

Agenda

Item #5



NORTHERN NEW ENGLAND  
HOUSING INVESTMENT FUND

RECEIVED

SEP 22 2009

MAINE ETHICS COMMISSION

State of Maine  
Commission on Governmental Ethics  
and Election Practices  
135 State House Station  
Augusta, ME 04333-0135

Re: John Anton August 2009 Lobby Disclosure Report

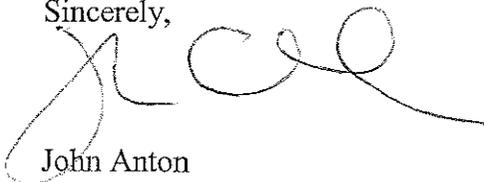
Dear Commission Members:

This letter responds to your September 16, 2009 letter, notifying me that my August lobbying report had not yet been filed. I was not aware the report had not been filed until I received your letter. Upon receiving your letter, I filed the report on September 17, 2009.

Please waive the late filing penalty. The administrative support person who ensured the timely filing of these reports recently left our organization. In taking over her former tasks, we obviously missed this responsibility, and I apologize for filing late. This is the first time that I have filed late in 2009. Please let me know how the commission rules on this request.

Thank you.

Sincerely,



John Anton



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

September 16, 2009

John Anton  
 Northern New England Housing Investment Fund  
 183 Middle Street, Floor 3  
 Portland, Maine 04101

Dear Mr. Anton,

Our records show that your August monthly lobbyist disclosure report has not been filed to date. The monthly report, due on the 15<sup>th</sup> of every month – or the next business day if the 15<sup>th</sup> falls on a weekend or holiday, is required to be filed electronically by all lobbyists registered with the Commission by 11:59 p.m. The **August** report was due by 11:59 p.m. on September 15, 2009.

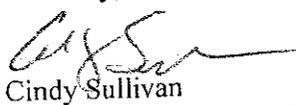
In addition, 3 M.R.S.A. §319(1) states that any person who fails to file a timely report may be assessed a penalty of \$100 for every month the person is delinquent in filing the report; thus, to date your penalty is **\$100**. If you agree with this preliminary determination, you may use the attached billing statement to pay that penalty within 30 days of the date of this notice. Please mail your remittance to the Commission on Governmental Ethics and Election Practices, 135 State House Station, Augusta, Maine 04333.

However, if you have a valid reason for filing late, you may request a final penalty determination by the Commission. The Commission will notify you of the disposition of your case within 10 days after its determination.

**To avoid further penalty, you should file the report as soon as possible.** Pursuant to 3 M.R.S.A. § 319(1-A), any person who fails to file a report or pay a fee may be suspended from further lobbying by written notice of the Commission until such failure is corrected.

Please direct any questions you may have about this matter to me at (207) 287-6221.

Sincerely,



Cindy Sullivan  
 PAC, Party & Lobbyist Registrar

Cut Along Dotted Line

To: Commission on Governmental Ethics and Election Practices  
 135 State House Station  
 Augusta, Maine 04333

For Office Use Only
Account: CGEEP
Fund: 014
Appr: 01

From: John Anton, Lobbyist for:  
 Northern New England Housing Investment Fund

Re: Penalty for late filing of the **August** 2009 monthly lobbyist disclosure report (\$100)

Amount Enclosed: \$ \_\_\_\_\_

Check/M.O. No.: # \_\_\_\_\_

*Please Make Check or Money Order Payable to:*  
**Treasurer, State of Maine**

OFFICE LOCATED AT: 242 STATE STREET, AUGUSTA, MAINE  
 WEBSITE: WWW.MAINE.GOV/ETHICS

PHONE: (207) 287-4179

FAX: (207) 287-6775

### 3 MRSA § 319. PENALTY

**1. Failure to file registration or report.** Any person who fails to file a registration or report as required by this chapter may be assessed a fine of \$100 for each person listed or who should have been listed on the lobbyist registration for every month the person fails to register or is delinquent in filing a report pursuant to section 317. The commission may waive the penalty in whole or in part if the commission determines the failure to register or report was due to mitigating circumstances.

**1-A. Notice of suspension.** Any person who fails to file a report or pay a fee as required by this chapter may be suspended from further lobbying by written notice of the commission until such failure is corrected.

**2. (repealed)**

**3. Exemption.** Notwithstanding section 317, subsection 1, a registered lobbyist is exempt from the penalty imposed under this section if, while the Legislature is convened in special session, the lobbyist failed to file a report with the commission pursuant to section 317 if no lobbying has been performed during that special session.