

# MAINE STATE LEGISLATURE

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# ONE HUNDRED AND FOURTH LEGISLATURE

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## Legislative Document

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No. 1170

H. P. 909

House of Representatives, March 4, 1969

Referred to Committee on State Government. Sent up for concurrence and 1,000 ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Fortier of Waterville.

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## STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-NINE

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### AN ACT Relating to Legislative Ethics.

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Be it enacted by the People of the State of Maine, as follows:

R. S., T. 3, §§ 6 - 10, additional. Title 3 of the Revised Statutes is amended by adding 5 new sections, 6 to 10, to read as follows:

#### § 6. Legislator defined

“Legislator” means a member or member-elect of either house of the Maine State Legislature.

#### § 7. Prohibited acts

No Legislator shall:

1. Compensation from private sources. Receive any form of compensation from private sources for his duties as a public official, or enter into any agreement, express or implied, for compensation for services in connection with any judicial or administrative proceeding or activity wherein his official position might reasonably be expected to give him unusual influence.

2. Influence of vote. Ask, receive or agree to receive any thing of value upon any understanding that his official vote, opinion, judgment or action will be influenced thereby.

3. Gifts. Receive any gift having a value of \$25 or more regardless of the form of such gift, under circumstances in which it could reasonably be inferred that the gift was made to influence him in the performance of his official duties.

4. **Conflict.** Use his official position to secure privileges or exemptions for himself or others, or have any interest, financial or otherwise, direct or indirect, or engage in any business transaction or professional activity or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his duties in the public interest.

#### § 8. Disclosure

Each Legislator shall file annually by January 31st with the Clerk of the House of which he is a member or member-elect a written report of each financial interest, direct or indirect, of a value in excess of \$100, of himself, his spouse and his dependents in any activity which is subject to the jurisdiction of a regulatory agency of this State or any subdivision thereof.

#### § 9. Joint legislative committee on ethics

There is established a Joint Legislative Committee on Ethics, to consist of 3 members of the Senate and 7 members of the House. The Committee shall:

1. **Complaints.** Receive complaints against Legislators alleged to have violated sections 6 to 10.

2. **Investigate.** Investigate the complaints and, after any hearing held pursuant to section 5, subsection 2, make a report to the Legislature containing its recommendations, if any, for further action.

3. **Recommendations.** From time to time, recommend legislation relating to legislative ethics.

In administering sections 6 to 10, the Joint Legislative Committee on Ethics shall have the assistance of the Attorney General and the Legislative Research Committee, and it shall be the duty of the Attorney General and the Legislative Research Committee to perform such functions as the committee may direct.

#### § 10. Confidentiality; hearings

1. **Confidential.** Any allegation of a violation of sections 6 to 10 shall be kept confidential and for the use of the committee only, until such time as a hearing thereon is held pursuant to subsection 2.

2. **Probable cause.** If the committee finds probable cause, it shall hold a public hearing on the allegation at which the evidence in support thereof shall be presented and opportunity afforded to the alleged violator to be heard. Any such hearing shall be on due notice to the alleged violator, which notice shall include a copy of the sworn complaint and any affidavit in support thereof.