

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-34)
110TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 333, L.D. 372, Bill, "AN ACT Concerning the Acceptance of Gifts by State Officials or Members of any Branch of State Government."

Amend the bill by striking out everything after the amending clause and inserting in its place the following:

'No other state official or any member of any other branch of State Government may accept any gift, grant or conveyance to the State or to that branch of government, with a value greater than \$50, unless specifically authorized to do so by statute or by clear implication of statute, or unless empowered to do so by the Governor.'

Statement of Fact

This amendment changes the bill in 2 ways:

1. It limits the restriction on accepting gifts to gifts with a value greater than \$50; and

2. It exempts acceptance of gifts, grants or conveyances that are authorized "...by clear implication of statute..."

This is to clarify the potentially confusing situations where state employees are not "...specifically authorized..." to do a certain act which is generally and reasonably implied from a statute. For example, a particular employee of the Bureau of Taxation may not be "...specifically authorized..." to accept a conveyance of taxes to the State. Similarly, a state employee

who collects license fees or admission fees at a state park
may not be so authorized.

Reported by the Committee on State Government.
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the House.

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