

Agenda

Item #1



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

To: Commission Members

From: Jonathan Wayne, Executive Director

Date: October 9, 2008

Re: Rep. Joshua A. Tardy's Complaint against Jeffrey F. Miller
Rep. Jeffrey F. Miller's Request to Investigate Rep. Tardy and Rep. Gifford

On September 29, 2008, Representative Joshua A. Tardy filed the attached complaint regarding Democratic House candidate Jeffrey F. Miller. Mr. Miller is challenging the Republican incumbent, Jeffery A. Gifford, in House District 12.

Rep. Tardy's complaint alleges that Jeffrey Miller improperly used an endorsement from the Sportsman's Alliance of Maine (SAM). Jeffrey Miller submitted a response to the complaint dated October 3, 2008. His response includes a request that the Commission investigate whether Representatives Tardy and Gifford made a misleading and untrue attack against him.

Complaint against Jeffrey F. Miller

Jeffrey Miller received the attached letter dated September 4, 2008 from SAM, which informed him that he had received SAM's highest grade of "A" for his candidacy. He also received an August 22, 2008 letter from the Maine State Employees Association (MSEA), which clearly endorsed him.

Mr. Miller conveyed both letters to the Lincoln News, a weekly newspaper in his community. On Thursday, September 25, 2008, the Lincoln News published an article entitled "House District 12 candidate receives SAM endorsement." The article states, in error, that Jeffrey Miller had received a "key endorsement recently from the Sportsman's Alliance of Maine." Mr. Miller is quoted in the article as stating: "That's a big one." In fact, Rep. Gifford was endorsed by SAM, which is confirmed in SAM's September 4 letter to the Representative.

Rep. Tardy's complaint contends that Mr. Miller violated 21-A M.R.S.A. § 1014-A. That provision is attached, and imposes two basic restrictions on candidates:

- A candidate may not use an endorsement unless the "endorser" has expressly authorized its use.

- The candidate's communication must clearly and conspicuously state that the candidate's use of the endorsement has been authorized by the endorser.¹

The statute permits the Commission to assess a \$200 penalty for a violation of the statute. The penalty is not restricted to intentional violations.

From Rep. Tardy's point of view, there may be at least two communications by Jeffrey Miller which are potential violations:

(1) whatever oral or written communications Mr. Miller used to convey the SAM letter and MSEA endorsement to the Lincoln News in which Mr. Miller may have stated that he had been endorsed by SAM; and

(2) Mr. Miller's statement that was quoted in the newspaper ("That's a big one") which – if accurately attributed to him – may have been intended to convey to the public that Mr. Miller had received an important endorsement.

On September 29, 2008, I spoke to Jeffrey Miller about the filing of Rep. Tardy's complaint. That day, I e-mailed and mailed to him a copy of the complaint.

On the following morning, I spoke with Kevin Tenggren, the editor of the Lincoln News. He said that he had just gotten off a telephone call with one of the candidates. He stated that the inaccurate information in the September 25 article was due to an error he had made. He said he would publish a correction in the next edition of the newspaper. I have attached the correction in the October 2 edition of the newspaper, along with a cover letter by Mr. Tenggren.

The fact that Mr. Tenggren takes responsibility for the error does not necessarily negate the possibility that Mr. Miller may have stated erroneously that he received the SAM endorsement. In Mr. Miller's October 3, 2008 response to the complaint, he did not describe the statements he made to the Lincoln News at the time he conveyed the SAM and MSEA letters to the paper. The response also does not provide any clarification as to whether his statement ("That's a big one") was intended to convey to the public that he had received an important endorsement.

¹As background information, please be aware that in 2006, the Commission found that a legislative candidate, Michael Mowles, violated 21-A M.R.S.A. § 1014-A and assessed him a penalty of one dollar. Mr. Mowles obtained legal representation from the Maine Civil Liberties Union (MCLU), and appealed the Commission's determination to the Maine state courts. He argued that the statute violates his First Amendment rights of political speech. The suit is currently under consideration by the Maine Supreme Judicial Court. The Commission's counsel can provide you with an update concerning this litigation.

Jeffrey Miller's Request to Investigate Representatives Tardy and Gifford

In Mr. Miller's October 3, 2008 response, he expresses that Representatives Tardy and Gifford have made a misleading and untrue attack against him. He requests that the Commission investigate whether Rep. Tardy and Rep. Gifford violated paragraphs 3, 4 and 7 of the Maine Code of Fair Campaign Practices which they filed in January 2008. It is important to note that Rep. Gifford did not join in Rep. Tardy's September 29, 2008 complaint. While Rep. Gifford may have approved of the complaint, it does not include any statements by him regarding Jeffrey Miller.

As you have discussed in recent meetings, the Legislature has not authorized the Commission to take any action against candidates who violate the Maine Code of Fair Campaign Practices. Nevertheless, the Commission is a forum at which concerned citizens may raise concerns about campaign conduct that may violate the code.

Thank you for your consideration of this memorandum.

21-A M.R.S.A. § 1014-A. Endorsements of political candidates

1. Definition. For purposes of this section, "endorsement" means an expression of support for the election of a clearly identified candidate by methods including but not limited to the following: broadcasting stations, newspapers, magazines, outdoor advertising facilities, direct mails or other similar types of general public political advertising or through computer networks, flyers, handbills, bumper stickers and other nonperiodical publications.

2. Authorization. A candidate may not use an endorsement unless the endorser has expressly authorized its use. The communication must clearly and conspicuously state that the endorsement has been authorized. If applicable, the communication must also satisfy the requirements of section 1014.

3. Civil forfeiture. A candidate who uses an endorsement without the authorization of the endorser violates this section and is subject to a civil forfeiture of no more than \$200.

4. Enforcement. The full amount of the forfeiture is due within 30 days of the commission's determination that an endorsement has been used without the endorser's authorization. The commission is authorized to use all necessary powers to collect the forfeiture. If the full amount of the forfeiture is not collected within the 30 days after the commission has determined that a violation of this section has occurred, the commission shall report to the Attorney General the name of the person who has failed to pay. The Attorney General shall enforce the violation in a civil action to collect the full outstanding amount of the forfeiture. This action must be brought in the Superior Court for the County of Kennebec or the District Court, 7th District, Division of Southern Kennebec.

House Republican Team

P.O. Box 5629
Augusta, ME 04332

RECEIVED

SEP 29 2008

MAINE ETHICS COMMISSION

Mr. Jonathan Wayne, Executive Director
Commission On Governmental Ethics and Election Practices
135 State House Station
Augusta, ME 04333-0135

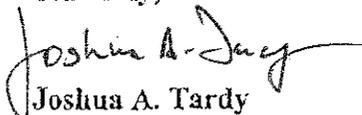
Dear Mr. Wayne

Please accept this letter as my formal complaint that House District 12 candidate Jeff Miller has improperly used a SAM endorsement in violation of 21-A MRSA 1014-A.

By way of background, Mr. Miller's opponent received the endorsement from SAM. I've enclosed that letter for your review. It is my opinion that Mr. Miller has either intentionally misled or failed to correct the Lincoln News from incorrectly reporting on SAM's endorsement decision. I've enclosed the article in question for your review as well.

It is my understanding that this will appear on the October 17 commission agenda.

Sincerely,



Joshua A. Tardy
House Republican Team

Enclosures



SPORTSMAN'S ALLIANCE of MAINE

205 Church Hill Road, Augusta, Maine 04330
Telephone (207) 622-5503 Fax (207) 622-5596 E-mail: members@samcef.org

September 4, 2008

The Honorable Jeffery Gfford
346 Frost Street
Lincoln Center, Maine 04457

Dear Representative ~~Gfford~~, *Jeff*

RECEIVED

SEP 2 9 2008

MAINE ETHICS COMMISSION

Congratulations! The Sportsman's Alliance of Maine Political Action Committee (SAM PAC) has endorsed your candidacy for the Maine Legislature. We appreciate your interest in SAM's endorsement and the time you put into our lengthy questionnaire.

SAM PAC's grades and endorsements are based on responses to the survey, on the records of incumbents, and on our knowledge of the race and candidates. We follow a policy that favors incumbent legislators who have done a good job for the sportsmen of Maine. They always get the endorsement, even if the challenger gets a good grade from SAM.

SAM PAC's Board of Directors awarded grades and discussed and voted on all endorsements at a meeting on September 2. In addition to the endorsement, you received a grade of A. We will publicize your endorsement in our election issue of SAM News that goes to all members.

You have permission to use SAM PAC's endorsement in campaign literature, press releases, and other material. We encourage you to do a mailing to licensed sportsmen in your district, letting them know of your SAM PAC endorsement and your commitment to our outdoor heritage. We would appreciate receiving a copy of any literature or news clips that mention our endorsement. Good luck!

Sincerely,

George A. Smith
George A. Smith
Executive Director

House District 12 candidate receives SAM endorsement

By Kevin Tenggren

LINCOLN — House of Representatives District 12 candidate Jeff Miller received a key endorsement recently from the Sportsman's Alliance of Maine. "That's a big one," Miller said recently regarding the SAM endorsement.

"The Sportsman's Alliance of Maine Political Action Committee (SAM PAC) has awarded our highest grade of A for your candidacy in the Maine Legislature," said SAM Executive Director George Smith in a letter to Miller. Sam PAC's grades and endorsements are based on responses to a survey candidates submit, the records of incumbents, and the knowledge of the candidates.

"An endorsement is awarded to nonincumbents only when we have a great deal of personal knowledge about the candidate and race," the letter states. "Although this was not the case in your race, the fact that you were awarded our highest grade indicates to our members, and other sportsmen, that you are a good choice for sportsmen." Miller, a Democrat, is looking to unseat current Republican incumbent Jeff Gifford who is serving his first term in the House. Miller was also recently endorsed by the Maine State Employees Association Local 1989 Service International Union. "We believe that you best represent our members' concerns and understand their issues," a letter of endorsement from that union's president Bruce Hodson said.

Wonderjam '08 this weekend

LINCOLN — Musicians will gather in Lincoln this Saturday for Wonderjam '08, a music, peace and alternative energy festival. The event is being held on the Phiney Farm Road and its goal is to spread "consciousness in the form of alternative energy knowledge, peace, music and art," according to a flyer sent to the Lincoln News.

Three participants in Portland, the Lincoln peace group and the Maine Democratic Party. Vendors are also welcome to participate including artists and crafters or entrepreneurs who would like to show off their wares. Dogs are welcome only if they are friendly. Attendees are encouraged to bring their own food or beverages. There will also be a vendor on site offering food but it will be limited.

Campowner association member expresses concerns over taxes, turbines with selectmen

By Chris Debeck

BURLINGTON — Concerns about taxes, wind turbines and other matters prompted a member of the Madagasal Lake Campowners Association to meet with selectmen on Monday night. One concern centered on increased property assessments for the lake, resulting in higher tax bills.

The town's tax rate actually dropped from 2008 to 2009, explained First Selectman Dennis Kingman, in part because of a revaluation of lakefront property on Madagasal, Escutarsis and Saponic lakes.

"Everyone got whacked out of it," he said. The town is also required to value property as close to its actual value as possible, added Selectman Beth Turner, or the town could face a loss of state subsidy or other hits. Burlington is also developing a tax increment finance district around First Wind's proposed 40 wind turbine development in four area towns.

Michael Woods of the campowners association asked if the board, or the public, would have a chance to vote on the project.

Kingman said that a public hearing would be held on the TIF proposal, but the town's hands were mostly tied regarding the building of the turbines themselves, as those decisions are left in the hands of state and federal regulators. Woods said that concerns have been expressed by association members about the visual impact of the turbines and the noise level of the machines.

"There's concern that (First Wind) has not done a (noise) study over water," he said. "The noise level changes over water. We may hear that like it's in our back yard. That would be unacceptable." Selectmen also spent time talking about harvesting on some of the town's lots. Selectman Clarence Bearce said that he had recently spent some time on lot seven in recent days and urged the board to hold off cutting on that particular lot for a few more years, which would allow the town to reap the maximum price. "There's a lot of really nice pine in there," Bearce said. "It needs about another 10-20 years before it needs to be cut." The board eventually decided to talk about lot seven at another meeting.

The town has also met with State Sen. Richard Rosen of Bucksport, who represents Burlington, regarding a proposed bill that would allow towns to be able to leave school districts, a right that was eliminated when the state's consolidation law was passed. "We need to make a move," he said. "We have gained nothing in the last three years." A series of charts was handed out at the meeting, showing the town three assessments to SAD #31. Town is paying \$329,620.57 a year, an increase of about \$27,000 over the previous year, and paid about \$9,100 for each of its 36 students in the district, highest among SAD #31 towns.

Also, the town has yet to be back from state education official on letters sent on the board's behalf urging Education Commissioner Susan Gendron to sit firm and ask Bruce Haller Howland to repay money he received as construction project liaison while on the SAD #31 board and regarding the district's annual audit, Bearce said.

Good Time Productions

Link Dorfmann Hair Salon



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

September 29, 2008

By E-Mail and Regular Mail

Jeffrey F. Miller
P.O. Box 642
Lincoln, ME 04457

Dear Mr. Miller:

As I advised you by telephone, the Ethics Commission received this afternoon the attached complaint by Representative Joshua A. Tardy. It alleges that you improperly used an endorsement of the Sportsman's Alliance of Maine (SAM) in violation of 21-A M.R.S.A. § 1014-A. It refers to an article in the September 25, 2008 edition of the Lincoln News entitled "House District 12 candidate receives SAM endorsement." Rep. Tardy has provided a letter from SAM endorsing your opponent. For your information, I have attached a copy of 21-A M.R.S.A. § 1014-A. It forbids candidates from using an endorsement unless the party making the endorsement has provided its expressed authorization.

The Commission will hear the complaint at its next meeting on Friday, October 17, 2008 at 1:00 p.m. Please reply to the complaint with a signed letter explaining:

- whether you received the endorsement of SAM,
- whether you have held yourself out to the public as having received SAM's endorsement, and
- how the September 25, 2008 article in the Lincoln News came about.

In your response, it would be helpful if you could include the letter you received from SAM which is quoted in the Lincoln News article.

If possible, please submit the signed letter no later than 5:00 p.m. on Wednesday, October 8. It would be fine to submit the letter by facsimile, and our fax number is 287-6775. If that deadline is not feasible for you, please let me know and we can work out a new deadline.

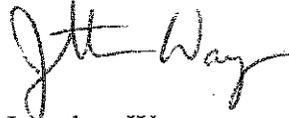
This is also to request that you participate in the Commission's October 17 meeting by telephone or in person in Augusta. The agenda for the October 17 meeting will include a number of matters. If you prefer to participate by telephone, the Commission will be able to telephone you on the afternoon of October 17 when it is ready to begin considering the

Jeffrey F. Miller
September 29, 2008
Page 2

complaint. If you wish to appear in person, the meeting will be held in Room 208 of the Burton M. Cross Office Building, 111 Sewall Street in Augusta (next to the State House). **Please telephone me at 287-4179 to confirm whether you will be able to participate by telephone or in person.**

If you have any questions, please telephone me at 287-4179. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Wayne". The signature is fluid and cursive, with the first name "Jonathan" and the last name "Wayne" clearly distinguishable.

Jonathan Wayne
Executive Director

cc: Hon. Joshua A. Tardy
Hon. Jeffrey A. Gifford
Kevin Tenggren, Editor, Lincoln News
George A. Smith, Sportsman's Alliance of Maine



Lincoln News

RECEIVED

OCT 3 2008

Oct. 2, 2008

MAINE ETHICS COMMISSION

Jonathan:

Enclosed you will find a copy of the Lincoln News with the correction about the SAM endorsement and Jeff Miller. As I said in our conversation on the telephone, Mr. Miller had nothing to do with the error that I had made.

In my opinion, the Republicans have made a big deal out of a simple error and perhaps they should be answering to the Commission for pursuing this especially when I told the minority leader who contacted me that it was an error I had made and he simply shrugged it off.

Kevin Tenggren

Publisher/Editor

Lincoln News

Katahdin Region: Sick Moose Put Down

Lincoln News

Published in Lincoln, Maine 04457

Serving You Since 1959

Our 49th Year, No. 32

Thursday, October 2, 2008

60 cents

Correction

LINCOLN — Last week we incorrectly stated that District 12 House of Representatives candidate Jeff Miller was endorsed by the Sportsman's Alliance of Maine. He was not. He did receive a grade A rating by SAM. The incumbent that he is running against, District 12 Rep. Jeff Gifford of Lincoln, received the SAM endorsement. We apologize for our error.

RECEIVED

OCT 8 2008

MAINE ETHICS COMMISSION

Jeffrey F. Miller
Democratic Candidate
House of Representatives, District 12
PO Box 642, Lincoln, ME 04457
794-4752

October 3, 2008

State of Maine
Commission on Governmental Affairs
and Election Practices
135 State House Station
Augusta, ME 04433-0135

Att: Jonathan Wayne, Executive Director

Dear Mr. Wayne,

Firstly may I preface by saying that I appreciate the valuable work that your Commission does in maintaining "clean elections" for the State of Maine.

That being said, and to the point, I am in receipt of your letter dated September 29, 2008, stating that a complaint was filed with the Commission by Representative Joshua A. Tardy alleging that I, in his opinion, "Has either intentionally misled or failed to correct the Lincoln News from incorrectly reporting on SAM's endorsement decision" and that I am in violation of 21-A M.R.S.A., 1014A.

Fact #1, I did receive a letter from SAM signed by Executive Director, George Smith that I was awarded their highest grade of A for my Candidacy to The Maine Legislature (copy enclosed) and that I have their permission to use SAM PAC's Grade in my campaign literature, press releases, and other material.

Fact# 2, I sent a copy of this letter along with another letter, (copy enclosed) to the Lincoln News that I received from the Maine State Employees Association, SEIU Local 1989 by their Board of Directors endorsing my candidacy for the Maine House of Representatives, signed by Bruce Hodsdon, President.

cont. Page 2-

page 2-

Fact # 3, I did contact Kevin Tengren, the Editor of The Lincoln News as soon as possible after I read the mistake in the paper. Mr. Tengren assured me he would print a correction and said it was his mistake. He also stated that He had spoke to you that day.

Further, I'd like to point out that this newspaper, The Lincoln News, is a hometown newspaper that is only printed once a week and available to the pubic either Wednesday PM at their office or Thursday AM on the local news stands.

As to Rep, Tardy's allegation that I "intentionally misled" I believe that the facts speak for themselves.

As to Rep. Tardy's Allegation that I " failed to correct The Lincoln News from incorrectly reporting", again the facts speak for themselves.

I would like to further state that I would be happy to participate by telephone on the Afternoon of October 17.

As a Candidate for public office , it was requested that I sign a statement with The Commission, SUBCHAPTER 5, MAINE CODE OF FAIR CAMPAIGN PRACTICES. 21A,1101 . I gladly and without hesitation signed the letter. I hold myself and my campaign to these standards.

To conclude, and in light of the fact that Rep. Tardy and Rep Gifford found the necessity to file this misleading, untrue, and deforming attack against me, I have to question and now do formally request that The Commission investigate the fact, and in my opinion, that both Rep. Gifford and Rep. Tardy are in violation of: SUBCHAPTER V, Maine Code of Fair Campaign Practices, 21A, 1101, section 2, paragraphs, 3,4, and 7.

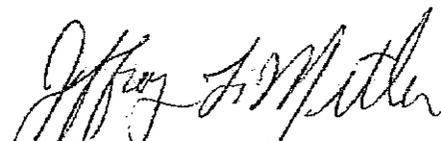
cont. Page 3-

page 3-

It is with hopes that The Commission can take up this matter in its entirety on October 17.

Please inform me at your earliest opportunity as to the above.

Sincerely,



Jeffrey F. Miller

Democratic Candidate

District 12

House of Representatives

JFM/mc



SPORTSMAN'S ALLIANCE of MAINE

205 Church Hill Road, Augusta, Maine 04330
Telephone (207) 622-5503 Fax (207) 622-5596 E-mail: members@samcef.org

September 4, 2008

Mr. Jeffrey Miller
PO Box 642
Lincoln, Maine 04457

Dear Mr. Miller,

Congratulations! The Sportsman's Alliance of Maine Political Action Committee (SAM PAC) has awarded our highest grade of A for your candidacy to the Maine Legislature. We appreciate the time you put into our lengthy questionnaire.

SAM PAC's grades and endorsements are based on responses to the survey, on the records of incumbents, and on our knowledge of the race and candidates. We follow a policy that favors incumbent legislators who have done a good job for the sportsmen of Maine. They always get the endorsement, even if the challenger gets a good grade from SAM.

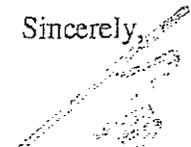
An endorsement is awarded to nonincumbents only when we have a great deal of personal knowledge about the candidate and race. Although this was not the case in your race, the fact that you were awarded our highest grade indicates to our members, and other sportsmen, that you are a good choice for sportsmen.

SAM PAC's Board of Directors awarded grades and discussed and voted on all endorsements at a meeting on September 2. We will publicize your grade in our election issue of SAM News that goes to all members.

You have permission to use SAM PAC's grade in campaign literature, press releases, and other material. We encourage you to do a mailing to licensed sportsmen in your district, letting them know of your SAM PAC grade of A and your commitment to our outdoor heritage. We would appreciate receiving a copy of any literature or news clips that mention SAM.

Good luck!

Sincerely,



George A. Smith
Executive Director



August 22, 2008

Jeffrey Miller
P.O. Box 642
Lincoln, ME 04457

Dear Mr. Miller,

On behalf of the Maine State Employees Association-SEIU Local 1989, we are pleased to inform you that our Board of Directors has endorsed your candidacy for Maine House of Representatives for District 12.

We believe that you best represent our members' concerns and understand their issues. Information will be provided to every MSEA-SEIU member in your district regarding our endorsement of your candidacy prior to Election Day, November 4th 2008. Our newspaper, the Maine Stater will also be sent to our entire membership listing our endorsed candidates.

The stakes have never been higher for Maine and our nation. MSEA-SEIU is committed to making a difference for our members and all working families this fall.

If you have any questions regarding our endorsement process, or inquiries as to how we can support your campaign, please contact our Political and Legislative Director, Mary Anne Turowski at 1-800-452-8794 or 622-3151.

Congratulations and good luck in your campaign efforts.

Sincerely,

Bruce Hodsdon
President

BH/ds

BRUCE L. HODSDON
President

GINETTE M. RIVARD
Vice President

TIMOTHY L. BELCHER
Executive Director

MAINE STATE EMPLOYEES
ASSOCIATION, LOCAL 1989

SERVICE EMPLOYEES
INTERNATIONAL UNION

P.O. BOX 1072
65 State Street

Augusta, ME 04332-1072

207-622-3151

1-800-452-8794

Fax: 207-623-4916

TDD: 207-623-7649

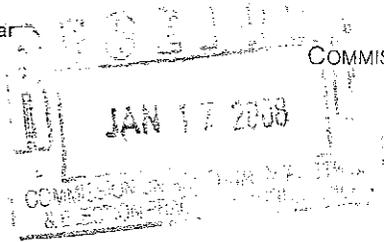
TDD: 1-800-321-2626

mseaseiu@mseaseiu.org

Web Page: www.mseaseiu.org



2008 Election Year



COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES

Mail: 135 State House Station, Augusta, Maine 04333

Office: 242 State Street, Augusta, Maine

Website: www.maine.gov/ethics

Phone: 207-287-4179

Fax: 207-287-6775

2008 MAINE CODE OF FAIR CAMPAIGN PRACTICES

(21-A M.R.S.A. § 1101(2))

I shall conduct my campaign and, to the extent reasonably possible, insist that my supporters conduct themselves, in a manner consistent with the best Maine and American traditions, discussing the issues and presenting my record and policies with sincerity and candor.

I shall uphold the right of every qualified voter to free and equal participation in the election process.

I shall not participate in and I shall condemn defamation of and other attacks on any opposing candidate or party that I do not believe to be truthful, provable and relevant to my campaign.

I shall not use or authorize and I shall condemn material relating to my campaign that falsifies, misrepresents or distorts the facts, including, but not limited to, malicious or unfounded accusations creating or exploiting doubts as to the morality, patriotism or motivations of any party or candidate.

I shall not appeal to and I shall condemn appeals to prejudices based on race, creed, sex or national origin.

I shall not practice and I shall condemn practices that tend to corrupt or undermine the system of free election or that hamper or prevent the free expression of the will of the voters.

I shall promptly and publicly repudiate the support of any individual or group that resorts, on behalf of my candidacy or in opposition to that of an opponent, to methods in violation of the letter or spirit of this code.

I, the undersigned candidate for election to public office in the State of Maine, hereby voluntarily endorse, subscribe to and solemnly pledge to conduct my campaign in accordance with the above principles and practices.

1-17-08
Date

Jeffery A. Bittord
Candidate's Signature

Representative 12
Office Sought and District

Jeffery A. Bittord
Printed Name

2008 Election Year



JAN 24 2008

COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES
Mail: 135 State House Station, Augusta, Maine 04333
Office: 242 State Street, Augusta, Maine

Website: www.maine.gov/ethics
Phone: 207-287-4179
Fax: 207-287-6775

2008 MAINE CODE OF FAIR CAMPAIGN PRACTICES
(21-A M.R.S.A. § 1101(2))

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I shall not participate in and I shall condemn defamation of and other attacks on any opposing candidate or party that I do not believe to be truthful, provable and relevant to my campaign.

I shall not use or authorize and I shall condemn material relating to my campaign that falsifies, misrepresents or distorts the facts, including, but not limited to, malicious or unfounded accusations creating or exploiting doubts as to the morality, patriotism or motivations of any party or candidate.

I shall not appeal to and I shall condemn appeals to prejudices based on race, creed, sex or national origin.

I shall not practice and I shall condemn practices that tend to corrupt or undermine the system of free election or that hamper or prevent the free expression of the will of the voters.

I shall promptly and publicly repudiate the support of any individual or group that resorts, on behalf of my candidacy or in opposition to that of an opponent, to methods in violation of the letter or spirit of this code.

I, the undersigned candidate for election to public office in the State of Maine, hereby voluntarily endorse, subscribe to and solemnly pledge to conduct my campaign in accordance with the above principles and practices.

1-24-08
Date

Candidate's Signature

Rep. Honor Dist. 25
Office Sought and District

Joshua A. Tardif
Printed Name



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

ADDITIONAL MATERIALS

Item: 1

October 17, 2008

October 16, 2008

By E-Mail

Rep. Jeffery A. Gifford
346 Frost Street
Lincoln Center, ME 04457

Rep. Joshua A. Tardy
PO Box 381
Newport, ME 04953

Dear Representatives Gifford and Tardy:

The Ethics Commission staff telephoned Jeffrey Miller today to discuss logistics for his telephone participation in tomorrow's meeting. He advised us that he would like the members of the Commission to consider three advertisements in the Lincoln News which he believes attacks his character, as part of his request that the Commission investigate whether you have violated the Maine Code of Fair Campaign Practices. We just received copies of the three advertisements by facsimile, and they are attached to this letter.

The Commission is now within a 28-day period in which it is required to meet "within one calendar day of the filing of any complaint or question with the commission." (21-A M.R.S.A. § 1002(1)) Accordingly, I will be providing copies of the three advertisements to the members of the Commission for their consideration at tomorrow's meeting.

I apologize for the late notice, but the staff just received the three advertisements and we are acting in conformity with the one-day requirement in the statute. Please telephone me at 287-4179 if you have any questions.

Sincerely,

Jonathan Wayne
Executive Director

cc: Jeffrey Miller (by e-mail)

Thursday, September 25, 2008

Lincoln News

*Would you get in a car
with a stranger??*



VOTE
for the Jeff
we KNOW!

*Re-Elect Jeff Gifford
State Representative*

Paid for by the candidate

exhibit # 1

Thursday, October 2, 2008

Lincoln News

**Would you get in a car
with a stranger??**




VOTE
for the Jeff
we **KNOW**
...and trust!

hts of Columbus

Re-Elect Jeff Gifford
State Representative

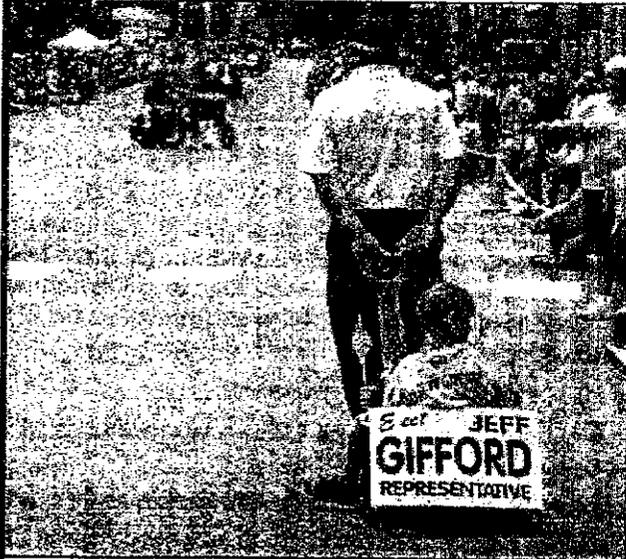
Paid for by the candidate

exhibit #2

Thursday, October 16, 2008

Lincoln News

**Would you get in a car
with a stranger??**



VOTE
for the Jeff
we KNOW
because

character does matter!

Re-Elect Jeff Gifford
State Representative

Paid For by the candidate

exhibit #3