship Rd Waldoboro, ME, 04572	Meeting for LCRC	EVT	\$150.00
4/15/2022	USPS MAIN ST WALDOBORO, ME, 04572	Stamps	POS	\$14.52

4/28/2022	TBD TBD TBD, ME, 04538	Will Amend Once Access to Bank Records is Provided	OTH	\$91.00
5/31/2022	UNITED STATES POSTAL SERVICE 00 0000, ME, 00000	Use of Grant by Merle Parise to Mail out Postcards	LIT	\$200.00
5/31/2022	UNITED STATES POSTAL SERVICE 00 0000, ME, 00000	Use of Grant by Merle Parise to Mail out Postcards	LIT	\$200.00
5/31/2022	UNITED STATES POSTAL SERVICE 00 0000, ME, 00000	Postage	POS	\$10.15
6/16/2022	TBD TBD TBD, ME, 04538	Will Amend Once Access to Bank Records is Provided (Check #1297)	OTH	\$113.94
TOTAL OPERATING EXPENDITURES				\$5,902.05

Burke, Emma

From: Ronald Cohen <cohenservicesllc2014@gmail.com>
Sent: Sunday, July 17, 2022 7:48 PM
To: Burke, Emma
Subject: Re: July Semiannual 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.

Good evening Emma,

Thank you for letting me know. I just got access to the bank account on Friday and did my best to get everything in. I wondered why I didn't see the report like it showed in the instructions. I will take care of filing the report this evening as soon as I get home.

Respectfully,

Ronald Cohen

On Sun, Jul 17, 2022, 7:35 PM Burke, Emma <Emma.Burke@maine.gov> wrote:

Hi Ronald,

I was doing some weekend work and saw you had added transactions that needed to be filed in a 2022 July Semiannual Report. Because the Commission had not been notified of your need to file, 2022 reports has not been added to your filing schedule. I have since added the reports to your schedule and you may officially file. I recommend you do so as soon as possible where the report is now two days late.

Emma Burke (she/her)
Political Committee & Lobbyist Registrar
(Please excuse typos - replying via mobile)

(1) On the 11th day before the date on which the election is held, which must be complete up to 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 up to the 35th day after that date. [PL 2019, c. 323, §12 (AMD).]

D. A state party committee that files an election report under paragraph B or C is not required to file a quarterly report under paragraph A when the deadline for that quarterly report falls within 10 days of the filing deadline established in paragraph B or C. [PL 2003, c. 302, §3 (NEW).]

E. If a state party committee is required to file a report 11 days before an election pursuant to paragraph B or C, the committee shall report any single contribution of \$5,000 or more received or any single expenditure of \$1,000 or more made after the 14th day before the election and more than 24 hours before 5:00 p.m. on the day of the election within 24 hours of that contribution or expenditure. The committee is not required to include in this report expenditures for overhead expenses or compensation paid to an employee or other member of the campaign staff who has received payments at regular intervals that have been disclosed in previously filed campaign finance reports. As used in this paragraph, "overhead expenses" includes, but is not limited to, rent, utility payments, taxes, insurance premiums or similar administrative expenses. [PL 2019, c. 323, §12 (AMD).]

[PL 2019, c. 323, §12 (AMD).]

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

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

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

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

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

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

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

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

C. A committee shall report any single contribution of \$5,000 or more received or any expenditure of \$1,000 or more made after the 14th day before a general or special election and more than 24 hours before 11:59 p.m. on the day of the election within 24 hours of that contribution or expenditure. The committee is not required to include in this report expenditures for overhead expenses or compensation paid to an employee or other member of the campaign staff who has received payments at regular intervals that have been disclosed in previously filed campaign finance reports. As used in this paragraph, "overhead expenses" includes, but is not limited to, rent, utility payments, taxes, insurance premiums or similar administrative expenses. [PL 2019, c. 323, §13 (AMD).]

[PL 2019, c. 323, §13 (AMD).]

4-C. Electronic filing. State party committees shall file each report required by this section through an electronic filing system developed by the commission. The commission may make an exception to this electronic filing requirement if a party committee submits a written request that states that the party committee lacks access to the technology or the technological ability to file reports electronically. The request for an exception must be submitted by March 1st of the election year. The commission shall grant all reasonable requests for exceptions.

[PL 2007, c. 443, Pt. A, §17 (AMD).]

§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.