

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
FIRST SPECIAL SESSION
107TH LEGISLATURE

SENATE AMENDMENT " C " to S.P. 799, L.D. 2345, Bill, "AN ACT
to Correct Errors and Inconsistencies in Laws of Maine."

Amend said Bill by inserting after section 15 the following:

'Sec. 15-A. 5 MRSA §15, sub-§1, ¶A, sub-¶ (2), as enacted
by PL 1975, c. 539, is repealed and the following enacted in
place thereof:

(2) The particular matter at issue was pending before his
agency and was directly within his official responsibilities
as a state employee
/at any time within one year prior to the termination of his
employment.

Sec. 15-B. 5 MRSA §15, sub-§1, ¶B, sub-¶ (2), as enacted
by PL 1975, c. 539, is repealed and the following enacted in
place thereof:

(2) The particular matter at issue was pending before his
agency and was directly within his official responsibilities
at any time within one year prior to the termination of his
employment.

Sec. 15-C. 5 MRSA §15, sub-§3 is enacted to read:

3. This section shall not be construed to prohibit former
state employees from doing personal business with the State.'

Further amend said Bill by renumbering sections to read
consecutively.

Statement of Fact

Present law disqualifies a former state employee from acting

or appearing for another in any proceeding the subject matter of which was directly within his official responsibilities as a state employee. This amendment limits the applicability of the law to proceedings which were pending before the agency at the time of the employee's departure. The purpose of the amendment is to permit departing state employees to utilize the professional expertise which they may have brought to or developed in state service, but still prohibit them from using their influence to affect pending proceedings in which they may have been involved. As the law now stands, it creates a significant impediment to the ability of state employees to obtain alternative employment.

David C. Graham
(Graham)

NAME:

COUNTY: Cumberland

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April 9, 1976.

(Filing No. S-552).