



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

To: Commission
From: Jonathan Wayne, Executive Director
Date: May 20, 2024
Re: Failure to Update Registration – Bangor Fire Fighters PAC Fund

Political action committees (PACs) registered with the Commission are required by statute to submit an updated electronic registration by March 1st of each election year. One objective of the update requirement is to make sure that the PAC's treasurer and officer information and statement of purpose do not become outdated, which can lead to uncertainty as to who is controlling the PAC and a lack of accountability. Commission staff sent three emails to PACs during February and one email on the March 1 deadline, urging them to log into the eFiling site, review their committee details, make any necessary changes, and amend (refile) the registration. The Bangor Fire Fighters PAC Fund did not update its registration until March 11, 2024. The Commission staff recommends a finding of violation and assessment of a \$250 penalty.

LEGAL REQUIREMENTS

An organization is required to register with the Commission within seven days of receiving or spending more than \$2,500 for purposes of influencing candidate elections. 21-A M.R.S. § 1052-A(1)(A). The registration must identify a principal officer, a treasurer, and other individuals who are primarily responsible for raising contributions or making decisions for the committee. § 1052-A(2). The registration must describe the form or structure of the organization and which candidates the PAC intends to support or oppose. § 1052-A(3). If the PAC was formed by another organization, it must be identified. *Id.* In addition to the initial registration, PACs:

are required to file an updated registration by March 1st of every election year:
C. A committee shall file an updated registration form between January 1st and March 1st of each year in which a general election is held. The commission may

waive the updated registration requirement for a newly registered political action committee or other registered committee if the commission determines that the requirement would cause an administrative burden disproportionate to the public benefit of the updated information.

21-A M.R.S. § 1052-A(1)(C). The Commission’s statutes include a penalty provision when a PAC or ballot question committee fails to register as required:

A political action committee required to register under section 1052-A, 1053-A or 1053-B or a ballot question committee required to register under section 1053-A that fails to do so or that fails to provide the information required by the commission for registration may be assessed a fine of no more than \$2,500. In assessing a fine, the commission shall consider, among other things, whether the violation was intentional, the amount of campaign and financial activity that occurred before the committee registered, whether the committee intended to conceal its campaign or financial activity and the level of experience of the committee's volunteers and staff.

21-A M.R.S. § 1062-A(1).

DISCUSSION

On February 6, 20, 28, and March 1, 2024, former Commission employee Emma Burke sent a series of email reminders to PACs requesting that they file an updated registration. The deadline was March 1st (at 11:59 p.m.). She explained the PACs could update the registration by logging into the Commission’s eFiling website, clicking on “Committee Details,” make any changes, and click “Amend” in the bottom right corner. Her emails explained this was required even if no details of the PAC had changed. Current staff believes the emails were sent to the treasurer and principal officer of each PAC.

Ms. Burke’s emails (attached) were concise and included the necessary how-to information. They specifically mentioned the potential for late filing penalties if the updated registration was not filed by March 1, 2024. The subject line of the last two emails started with TWO DAYS LEFT and ABSOLUTE FINAL DAY.

By March 8, 2024, the Bangor Fire Fighters PAC Fund had not filed an updated registration. Ms. Burke sent a notice that a penalty of up to \$2,500 could be assessed for a failure to make any filing. The PAC filed an updated registration on March 11, 2024.

That day, Ms. Burke sent another letter notifying the PAC that a penalty would be considered by the Commission at its April 11, 2024 meeting because the registration was filed late. The maximum penalty is \$2,500. The letter invited the PAC to seek a waiver of the potential late-filing penalty. The Commission's April 11 meeting was canceled, and the matter was rescheduled for the Commission's May 29, 2024 meeting.

In a letter dated March 20, 2024, the PAC treasurer, Robert Lepari, requested a waiver of any penalties. He describes the PAC as inexperienced with the state's registration requirements but acknowledges the PAC should have been more vigilant in this case. He says that he checks emails for the PAC twice a month, which contributed to the oversight. The PAC has decided to dissolve because it has been dormant for years.

Under 21-A M.R.S. § 1062-A(1), the decision whether to penalize a PAC for registering late is a discretionary one for the Commission to make at a public meeting. Unlike when a campaign finance report is filed late, at this time the PAC does not owe any preliminary penalty.

Staff cannot find a similar case of a PAC being penalized for filing an updated registration late that we can use as precedent. Since April 2018, the Commission staff has generally recommended a penalty of \$750 or more when a campaign finance report is filed late but has recommended smaller penalties for good cause. Staff is inclined to believe some penalty would be appropriate in this case to underscore the importance of updating PAC registrations. We recommend a \$250 penalty given the particular facts of this case (a required update with no new information) and the need for precedent in the future. The financial activity summary in the PAC's last campaign finance report indicated the PAC has a \$2,139 cash balance as of March 30, 2024.



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

2024 REGISTRATION: POLITICAL ACTION COMMITTEE

COMMITTEE INFORMATION	
BANGOR FIRE FIGHTERS PAC FUND 289 Main St. Bangor, ME 04401 PAC TYPE:	Phone: (207) 991-3756 Fax: Email: iaaff772vp@gmail.com Web:
TREASURER INFORMATION	
Robert Lepari 289 Main Street Bangor, ME 04401	Public: Fax: Email: iaaff772vp@gmail.com
PRINCIPAL OFFICER INFORMATION	
Jared Willey Principal Officer 289 Main St Bangor, ME 04401	Public: (207) 540-3129 Email: iaaff772president@gmail.com
DECISION MAKERS AND FUNDRAISERS	
LEGISLATORS AND CANDIDATES WITH A SIGNIFICANT ROLE IN THIS PAC	
FORM OF ORGANIZATION	
Voluntary Association	Date of origin / incorporation 12/15/2005
FOUNDING ORGANIZATIONS	
STATEMENT OF SUPPORT OR OPPOSITION	
CERTIFICATION	
I, Robert Lepari, certify that the information in this registration is true, accurate, and complete.	
SIGNATURE	Date: March 11, 2024

Filed Date: 12/28/2005
Amended Date: 3/11/2024

PAC Registration



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

March 8, 2024

Robert Lepari
Bangor Fire Fighters PAC Fund
289 Main Street
Bangor, Maine 04401

Re: Bangor Fire Fighters PAC Fund's Unfiled 2024 Biennial Registration

Dear Mr. Lepari:

The Bangor Fire Fighters PAC Fund (the PAC) is in violation of the law for not filing its 2024 PAC Biennial Registration, which was due on March 1, 2024. (21-A M.R.S. § 1052-A(1)(C)) Under Maine law, the late filing of a report triggers an enforcement process. (21-A M.R.S. § 1062-A) At an upcoming Commission meeting, the Commission may assign a penalty of up to \$2,500 for this violation.

Please file the PAC's reregistration as soon as possible, as the number of days late could influence the amount of any assigned penalty. Both you and Jared Willey have been sent multiple emails with instructions for the reregistration process.

Please contact me at 207-287-4709 or emma.burke@maine.gov with any questions.

Sincerely,

Emma Burke
Political Committee & Lobbyist Registrar

cc: Jared Willey, Principal Officer



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

March 11, 2024

Robert Lepari
Bangor Fire Fighters PAC Fund
289 Main Street
Bangor, Maine 04401

Re: Late Filing of Bangor Fire Fighters PAC Fund's 2024 Biennial Registration

Dear Mr. Lepari:

The Commission staff has found the Bangor Fire Fighters PAC Fund (the PAC) was late in filing its 2024 PAC Biennial Registration, which was due on March 1, 2024 but not filed until March 11th. (21-A M.R.S. § 1052-A(1)(C)) Under Maine law, the late filing of a report triggers an enforcement process. (21-A M.R.S. § 1062-A) At its meeting on April 10, 2024, the Commission will consider this matter and may assign penalty of up to \$2,500 for this violation.

The PAC may make a written request that the Commission waive the violation in whole or in part and suggest a penalty it feels is appropriate. The request must be in writing, contain an explanation of why the PAC filed late, and submitted by March 27, 2024.

The Commission may waive the penalty if it determines that 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 the PAC 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 contact me at 207-287-4709 or emma.burke@maine.gov with any questions.

Sincerely,

Emma Burke
Political Committee & Lobbyist Registrar

Cc: Jared Willey, Principal Officer



Bangor Professional Fire Fighters

Affiliated with
INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS AFL-CIO-CLC
PROFESSIONAL FIRE FIGHTERS OF MAINE
MAINE AFL-CIO
GREATER BANGOR CENTRAL LABOR COUNCIL

LOCAL 772

289 Main St.
Bangor Maine 04401

DATED: 03-20-2024

Subject: Request for Waiver of Penalty - Late Filing of Bangor Fire Fighters PAC Fund
2024 Biennial Registration

Dear Commission of Government Ethics and Election Practices ,

RE: Late filing of Bangor Fire Fighters PAC Fund 2024 Biennial Registration

I am writing to provide an explanation regarding the late filing of registration for our Bangor Fire Fighters PAC Fund. We recently received your letter regarding our overdue registration, and we understand the importance of timely compliance with all regulatory requirements.

The notice from your office regarding our registration deadline arrived by email 10 days prior to the registration due date. Due to the procedural nature of our operations, I typically check and respond to emails twice a month, which unfortunately contributed to our oversight.

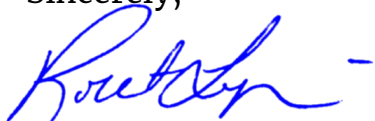
Additionally, our organization is relatively inexperienced when it comes to dealing with PAC registrations. As the designated treasurer of the Bangor Fire Fighters PAC Fund, I take full responsibility for the oversight and acknowledge that we should have been more vigilant in monitoring our registration status.

Upon realizing the lapse, we took immediate action to rectify the situation. We promptly contacted your office and completed the registration process for our PAC. Furthermore, I would like to inform you that our PAC has recently made a motion to dissolve our funds, as it has been dormant for more than ten years.

Given the circumstances and our prompt action to rectify the late filing, we respectfully request a waiver of any associated penalties. We assure you that steps have been taken to prevent such occurrences in the future, and we are committed to upholding the highest standards of compliance and transparency in our operations.

Thank you for your understanding and consideration of our request. Should you require any further information or documentation, please do not hesitate to contact me directly at (207)991-3756.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert Lepari", with a horizontal line extending from the end of the signature.

Robert Lepari

Vice President/Treasurer

Bangor Professional Fire Fighters

Burke, Emma

From: Burke, Emma
Sent: Friday, March 1, 2024 10:44 AM
Subject: ABSOLUTELY FINAL DAY for PAC Reregistration

Hello, and welcome to email #4! If you do not follow the steps in the first email below to reregister your PAC before midnight tonight, I will be starting an enforcement process that could result in a penalty assigned by the Commission. I don't want that, and you don't want that. So, if you are involved in a PAC or BQC listed below, for the love of cats, please reregister your committee before midnight tonight.

A House United
Bangor Fire Fighters PAC Fund
Building Solidarity PAC
Maine Automotive Right To Repair Committee
Maine Cannabis Industry Association PAC
Maine Families For Vaccines
Maine Lobster PAC
PAC To The Future
The House Republican Fund
Wabanaki Alliance PAC

Emma J. Burke (she/her)
Political Committee & Lobbyist Registrar
Maine Ethics Commission
(207) 287-4709 | [Agency Site](#) | [eFiling Site](#)

From: Burke, Emma
Sent: Wednesday, February 28, 2024 1:42 PM
Subject: TWO DAYS LEFT - PAC Biennial Reregistrations due FRIDAY

Hello! Please consider spending part of this rainy, gross, gray day doing the biennial reregistration for your committee. The committees listed below have not reregistered as required in 21-A MRS Section 1052-A(1)(C). The Commission is authorized to penalize any committee that does not meet the registration requirements up to \$2,500. You have until end of day on Friday, March 1st, to complete a registration amendment as described in the chain of previous emails below.

A House United
Bangor Fire Fighters PAC Fund
Building Solidarity PAC
Citizens For Justice In Maine, Inc.
Clean Energy Matters
EqualityMaine PAC
Friends Of Maine Hospitals
Ironworkers Local 7 PAC
Liberty Initiative Fund - Maine
Maine Automotive Right To Repair Committee

Maine Cannabis Industry Association PAC
Maine Energy Progress
Maine Families For Vaccines
Maine Lobster PAC
Maine Senate Republican Majority
National Association Of Realtors Fund
National Federation Of Independent Business Maine PAC
NRA Political Victory Fund
PAC To The Future
Protect Maine Elections
Renew The American Dream
Star City PAC
The House Republican Fund
Wabanaki Alliance PAC
We The People PAC

Emma J. Burke (she/her)
Political Committee & Lobbyist Registrar
Maine Ethics Commission
(207) 287-4709 | [Agency Site](#) | [eFiling Site](#)

From: Burke, Emma
Sent: Tuesday, February 20, 2024 3:29 PM
Subject: 10 DAYS LEFT for Biennial PAC Reregistration

This is a reminder of the requirement to re-register your PAC(s) by March 1st. Anyone who has not updated their committee's info by 12:00am on March 2nd will begin accruing penalties. However, to make it easier I gave you an extra day to get it done! (Yes, that is a leap year joke). This is a VERY simple process and should not take more than a few minutes. As always, I'm here to help you if you need it.

To up the persuasiveness of this email, the next five committees who follow the steps in my prior email will be sent a fresh, very cute picture of Cuddles.

Emma J. Burke (she/her)
Political Committee & Lobbyist Registrar
Maine Ethics Commission
(207) 287-4709 | [Agency Site](#) | [eFiling Site](#)

From: Burke, Emma
Sent: Tuesday, February 6, 2024 1:18 PM
Subject: Biennial PAC Reregistration Time!

Top of the mornin' to ya!

It has come to be that lovely time of the biennial where all PACs are required to re-register. To keep you from being bored with the details, I'll just say that it's a legal requirement, regardless of if your committee's information has not changed, and it must be completed by March 1st. For the really fun small print, yes, penalties will apply to those who do not comply.

What do you need to do to meet the requirement? Simply file an amended registration, making sure to update or change details as needed. Follow the instructions below:

1. Go to www.mainecampaignfinance.com
2. Log in
3. On the left-side menu, click on Administration (if you don't see a left-side menu, click the three white lines next in the top left corner next to 'Maine Ethics Commission')
4. On the right-side menu, click on the pencil icon to the right of 'Committee Details' (if you don't see a right-side menu, click on the paper icon in the top right corner)
5. Click Amend
6. Change, update, correct, amend, fix, modify, whatever information needs to be – it's also fine if nothing needs to be changed!
7. Scroll to the bottom and click Amend in the bottom right corner (if the Save button is grayed out, then required information has not been input)
8. You're done!

I'll be sending reminders out to those who need them. Again, you need to do this by **March 1st**. Please reply to this email if you have questions or need help!

Emma J. Burke (she/her)
Political Committee & Lobbyist Registrar
Maine Ethics Commission
(207) 287-4709 | [Agency Site](#) | [eFiling Site](#)

21-A M.R.S. § 1052-A. Registration

A committee shall register with the commission and amend its registration as required by this section. A registration is not timely filed unless it contains all the information required in this section.

1. Deadlines to file and amend registrations. A committee shall register and file amendments with the commission according to the following schedule.

A. A political action committee as defined under section 1052, subsection 5, paragraph A, subparagraph (1) or (5) shall register with the commission within 7 days of receiving contributions or making expenditures in the aggregate in excess of \$2,500.

A-1. A ballot question committee shall register with the commission within 7 days of receiving contributions or making expenditures in the aggregate in excess of \$5,000.

A-2. A registered committee that does not qualify for an exception to registration pursuant to subsection 1-A shall register as a political action committee or ballot question committee, as applicable, within 7 days of exceeding the \$10,000 threshold specified in subsection 1-A.

B. A committee shall amend the registration within 10 days of a change in the information that committees are required to disclose under this section.

C. A committee shall file an updated registration form between January 1st and March 1st of each year in which a general election is held. The commission may waive the updated registration requirement for a newly registered political action committee or other registered committee if the commission determines that the requirement would cause an administrative burden disproportionate to the public benefit of the updated information.

1-A. The following exceptions to the registration requirements in subsection 1 apply to registered committees.

A. A registered political action committee that receives contributions or makes expenditures of \$10,000 or less in the aggregate for the purpose of influencing one or more ballot question campaigns in a calendar year is not required to register as a ballot question committee. If a registered political action committee's only expenditures to influence ballot question campaigns in an election year are monetary contributions to registered ballot question committees, the political action committee is not required to register as a ballot question committee regardless of the aggregated amount of such contributions.

B. A registered ballot question committee that receives contributions or makes expenditures of \$10,000 or less in the aggregate for the purpose of influencing the nomination or election of one or more candidates in a calendar year is not required to register as a political action committee. If a registered ballot question committee's only expenditures to influence candidate elections in an election year are monetary contributions to registered political action committees, party committees or candidates, the ballot question committee is not required to register as a political action committee regardless of the aggregated amount of such contributions.

2. Disclosure of treasurer and officers. A committee must have a treasurer and a principal officer. The same individual may not serve in both positions, unless the committee is an individual registering as a ballot question committee. The committee's registration must contain the names and addresses of the following individuals:

A. The treasurer of the committee;

B. A principal officer of the committee;

- C. Any other individuals who are primarily responsible for making decisions for the committee;
- D. The individuals who are primarily responsible for raising contributions for the committee; and
- E. The names of any other candidates or Legislators who have a significant role in fund-raising or decision-making for the committee.

3. Other disclosure requirements. A committee's registration must also include the following information:

- A. A statement indicating the specific candidates, categories of candidates or campaigns or ballot questions that the committee expects to support or oppose;
- B. If the committee is formed to influence the election of a single candidate, the name of that candidate;
- C. The form or structure of the organization, such as a voluntary association, membership organization, corporation or any other structure by which the committee functions, and the date of origin or incorporation of the organization;
- D. If the committee has been formed by one or more for-profit or nonprofit corporations or other organizations for the purpose of initiating or influencing a campaign, the names and addresses of the corporations or organizations;
- E. The name of the account that the committee will use to deposit contributions and make expenditures pursuant to section 1054, and the name and address of the financial institution at which the account is established; and
- E-1. [2023, ch. 244, § 14 (RP).]
- F. Any additional information reasonably required by the commission to monitor the activities of committees in this State under this subchapter.

4. Acknowledgment of responsibilities. The treasurer, principal officer and any other individuals who are primarily responsible for making decisions for the committee shall submit a signed statement acknowledging their responsibilities on a form prescribed by the commission within 10 days of registering the committee. The signed acknowledgment statement serves as notification of the responsibilities of the committee to comply with the financial reporting, record-keeping and other requirements of this chapter and the potential personal liability of the treasurer and principal officer for civil penalties assessed against the committee. The commission shall notify the committee of any individual who has failed to submit the acknowledgment statement. Failure to return the acknowledgment statement is a violation of this subchapter for which a fine of \$100 may be assessed against the committee. This section also applies to individuals named in an updated or amended registration required by this subsection who have not previously submitted an acknowledgment statement for the committee with the commission.

5. Resignation and removal. An individual who resigns as the treasurer, principal officer or primary decision maker of a committee shall submit a written resignation statement to the commission. An individual's resignation is not effective until the commission receives the written resignation statement from the individual. If an individual is involuntarily removed from the position of treasurer, principal officer or primary decision maker by the committee, the committee shall notify the commission in writing that the individual has been removed from the position. The commission may prescribe forms for these purposes.

6. Modified registration. The commission may adopt simplified registration procedures and forms for an individual registering as a ballot question committee to initiate or influence a ballot question.

21-A M.R.S. § 1062-A. Failure to file on time

1. Registration. A political action committee required to register under section 1052-A, 1053-A or 1053-B or a ballot question committee required to register under section 1053-A that fails to do so or that fails to provide the information required by the commission for registration may be assessed a fine of no more than \$2,500. In assessing a fine, the commission shall consider, among other things, whether the violation was intentional, the amount of campaign and financial activity that occurred before the committee registered, whether the committee intended to conceal its campaign or financial activity and the level of experience of the committee's volunteers and staff.

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 6, the commission shall determine whether a required report satisfies the requirements for timely filing. The commission may waive a penalty in whole or in part if it is disproportionate to the level of experience of the person filing the report or to 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 of the committee treasurer 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; or
- C. 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. 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 \$25 is waived.

Violations accumulate on reports with filing deadlines in a 2-year period that begins on January 1st of each even-numbered calendar 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.

4. Maximum penalties. The maximum penalty under this subchapter is \$10,000 for reports required under section 1053-A or 1059, 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.

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

received. If a committee files a report required under this subchapter late, a notice of preliminary penalty must be forwarded to the treasurer of the committee whose report is not received by 11:59 p.m. on the deadline date, informing the treasurer of the commission staff finding of violation and preliminary penalty calculated under subsection 3 and providing the treasurer with an opportunity to request a determination by the commission. A request for determination must be made within 14 calendar days of receipt of the commission's notice. A principal officer or treasurer requesting a determination may either appear in person or designate a representative to appear on the principal officer's or treasurer'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.

6. Final notice of penalty. After a commission meeting, notice of the final determination of the commission and the penalty, if any, imposed pursuant to this subchapter must be sent to the principal officer and the treasurer of the committee.

If a determination is not requested, the preliminary penalty calculated by the commission staff is final. The commission staff shall mail final notice of the penalty to the principal officer and to the treasurer of the committee. A detailed summary of all notices must be provided to the commission.

7. List of late-filing committees. The commission shall prepare a list of the names of committees that are late in filing a report required under section 1059, subsection 2, paragraph B, subparagraph (1) or section 1059, subsection 2, paragraph C or D within 30 days of the date of the election and shall make that list available for public inspection.

8. Failure to file. A person who fails to file a report as required by this subchapter within 30 days of the filing deadline is guilty of a Class E crime, except that, if a penalty pursuant to subsection 8-A is assessed and collected by the commission, the State may not prosecute a violation under this subsection.

8-A. Penalties for failure to file report. The commission may assess a civil penalty for failure to file a report required by this subchapter. The maximum penalty for failure to file a report required under section 1059 is \$10,000 or the amount of financial activity not reported, whichever is greater.

9. Enforcement. A penalty assessed pursuant to this section that has not been paid in full within 30 days after issuance of a notice of the final determination may be enforced in accordance with section 1004-B.