



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

To: Commissioners  
From: Lorrie Brann, Candidate Registrar  
Date: November 3, 2022  
Re: Request by David Thurston Campaign for Waiver of Late-Filing Penalty for 11-Day Pre-General Report

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David Thurston is a first-time Maine Clean Election Act (MCEA) candidate for House District 78. Mr. Thurston was required to file a 11-Day Pre-General Report by 11:59 p.m. on October 28, but it was filed one day late on October 29, and his treasurer Lee Hughes has requested a waiver on behalf of the campaign.

### **LEGAL REQUIREMENTS**

Candidates participating in the general election, must file a report by the 11<sup>th</sup> day before the date on which an election is held and the report must be complete as of the 14<sup>th</sup> day before that date. 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 scheduled 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. The Commission also mails report filing reminder postcards to all candidates two weeks prior to the filing deadline. On the afternoon of October 28 Candidate Registrar Erin Gordon also directly emailed all candidates, including David Thurston, who had not yet filed to remind them of the report deadline. The email began, "You are receiving this email because you are

required to file the 11-Day Pre-General Report and have not yet filed it,” and urged recipients to contact her with any questions.

The eFiling website sends an additional email just after the midnight deadline informing registered users who have failed to file the report on time. Based on the statutory formula for calculating late-filing penalties, the preliminary penalty amount is \$139.82, calculated as follows:

<b>Report</b>	<b>Deadline</b>	<b>Financial Activity</b>	<b>Penalty Rate</b>	<b>Days Late</b>	<b>Preliminary Penalty</b>
11-Day Pre-General Report	10/28/22	\$6,991.00	2%	1	\$139.82

Campaign treasurer, Lee Hughes explains in her letter that she is an experienced treasurer having submitted many reports for both her current and past candidates, but due to a Traumatic Brain Injury three years ago, she continues to have memory difficulties. She also said that she contacted Candidate Registrar Lorrie Brann via email on October 28 to get verification that she had filed the report.

On October 28, Ms. Brann spoke with Ms. Hughes to help her enter the payments on Mr. Thurston’s outstanding debts and understood that she would send an email once the payments were entered so Ms. Brann could review whether the payments were correctly entered. Ms. Brann received an email from Ms. Hughes and confirmed the report looked good.

On October 29, Ms. Hughes was sent an automatic email from the eFiling system indicating that the report was not filed. She subsequently filed the report that day, one day late, and believes that she made a bona fide effort to file the report on October 28.

Although Mr. Thurston is a first-time candidate, his treasurer is experienced and has successfully filed previous reports for the campaign this cycle, and all reports for candidate Stephanie Leblanc in 2018. The eFiling site has multiple functions that filers can use to *immediately* confirm that they have successfully filed a report:

- Upon successful filing, a confirmation message pops up temporarily to assure the filer the report has been filed;
- Upon successful filing, a confirmation email is sent to all registered users for the campaign, including both candidate and treasurer;
- Once a report is filed, the report is displayed in the Filed section on the View/File Reports tab on the candidate’s eFiling account, accompanied by a filed date;

- Once a report is filed, the report is displayed in the Recently Filed Reports section on the candidate's eFiling home page;
- If a report that is due soon, or is overdue, remains unfiled, there is a notice at the top of the candidate's eFiling home page;
- If a report remains unfiled and overdue, the report is displayed in the Unfiled section on the View/File Reports tab on the candidate's eFiling account, accompanied by a due date in red text and a report status stating 'Past Due' also in red text; and
- If a report is not filed on time, an email is sent out the next morning to all associated registered users stating the report is not filed and is overdue.

The confirmations of a successful report filing are attached for your reference. It is reasonable to expect candidates, treasurers, and other filers to take advantage of these on-screen and email confirmations. Although Ms. Hughes takes responsibility for the late filing, Mr. Thurston, as the candidate, received all the same automated reminders and the additional direct reminder from Ms. Gordon on the day of the deadline and failed to contact Commission staff to question receipt of that email.

#### **STAFF RECOMMENDATION**

In 2018 and 2020, the Commission waived late-filing penalties against candidates downward to a range of \$300 - \$400, for example:

- from \$384.37 to \$300 – late 24-Hour Report by Ian Schwartz
- from \$529.50 to \$350 – late 42-Day Post-Primary Report by Mark Lawrence
- from \$2,991.36 to \$300 – late 24-Hour Report by Danny Costain
- from \$3,744.00 to \$400 – late 24-Hour Report by Cathleen Nichols

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

- \$84.00 – late 42-Day Post-Primary Report by Brian Redmond
- \$109.54 – late 11-Day Pre-General Report by Scott Gaiason
- \$132.00 – late 42-Day Post-Primary Report by Mark Andre
- \$235.03 – late 42-Day Post-General Report by James LeBrecque

We do not recommend reducing Mr. Thurston's original penalty from \$139.82, as it falls well below the range of \$300-\$400. The factors that caused the delay in his filing were avoidable and the penalty amount is not disproportionate.

Thank you for your consideration of this memo.



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

October 31, 2022

David P. Thurston  
374 Mayville Road  
Bethel, ME 04217

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

Dear Mr. Thurston:

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 **\$139.82**. 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](http://www.maine.gov/ethics) by clicking the "Penalty Payment" link. Please contact me at (207) 287-4727 or [lorrie.j.brann@maine.gov](mailto:lorrie.j.brann@maine.gov) if you have any questions.

Sincerely,

Lorrie Brann  
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 1<sup>st</sup> 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

<b>Filer:</b> David P. Thurston			
<b>Late-Filed Report:</b> 11-Day Pre-General Report			
<b>Contributions</b>	\$1375.00	<b>Penalty Base Amount</b>	\$6991.00
<b>Expenditures</b>	\$6991.00	<b>Percentage</b>	2%
<b>Due Date</b>	10/28/2022	<b>Daily Accrual Rate</b>	\$139.82
<b>Date Filed</b>	10/29/2022	<b>Days Late</b>	1
<b>Previous Violations</b>	0	<b>Your Total Penalty</b>	\$139.82

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### Payment Statement and Payment Options

**From:** David P. Thurston

**Penalty Amount:** \$139.82

**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](http://www.maine.gov/online/ethics/penalties).

Lorrie J. Brann  
Candidate Registrar  
Maine Ethics Commission  
135 State House Station  
Augusta, ME 04333-0135

November 2, 2022

Dear Ethics Commission:

My name is Lee M. Hughes and I am acting as Treasurer for David Thurston's campaign for Maine House of Representatives. I have worked for two prior candidates for our district 78 because I am passionate about making sure that I do something more than voting. I want to actively work for our democracy!

Because I have submitted reports many times for my previous and current candidate, I know that I should understand the forms and how to use them. However, 3 years ago I suffered a Traumatic Brain Injury (TBI) from a bicycle crash. I have continued difficulty with memory, which causes me to have to begin afresh with tasks that I have been familiar with, even in the recent past.

That is the reason that I asked Lorrie Brann to double check that I had submitted this 11-Day Pre-General Report correctly on the day before the deadline. I wanted to make sure that I had done everything right in submitting my report. I had clicked SUBMIT, but had not noticed nor remembered that there is another step to complete the submission. I felt that asking for Lorrie's help would ensure that I had completed the process correctly.

In hindsight, I can imagine that Lorrie thought I just wanted approval for how I had filled out the form. But what I really wanted was to make sure that I had submitted the form a day early to make sure it wasn't late! When I got her ok, I turned off my computer and didn't check my mail again until the 29<sup>th</sup>, when I was notified that I hadn't submitted the report on time. I must say that the remedial step/s are very straightforward, as in click & done, unlike the actual steps to submitting forms on time!

Please understand that I am earnestly doing my treasurer role and sincerely and honestly trying to meet deadlines. Having been a secondary school educator for my entire career, I understand that even the most earnest students can make

mistakes and that sometimes (in this case) the website design can be unclear. If this a common problem for Treasurers (as I understand it to be) why not just fix the site? Why penalize honest people like me for trying their best?

I would like to submit this waiver request under both B and D categories. My understanding was that Lorrie had confirmed that I had submitted my report on time and that I did my best to follow the deadline rule.

In appreciation of your consideration of my request,

Lee M. Hughes

*Lee M. Hughes*

32 Chapman St.

Bethel, ME 04217

207 595-7641

leemorisonhughes@gmail.com



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

## 2022 CAMPAIGN FINANCE REPORT

### FOR MCEA CANDIDATES

COMMITTEE		TREASURER	
Mr. David Paul Thurston 374 Mayville Road Bethel, ME 04217 PHONE:(207) 749-9241 EMAIL: david.fuzzy.thurston@gmail.com		Ms. Lee Hughes 32 Chapman St. Bethel, ME 04217 PHONE: EMAIL: leemorisonhughes@gmail.com	
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	\$7,400.00	
2. SEED MONEY CONTRIBUTIONS	\$0.00	\$100.00
3. MAINE CLEAN ELECTION ACT PAYMENTS & AUTHORIZATIONS	\$1,375.00	\$8,675.00
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)	\$6,991.00	\$6,991.00
7. CASH BALANCE AT CLOSE OF PERIOD	\$1,784.00	
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, Lee Hughes, CERTIFY THAT THE INFORMATION CONTAINED IN THIS REPORT IS TRUE, ACCURATE, AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

REPORT FILED BY: Lee Hughes  
REPORT FILED ON: 10/29/2022 10:34:07 AM  
LAST MODIFIED:  
COMMITTEE ID: 426451



**SCHEDULE A  
CASH CONTRIBUTIONS**

- For contributors who gave more that \$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

9 = Candidate / Candidate Committee

2 = Candidate/ Spouse/ Domestic Partner

10 = General Treasury Transfer

3 = Commercial Source

11 = Transfer from Previous Campaign

4 = Nonprofit Organization

12 = Contributors giving \$50 or less

5 = Political Action Committee

13 = Contributors giving \$100 or less

6 = Political Party Committee

14 = Contributors giving \$200 or less

7 = Ballot Question Committee

15 = MCEA Payment

8 = Other Candidate/ Candidate Committee

16 = Financial Institution

DATE RECEIVED	CONTRIBUTOR	EMPLOYER AND OCCUPATION	TYPE	AMOUNT
10/19/2022	MCEA Payment	Supplemental payment #2	15	\$1,375.00
<b>TOTAL CASH CONTRIBUTIONS</b>				\$1,375.00

**SCHEDULE B  
EXPENDITURES**

<b>EXPENDITURE TYPES</b>					
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.)		
<b>DATE OF EXPENDITURE</b>	<b>PAYEE</b>	<b>REMARK</b>		<b>TYPE</b>	<b>AMOUNT</b>
10/4/2022	Parker Thurston 374 Mayville Rd. Bethel, ME, 04217	Debt Payment  Web design and implementation		PRO	\$1,000.00
10/20/2022	FRAME Media Strategies, LLC 452 Roosevelt Trail Windham, ME, 04217	Debt Payment  Mailing & Digital video		MHS	\$5,991.00
<b>TOTAL EXPENDITURES FOR CANDIDATE:</b>					<b>\$6,991.00</b>

**From:** [Gordon, Erin](#)  
**Cc:** [Brann, Lorrie J](#)  
**Subject:** DUE TODAY: 11-Day Pre-General Report  
**Date:** Friday, October 28, 2022 1:38:22 PM

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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](http://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](http://www.maine.gov/ethics)  
135 State House Station, Augusta, ME 04333-0135  
45 Memorial Circle, Augusta, ME

**From:** [Brann, Lorrie J](#)  
**To:** [Lee Hughes](#)  
**Subject:** RE: Can you take a look at my report?  
**Date:** Monday, October 31, 2022 8:26:00 AM

---

Good morning Lee:

Unfortunately, there will be a penalty for filing the report a day late. I will be sending out the preliminary penalty letter today by mail and email. It looks like the preliminary penalty will be \$139.82, which will have to be paid out of personal funds not MCEA funds. David will have an opportunity to request a waiver or reduction of the penalty if he feels there are mitigating circumstances for the late filing. The odds of getting a waiver or reduction, given the amount of the penalty, are probably low, but it is his choice whether or not to appeal the violation.

Sorry this is not better news,

*Lorrie*

Lorrie J. Brann,  
Candidate Registrar  
Maine Ethics Commission  
135 State House Station  
Augusta, ME 04333-0135

Phone: (207) 287-4727

Fax: (207) 287-6775

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**From:** Lee Hughes <leemorisonhughes@gmail.com>  
**Sent:** Saturday, October 29, 2022 10:36 AM  
**To:** Brann, Lorrie J <Lorrie.J.Brann@maine.gov>  
**Subject:** Re: Can you take a look at my 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.**

Well, even with trying to get your help, I screwed up, Lorrie! I hit "submit," and that seemed like the end. I still don't know what I did wrong, but I am a day late filing. Can you help?

Ugh!

lee

On Fri, Oct 28, 2022 at 11:00 AM Brann, Lorrie J <[Lorrie.J.Brann@maine.gov](mailto:Lorrie.J.Brann@maine.gov)> wrote:

Hi Lee:

The report looks good!

Have a good day,

*Lorrie*

**Lorrie J. Brann,  
Candidate Registrar  
Maine Ethics Commission  
135 State House Station  
Augusta, ME 04333-0135**

**Phone: (207) 287-4727  
Fax: (207) 287-6775**

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**From:** Lee Hughes <[leemorisonhughes@gmail.com](mailto:leemorisonhughes@gmail.com)>  
**Sent:** Friday, October 28, 2022 10:38 AM  
**To:** Brann, Lorrie J <[Lorrie.J.Brann@maine.gov](mailto:Lorrie.J.Brann@maine.gov)>  
**Subject:** Can you take a look at my 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 Lorrie,

I think I did the report right, but if you have a minute (as if!) could you just shoot me an AOK?

Thanks for being the best at what you do!

lee

## Final Two Steps in Filing any Campaign Finance Report

Clicking the red File Report button (top right)

Maine Ethics Commission  
CAMPAIGN FINANCE REPORTING

ALL Please enter minimum 3 characters to search

+ NEW TRANSACTION

Home  
View/File Reports  
Contributions  
Expenditures  
Loans  
Debts  
Contributor/Payee  
Import Manager  
Administration  
Public Site  
E-Filing Help  
Logout

← 11-Day Pre-General Report: 09/21/2022 - 10/25/2022

24 Days late (Due Date: 10/28/2022)

PREVIEW FILE REPORT

**Cash Summary**

Cash Balance at Beginning of Period	\$300.00
Receipts	\$0.00
Expenditures	\$0.00
Cash Balance at End of Period	\$300.00

**Other Activity**

In Kind Contributions	\$0.00
Total Loan Balance at End of Period	\$0.00
Total Unpaid Debts at End of Period	\$0.00

Certifying the information in the report is true, accurate and complete

Maine Ethics Commission  
CAMPAIGN FINANCE REPORTING

ALL Please enter minimum 3 characters to search

+ NEW TRANSACTION

Home  
View/File Reports  
Contributions  
Expenditures  
Loans  
Debts  
Contributor/Payee  
Import Manager  
Administration  
Public Site  
E-Filing Help  
Logout

← 11-Day Pre-General Report: 09/21/2022 - 10/25/2022

24 Days late (Due Date: 10/28/2022)

PREVIEW FILE REPORT

**Cash Summary**

Cash Balance at Beginning of Period	\$300.00
Receipts	\$0.00
Expenditures	\$0.00
Cash Balance at End of Period	\$300.00

**Other Activity**

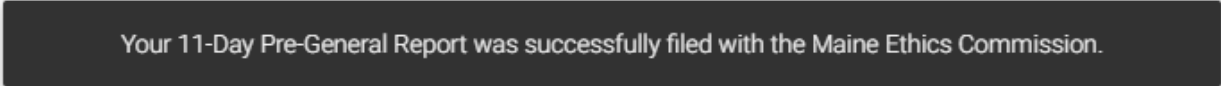
In Kind Contributions	\$0.00
Total Loan Balance at End of Period	\$0.00
Total Unpaid Debts at End of Period	\$0.00

By submitting this report, I certify that I have reviewed the information contained in this report and it is true, accurate and complete to the best of my knowledge. Knowingly making a false statement in a report filed with the Ethics Commission is subject to criminal prosecution.

Cancel Submit

## Four Immediate Confirmations that a Campaign Finance Report has been Filed

(1) A pop-up message appears for around six seconds in the bottom third of the screen



Your 11-Day Pre-General Report was successfully filed with the Maine Ethics Commission.


(2) A confirmation email is sent to all users associated with the candidate or committee

### Confirmation of Electronic Campaign Finance Filing for Storme Jude St. Valle



ethics@maine.gov

To  stormejstvalle@gmail.com;  stvalleabigail@gmail.com

Cc  Commission, Ethics



24 Hour Report of Contributions and Expenditures.pdf  
13 KB

**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.**

The Campaign Finance Report due 11/4/2022 was successfully filed with the Maine Ethics Commission on 11/18/2022.

### (3) After filing, the report moves from the Upcoming Reports section on the user's home page

The screenshot shows the user's home page on the Maine Ethics Commission CAMPAIGN FINANCE REPORTING system. The top navigation bar includes the logo, a search bar with the text "ALL Please enter minimum 3 characters to search", and a "+ NEW TRANSACTION" button. The left sidebar contains a menu with items: Home, View/File Reports, Contributions, Expenditures, Loans, Debts, Contributor/Payee, Import Manager, Administration, Public Site, E-Filing Help, and Logout. The main content area is divided into two sections: "Upcoming Reports" and "Recently Filed Reports".

**Upcoming Reports**

- Upcoming Report: 42-Day Post-General Report 10/26/2022 - 12/13/2022  
Due on Dec 20, 2022

**Recently Filed Reports**

- 11-Day Pre-General Report 09/21/2022 - 10/25/2022  
This report was filed on 11/21/2022 09:52:31 AM **VIEW**
- 42-Day Pre-General Report 07/20/2022 - 09/20/2022  
This report was filed on 09/28/2022 08:03:15 AM **VIEW**

[SEE MORE](#)

### to the Recently Filed Reports section

This screenshot shows the same dashboard as above, but with the "Recently Filed Reports" section expanded. A red arrow points to the top report in this section.

**Recently Filed Reports**

- 42-Day Post-General Report 10/26/2022 - 12/13/2022  
This report was filed on 11/21/2022 10:09:55 AM **VIEW**
- 11-Day Pre-General Report 09/21/2022 - 10/25/2022  
This report was filed on 11/21/2022 09:52:31 AM **VIEW**
- 42-Day Pre-General Report 07/20/2022 - 09/20/2022  
This report was filed on 09/28/2022 08:03:15 AM **VIEW**

[SEE MORE](#)



**(4) On the View/File Reports screen, the report moves from the Unfiled tab**

The screenshot shows the 'View/File Reports' interface for the 2022 Election - TF Legislative cycle. The 'UNFILED' tab is selected, and a red arrow points to it. The table below shows one report:

Report Name	Start of Period	End of Period	Due Date	Report Status	Unfiled Transactions
42-Day Post-General Report	10/26/2022	12/13/2022	12/20/2022	Unfiled	

1 Result

**to the Filed tab**

The screenshot shows the 'View/File Reports' interface for the 2022 Election - TF Legislative cycle. The 'FILED' tab is selected, and a red arrow points to it. The table below shows three reports:

Report Name	Start of Period	End of Period	Due Date	Report Status	Filed Date	Amended Date
42-Day Post-General Report	10/26/2022	12/13/2022	12/20/2022	Filed	11/21/2022 10:09:55 AM	
11-Day Pre-General Report	09/21/2022	10/25/2022	10/28/2022	Filed	11/21/2022 9:52:31 AM	
42-Day Pre-General Report	07/20/2022	09/20/2022	09/27/2022	Filed	09/28/2022 8:03:15 AM	

3 Results

**Title 21-A M.R.S.**  
**Chapter 13: Campaign Finance Reports and Finances**

...

**§ 1017. Reports by candidates**

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...

**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.

## § 1020-A. Failure to file on time

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**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.

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**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.