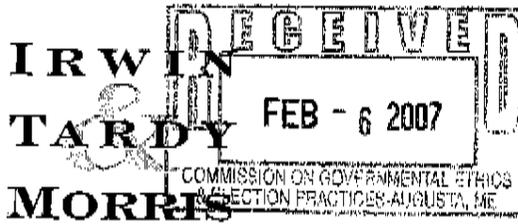


# Exhibit #3



P.O. Box 476  
 159 Main Street  
 Newport, ME 04953

207.368.2828 T  
 207.368.2822 F

Joshua A. Tardy  
 tardylaw@adelphia.net

February 5, 2007

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

Via facsimile transmission and U.S. Mail

RE: Late filing of 101% Report

Dear Jonathan:

Please accept this letter as confirmation that I do not object to either your proposed findings or the proposed civil penalty outlined in your letter dated January 22, 2007.

Very truly yours,

*Joshua A. Tardy*  
 Joshua A. Tardy

JAT/met



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

January 22, 2007

Hon. Joshua A. Tardy  
P.O. Box 381  
Newport, ME 04953

Dear Representative Tardy:

This letter is in regard to the filing of the 101% Report by your 2006 campaign. The staff of the Commission has determined preliminarily that the report was filed 18 days late. The Commission will consider this matter at its meeting on February 14<sup>th</sup>. Based on the information available to it now, the staff is recommending a penalty of \$724.71. **You are invited to respond to the recommended penalty by submitting a written response no later than Monday, February 5 and by appearing at the February 14<sup>th</sup> meeting.** In addition, if you believe that our understanding of the facts of the situation is mistaken, we urge you to contact us as soon as possible and we will consider whether to change our recommendation.

Because you were a privately financed candidate with a Maine Clean Election Act opponent you were required under 21-A M.R.S.A. §1017(3-B)(A) to file a 101% Report within 48 hours of when your cash receipts for the general election exceeded \$4,406 (101% of the general election distribution amount for House candidates). Based on the transactions included in your campaign finance reports, the Commission staff has concluded that your receipts exceeded the \$4,406 amount on September 6, 2006 and that the report was due on September 8, 2006. Instead, the report was filed eighteen days later on September 26<sup>th</sup>.

The penalty for filing an accelerated report late is set forth in 21-A M.R.S.A. §1020-A(4-A). Subsection (5-A)(E) imposes a maximum penalty of "[t]here times the unreported amount ... if the unreported amount is less than \$5,000 and the commission finds that the candidate in violation has established, by a preponderance of the evidence, that a bona fide effort was made to file an accurate and timely report."

Given the particular circumstances of the late filing, the Commission staff has determined that you have qualified for the "good faith" exception in subsection (5-A)(E). Therefore, it will recommend the assessment of a penalty of \$724.71, which is three times the amount by which your receipts in the 101% Report exceeded the initial distribution amount of \$4,362. In reaching this decision, the Commission staff acknowledges:

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

Hon. Joshua A. Tardy

- 2 -

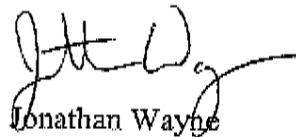
January 22, 2007

- You filed the 101% Report promptly on September 26, 2006 upon realizing that the report was overdue in the process of filing the 42-day accelerated report.
- The late filing of the 101% Report did not cause any disadvantage to your opponent, Richard Dort. Even if your 101% Report had been filed on time on September 8, Mr. Dort would not have received matching funds at that time because he had \$512 in unspent campaign funds after the June 13<sup>th</sup> primary election.
- Mr. Dort did not choose to spend any of the \$8,724 in matching funds that he was authorized to spend. He spent only \$3,546.10 for the entire campaign, which was less than the amount of the \$4,032 initial distribution.

In addition to the good faith maximum I described on the previous page, please be aware that the Commission may waive penalties for late reports where tardiness is due to mitigating circumstances. The law defines "mitigating circumstances" as: 1) 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; 2) an error by the Commission staff; 3) failure to receive notice of the filing deadline; or 4) 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.

Please telephone me at 287-4179 if you have any questions.

Sincerely,



Jonathan Wayne  
Executive Director

cc. Mary Ellen Tardy, Deputy Treasurer  
All candidates in district

## Cash Receipts for the General Election - 2006 Tardy Campaign

date	amount received	description	total for date	
6/13/06	\$2,453.57	primary balance	\$2,453.57	
7/6/06	\$250.00	Maine Dental PAC	\$2,703.57	
7/11/06	\$250.00	Howe Management	\$2,953.57	
7/14/06	\$250.00	MIA PAC	\$3,203.57	
8/4/06	\$250.00	Maine Dental PAC	\$3,453.57	
8/9/06	\$100.00	Pharmacy Group of New England	\$3,553.57	
8/16/06	\$250.00	House Republican Fund	\$3,803.57	
8/23/06	\$250.00	Maxine D. Cox	\$4,053.57	
8/23/06	\$250.00	Robert E. Cox	\$4,303.57	
9/5/06	\$50.00	Irwin, Tardy & Morris, P.A. (in-kind)	\$4,353.57	
9/6/06	\$250.00	Maine Physicians Action Fund	\$4,603.57	exceeded 101% amount
9/13/06	\$250.00	Olympia Snowe	\$4,853.57	
9/15/06	\$250.00	NAFAPAC	\$5,103.57	
9/15/06	\$50.00	Maine Merchants Association	\$5,153.57	
9/22/06	\$100.00	Miller Brewing Company	\$5,253.57	
9/29/06			\$5,253.57	Richard Dort paid \$379.57 in matching funds (based on Tardy's 42-day accelerated report)

**COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES**  
**PENALTY MATRIX FOR LATE 101% AMOUNT & ACCELERATED REPORT**  
**FILINGS**

**BASIS FOR PENALTIES 21-A M.R.S.A. SECTION 1020-A(4)**

The penalty for late filing of an accelerated report is equivalent to but not more than 3 times the amount by which the contributions received or expenditures obligated or made, whichever is greater, exceed the applicable Maine Clean Election Fund payment per day of violation, multiplied by the number of calendar days the report is filed late.

<b>MCEA PAYMENT</b>	<b>PRIMARY</b>	<b>GENERAL</b>
House	\$1,504	\$4,362
Senate	\$7,746	\$20,082

A penalty begins to accrue at 5:00 p.m. on the day the report is due.

*Example:* The treasurer files the accelerated report two days late. The candidate reports a total of \$2,500 in contributions and \$1,500 in expenditures (made and obligated). The MCEA amount is \$1,504. The difference between \$2,500 contributions (greater than \$1,500 in expenditures) and the MCEA payment amount is: \$996

<u>\$2,500</u>	Greater amount of the total contributions received or expenditures made during the filing period
- <u>\$1,504</u>	Applicable MCEA Payment Amount
<u>\$996</u>	Difference
<u>X 3</u>	No more than 3 times the per day
<u>\$2,988</u>	Maximum amount per day
<u>X 2</u>	Number of calendar days late
<u>\$5,976</u>	Total maximum penalty

Your penalty is calculated as follows:

Contributions/Expenditures: (Greater amount)	\$	<u>4,603.57</u>
Minus MCEA Amount:	\$	<u>4,362.00</u>
Difference:	\$	<u>241.57</u>
Multiplied by 3 =:	\$	<u>724.71</u>
Multiplied by number of days late:	\$	<u>18</u>
<b>Total maximum penalty:</b>	<b>\$</b>	<b><u>13,044.78</u></b>

Any penalty of less than \$5 is waived.

Waiver of a penalty does not nullify the finding of a violation.

**A required report that is sent by certified or registered United States mail and postmarked at least 2 days before the deadline is not subject to penalty.**

## Title 21-A, §1017, Reports by candidates

H. Reports with respect to a candidate who seeks nomination by petition for the office of Governor must be filed on the same dates that reports must be filed with respect to a candidate who seeks that nomination by primary election. [1991, c. 839, §14 (amd); §34 (aff).]  
[2005, c. 301, §13 (amd).]

### 3. Other candidates.

[1989, c. 504, §§13, 31 (rp).]

**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 completion 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 5 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. [1991, c. 839, §15 (amd); §34 (aff).]

B. Reports must be filed no later than 5 p.m. on the 6th day before the date on which an election is held and must be complete as of the 12th 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 completion date. [1991, c. 839, §15 (amd); §34 (aff).]

C. Contributions aggregating \$1,000 or more from any one contributor or single expenditures of \$1,000 or more, made after the 12th day before any election and more than 24 hours before 5 p.m. on the day of any election must be reported within 24 hours of those contributions or expenditures. [2005, c. 301, §14 (amd).]

D. Reports must be filed no later than 5 p.m. on the 42nd day after the date on which an election is held and must be complete for the filing period as of the 35th day after that date. [1991, c. 839, §15 (amd); §34 (aff).]

E. Unless further reports will be filed in relation to a later election in the same calendar year, the disposition of any surplus or deficit in excess of \$50 shown in the reports described in paragraph D must be reported as provided by this paragraph. The treasurer of a candidate with a surplus or deficit in excess of \$50 shall file reports semiannually with the commission within 15 days following the end of the 2nd and 4th quarters of the State's fiscal year, complete as of the last day of the quarter, until the surplus is disposed of or the deficit is liquidated. The first report under this paragraph is not required until the 15th day of the period beginning at least 90 days from the date of the election. The reports may either be filed in person with the commission on that date or postmarked on that date. The reports must set forth any contributions for the purpose of liquidating the deficit, in the same manner as contributions are set forth in other reports required in this section. [1991, c. 839, §15 (amd); §34 (aff).]

F. Reports with respect to a candidate who seeks nomination by petition must be filed on the same dates that reports must be filed by a candidate for the same office who seeks that nomination by primary election. [1991, c. 839, §15 (amd); §34 (aff).]  
[2005, c. 301, §14 (amd).]

**3-B. Accelerated reporting schedule.** Additional reports are required from nonparticipating Maine Clean Election Act candidates pursuant to this subsection.

A. In addition to other reports required by law, any candidate for Governor, State Senate or State House of Representatives who is not certified as a Maine Clean Election Act candidate under chapter 14 and who receives, spends or obligates more than 1% in excess of the primary or general election distribution amounts for a Maine Clean Election Act candidate in the same race shall file by any means acceptable to the commission, within 48 hours of that event, a report with the commission detailing the candidate's total campaign contributions, obligations and expenditures to date. [2001, c. 470, §6 (new).]

B. A nonparticipating candidate with a Maine Clean Election Act opponent shall file the following additional reports detailing the candidate's total campaign contributions, obligations and expenditures to date, unless that candidate signs an affidavit by the date the report is due, attesting that the candidate has not received, spent or obligated an amount sufficient to require a report under paragraph A:

## Title 21-A, §1017, Reports by candidates

- (1) A report filed not later than 5 p.m. on the 42nd day before the date on which an election is held and complete as of the 44th day before that date;
- (2) A report filed no later than 5 p.m. on the 21st day before the date on which an election is held and complete as of the 23rd day before that date; and
- (3) A report filed no later than 5 p.m. on the 12th day before the date on which an election is held and complete as of the 14th day before that date.

[2001, c. 589, §1 (amd).]

C. A candidate who is required to file a report under paragraph A must file with the commission an updated report that reports single expenditures in the following amounts that are made after the 14th day before an election and more than 24 hours before 5:00 p.m. on the date of that election:

- (1) For a candidate for Governor, a single expenditure of \$1,000;
- (2) For a candidate for the state Senate, a single expenditure of \$750; and
- (3) For a candidate for the state House of Representatives, a single expenditure of \$500.

A report filed pursuant to this paragraph must be filed within 24 hours of the expenditure. [2003, c. 628, Pt. B, §3 (amd).]

The commission shall provide forms to facilitate compliance with this subsection. The commission shall notify a candidate within 48 hours if an amount reported on any report under paragraph B exceeds 1% in excess of the primary or general election distribution amounts for a Maine Clean Election Act candidate in the same race and no report has been received under paragraph A.

[2003, c. 628, Pt. B, §3 (amd).]

**4. New candidate or nominee.** A candidate for nomination or a nominee chosen to fill a vacancy under chapter 5, subchapter III is subject to section 1013-A, subsection 1, except that the candidate shall register the name of a treasurer or political committee and all other information required in section 1013-A, subsection 1, paragraphs A and B within 7 days after the candidate's appointment or at least 6 days before the election, whichever is earlier. The person required to file a report under section 1013-A, subsection 1 shall file a campaign report under this section 15 days after the candidate's appointment or 6 days before the election, whichever is earlier. The report must include all contributions received and expenditures made through the completion date. The report must be complete as of 4 days before the report is due. Subsequent reports must be filed on the schedule set forth in this section. The commission shall send notification of this requirement and registration and report forms to the candidate and the candidate's treasurer immediately upon notice of the candidate's and treasurer's appointments.

[1991, c. 839, §16 (amd).]

**5. Content.** A report required under this section must contain the itemized accounts of contributions received during that report filing period, including the date a contribution was received, and the name, address, occupation, principal place of business, if any, and the amount of the contribution of each person who has made a contribution or contributions aggregating in excess of \$50. The report must contain the itemized expenditures made or authorized during the report filing period, the date and purpose of each expenditure and the name of each payee and creditor. Total contributions with respect to an election of less than \$500 and total expenditures of less than \$500 need not be itemized. The report must contain a statement of any loan to a candidate by a financial institution in connection with that candidate's candidacy that is made during the period covered by the report, whether or not the loan is defined as a contribution under section 1012, subsection 2, paragraph A. Until December 31, 1992, the candidate is responsible for the timely and accurate filing of each required report. Beginning January 1, 1993, the candidate and the treasurer are jointly responsible for the timely and accurate filing of each required report.

[1991, c. 839, §17 (amd).]

**5-A. Valuation of contributions sold at auction.** Any contribution received by a candidate that is later sold at auction shall be reported in the following manner.

A. If the contribution is sold at auction before the commencement of the appropriate reporting period specified in subsections 1 to 4, or during that period, the value of the contribution is deemed to be the amount of the purchase price paid at auction. [1987, c. 725, §2. (new).]

B. If the contribution is sold after the termination of the appropriate reporting period specified in subsections 1 to 4, the value of the contribution is the difference between the value of the contribution as originally reported by the treasurer and the amount of the

## Title 21-A, §1020-A, Failure to file on time

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### §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 \$10. The commission shall determine whether a registration satisfies the requirements for timely filing under section 1013-A, subsection 1.

[1995, c. 483, §15 (new).]

**2. Campaign finance reports.** A campaign finance report is not timely filed unless a properly signed copy of the report, substantially conforming to the disclosure requirements of this subchapter, is received by the commission before 5 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 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; [1999, c. 729, §5 (amd).]

B. An error by the commission staff; [1999, c. 729, §5 (amd).]

C. Failure to receive notice of the filing deadline; or [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. [1999, c. 729, §5 (new).]

[2003, c. 628, Pt. A, §3 (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.

[1995, c. 625, Pt. B, §5 (amd).]

#### **4. Basis for penalties.**

[2001, c. 470, §7 (amd); 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, except for accelerated campaign finance reports required pursuant to section 1017, subsection 3-B, 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, 1%; [2001, c. 714, Pt. PP, §1 (new); §2 (aff).]

B. For the 2nd violation, 3%; and [2001, c. 714, Pt. PP, §1 (new); §2 (aff).]

## Title 21-A, §1020-A, Failure to file on time

C. For the 3rd and subsequent violations, 5%. [2001, c. 714, Pt. PP, §1 (new); §2 (aff).]

Any penalty of less than \$5 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 an original of the same report is received by the commission within 5 calendar days thereafter.

The penalty for late filing of an accelerated campaign finance report as required in section 1017, subsection 3-B may be up to but no more than 3 times the amount by which the contributions received or expenditures obligated or made by the candidate exceed the applicable Maine Clean Election Fund disbursement amount, per day of violation. The commission shall make a finding of fact establishing when the report was due prior to imposing a penalty under this subsection. A penalty for failure to file an accelerated campaign finance report must be made payable to the Maine Clean Election Fund. In assessing a penalty for failure to file an accelerated campaign finance report, the commission shall consider the existence of mitigating circumstances. For the purposes of this subsection, "mitigating circumstances" has the same meaning as in subsection 2.

[2001, c. 714, Pt. PP, §1 (new); §2 (aff).]

### 5. Maximum penalties.

[2001, c. 470, §8 (amd); 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 or F; section 1017, subsection 4; and section 1019-B, subsection 3; [2003, c. 448, §4 (amd).]

B. Five thousand dollars for state party committee reports required under section 1017-A, subsection 4-A, paragraphs A, B, C and E; [2003, c. 628, Pt. A, §4 (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; [2003, c. 628, Pt. A, §4 (amd).]

D. Five hundred dollars for municipal, district and county committees for reports required under section 1017-A, subsection 4-B; or [2003, c. 628, Pt. A, §4 (amd).]

E. Three times the unreported amount for reports required under section 1017, subsection 3-B, if the unreported amount is less than \$5,000 and the commission finds that the candidate in violation has established, by a preponderance of the evidence, that a bona fide effort was made to file an accurate and timely report. [2001, c. 714, Pt. PP, §1 (new); §2 (aff).]

[2003, c. 628, Pt. A, §4 (amd).]

**6. Request for a commission determination.** Within 3 days following the filing deadline, a notice must be forwarded to a candidate and treasurer whose registration or campaign finance report is not received by 5 p.m. on the deadline date, informing them of the basis for calculating penalties under subsection 4 and providing them with an opportunity to request a commission determination. The notice must be sent by certified United States mail. Any request for a determination must be made within 10 calendar days of receipt of the commission's notice. The 10-day period during which a determination may be requested begins on the day a recipient signs for the certified mail notice of the proposed penalty. If the certified letter is refused or left unclaimed at the post office, the 10-day period begins on the day the post office indicates it has given first notice of a certified letter. A candidate or treasurer requesting a determination may either appear in person or designate a representative to appear on the candidate's or treasurer's behalf or submit a notarized written explanation of the mitigating circumstances for consideration by the commission.

[RR 1995, c. 2, §38 (cor).]

● **7. Final notice of penalty.** After a commission meeting, 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 treasurer.

If no determination is requested, the commission staff shall calculate the penalty as prescribed in subsection 4-A and shall mail final notice of the penalty to the candidate and treasurer. A detailed summary of all notices must be provided to the commission.

[RR 2003, c. 1, §14 (cor).]

## Title 21-A, §1020-A, Failure to file on time

**8. Failure to file report.** The commission shall notify a candidate who has failed to file a report required by this subchapter, in writing, informing the candidate of the requirement to file a report. If a candidate fails to file a report after 3 written communications from the commission, the commission shall send up to 2 more written communications by certified mail informing the candidate of the requirement to file and that the matter may be referred to the Attorney General for criminal prosecution. A candidate who fails to file a report as required by this subchapter after the commission has sent the communications required by this subsection is guilty of a Class E crime.

[2003, c. 628, Pt. A, §5 (rpr).]

**8-A. Penalties for failure to file report.** The penalty for failure to file a report required under this subchapter may not exceed the maximum penalties as provided in subsection 5-A.

[2003, c. 628, Pt. A, §6 (new).]

**9. List of late-filing candidates.** The commission shall prepare a list of the names of candidates who are late in filing a report required under section 1017, subsection 2, paragraph C or D or section 1017, subsection 3-A, paragraph B or C within 30 days of the date of the election and shall make that list available for public inspection.

[1995, c. 483, §15 (new).]

**10. Enforcement.** The commission staff has the responsibility for collecting the full amount of any penalty and has all necessary powers to carry out this responsibility. Failure to pay the full amount of any penalty levied under this subchapter is a civil violation by the candidate, treasurer, political party or other person whose campaign finance activities are required by this subchapter to be reported. Thirty days after issuing the notice of penalty, the commission shall report to the Attorney General the name of any person who has failed to pay the full amount of any penalty. The Attorney General shall enforce the violation in a civil action to collect the full outstanding amount of the penalty. This action must be brought in the Superior Court for Kennebec County or the District Court, 7th District, Division of Southern Kennebec.

[1999, c. 426, §33 (amd).]

MRSA, §T.21A SEC.1020A/4,5 (AMD).

IB 1995, Ch. 1, §15 (AMD).

PL 1995, Ch. 483, §15 (NEW).

PL 1995, Ch. 625, §B5 (AMD).

RR 1995, Ch. 1, §10 (COR).

RR 1995, Ch. 2, §38 (COR).

PL 1999, Ch. 426, §32,33 (AMD).

PL 1999, Ch. 729, §5 (AMD).

PL 2001, Ch. 470, §11 (AFF).

PL 2001, Ch. 470, §7,8 (AMD).

PL 2001, Ch. 714, §PP1 (AMD).

PL 2001, Ch. 714, §PP2 (AFF).

PL 2003, Ch. 302, §4 (AMD).

PL 2003, Ch. 448, §4 (AMD).

PL 2003, Ch. 628, §A3-6 (AMD).

RR 2003, Ch. 1, §14 (COR).

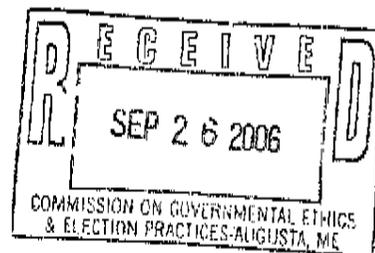
IRWIN TARDY &amp; MORRIS, PA

002

Joshua A. Tardy  
P.O. Box 381  
Newport, ME 04953-0381

September 26, 2006

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



Hand-delivered

RE: 42-Day Report and 101% Report

Dear Sir or Madam:

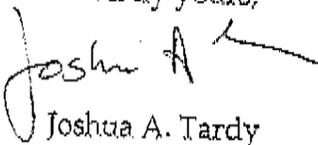
I enclose my 42-Day General Election 2006 Accelerated Report. I also enclose a 101% report, which is being filed late.

As I have discussed with Commission staff on today's date, the cash balance as of June 13, 2006 is \$500.00 less than the total reflected in previous reports. As part of my review of the finance reports and in an effort to determine why an error occurred that resulted in this late filing of the 101% report, I have discovered that two (2) \$250.00 contributions referenced in my 2004 campaign finance report were reported but never actually received. Those two contributions dated July 08, 2004 have been incorrectly reflected as received contributions, thus creating an incorrect and inflated balance. I will be providing you with the bank statements to document this error. I will further be amending all pertinent reports to reflect the correct balance.

I look forward to working with the Commission in resolving these issues.

Thank you.

Sincerely yours,

  
Joshua A. Tardy

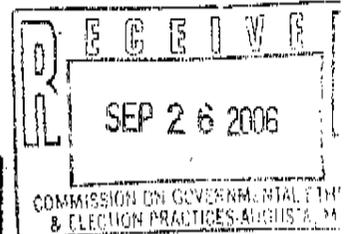
JAT/met  
Enclosures

02/08/2007 16:16 FAX 207 287 6775

IRWIN TARDY &amp; MORRIS, PA

003

STATE OF MAINE  
 COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES  
 Mail: 135 State House Station  
 Office: 242 State Street  
 Augusta, Maine 04333-0135  
 Tel: (207) 287-4179 FAX: (207) 287-6775



GENERAL ELECTION 2006  
 ACCELERATED REPORT  
 FOR PRIVATELY FINANCED LEGISLATIVE CANDIDATES  
 WITH MCEA OPPONENTS

PLEASE INDICATE TYPE OF REPORT	
<input type="checkbox"/> 42-DAY (Due 9/26)	<input type="checkbox"/> 21-DAY (Due 10/17)
<input type="checkbox"/> 12-DAY (Due 10/26)	<input checked="" type="checkbox"/> 101% (Due: See Reverse)
CANDIDATE INFORMATION	
Name of Candidate <b>Joshua A. Tardy</b>	Telephone Number <b>(207) 368-5858</b>
Mailing Address <b>P.O. Box 381</b>	Office Sought <b>Representative</b>
City, Zip Code <b>Newport, ME 04953-0381</b>	District <b>25</b>
Name of Opposing MCEA Candidate(s) <b>Richard Ryan Dort</b>	
TOTAL RECEIPTS FOR THE GENERAL ELECTION	
Cash balance on June 13, 2006:	\$ 2,453.57
Total cash contributions received after June 13, 2006:	\$ 2,100.00
Total value of in-kind contributions received after June 13, 2006:	\$ 50.00
Total loans received after June 13, 2006:	\$ .00
Total bank interest received after June 13, 2006:	\$ .00
<b>TOTAL RECEIPTS:</b>	<b>\$ 4,603.57</b>
TOTAL EXPENDITURES FOR THE GENERAL ELECTION	
Total expenditures after June 13, 2006:	\$ 1,907.58
Total value of in-kind contributions received after June 13, 2006:	\$ 50.00
Total unpaid debts and obligations incurred after June 13, 2006:	\$ .00
<b>TOTAL EXPENDITURES:</b>	<b>\$ 1,957.58</b>

I CERTIFY THAT THE INFORMATION IN THIS REPORT IS TRUE, CORRECT AND COMPLETE.

Joshua A. Tardy  
 Signature of Candidate

9-26-06  
 Date

Please see instructions on reverse side.

\*Through September 6, 2006

RICHARD DORT

01/22/2007

CANDIDATE'S FULL NAME

Date Submitted

**SCHEDULE F  
SUMMARY SECTION  
(MAINE CLEAN ELECTION ACT CANDIDATES)**

<b>CASH ACTIVITY</b>		
	<b>TOTAL FOR THIS PERIOD</b>	<b>TOTAL FOR CAMPAIGN</b>
1. CASH BALANCE FROM LAST REPORT (if any)	7,507.47	
2. MAINE CLEAN ELECTION ACT Payments	+ 2,544.43	13,598.00
3. SALE OF CAMPAIGN PROPERTY (Schedule E, Part II)	+ 0.00	0.00
4. OTHER CASH RECEIPTS (interest, etc.)	+ 0.00	0.00
5. <i>MINUS</i> TOTAL EXPENDITURES (total of all Schedule B pages)	- 0.00	3,546.10
6. CASH BALANCE AT CLOSE OF PERIOD (lines 1 + 2 + 3 + 4 - 5)	= 10,051.90	
7. CASH NOT AUTHORIZED TO SPEND	0.00	
8. CASH AUTHORIZED TO SPEND (line 6 - 7)	10,051.90	

<b>OTHER ACTIVITY THIS REPORTING PERIOD</b>		
9. TOTAL UNPAID DEBTS AT CLOSE OF PERIOD (total all Schedule D pages)	185.39	