

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

92
R. of S.

1
3
5
7
9
11
13
15
17
19
21
23
25
27
29
31
33
35
37
39
41
43
45
47
49

L.D. 1773
(Filing No. S- 395)

STATE OF MAINE
SENATE
114TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT "D" to H.P. 1282, L.D. 1773, Bill, "An Act Regarding Governmental Ethics"

Amend the bill in section 4 in that part designated "§1012." by striking out all of subsection 4 (page 2, lines 11 to 23 in L.D.) and inserting in its place the following:

'4. Gift. "Gift" means anything of value given to a person, including the forgiveness of an obligation, unless consideration of equal or greater value is received by the donor. "Gift" does not include:

- A. Gifts received from a single source during the reporting period with an aggregate value of \$300 or less;
- B. A bequest or other form of inheritance; and
- C. A gift received from a relative.'

Further amend the bill in section 4 in that part designated "§1012." in subsection 5 in the last line (page 2, line 29 in L.D.) by inserting after the following: "speech" the following: 'or an appearance or speech which is unrelated to the Legislator's official capacity or duties as a member of the Legislature'

Further amend the bill in section 7 in that part designated "§1016-A." in subsection 5 in the 3rd line (page 4, line 19 in L.D.) by striking out the following: "the principal" and inserting in its place the following: 'each'

Further amend the bill in section 9 in that part designated "§1022." in subsection 1 in the 2nd and 3rd lines (page 4, lines 48 and 49 in L.D.) by striking out the following: "any joint standing committee of"

Further amend the bill in section 9 in that part designated

SENATE AMENDMENT "D " to H.P. 1282, L.D. 1773

1 "§1022." in subsection 1 in the 3rd line (page 4, line 48 in
L.D.) by inserting after the following: "Legislature" the
3 following: 'for compensation'

5 Further amend the bill in section 9 in that part designated
7 "§1022." in subsection 1 by inserting after paragraph A the
following:

9 'B. For the purposes of this section "Legislature" includes
but is not limited to individual members of the Legislature
and legislative committees.'

13 Further amend the bill in section 11 by striking out all of
15 paragraph F (page 6, lines 7 to 20 in L.D.) and inserting in its
place the following:

17 'F. "Gift" means anything of value given to a person
without equal consideration received, including forgiveness
19 of an obligation or debt or excess consideration beyond
fair-market value for services or goods. "Gift" does not
21 include:

23 (1) Gifts received from a single source during the
reporting period with an aggregate value of \$300 or
25 less;

27 (2) A bequest or other form of inheritance; and

29 (3) A gift received from a relative.'

31 Further amend the bill in section 11 in paragraph G in the
33 6th and 7th lines (page 6, lines 28 and 29 in L.D.) by striking
out the following: "alimony or separate maintenance payments;"

35 Further amend the bill by striking out all of section 12 and
inserting in its place the following:

37 'Sec. 12. 5 MRS §19, sub-§2, as enacted by PL 1979, c. 734,
39 §2, is repealed and the following enacted in its place:

41 2. Statement of sources of income. Each executive employee
shall annually file with the Secretary of State a sworn and
43 notarized statement of finances for the preceding calendar year.
The statement shall indicate:

45 A. The name of each specific source of income that the
47 executive employee received of \$300 or more;

49 B. The principal type of economic activity of the
corporation, professional association, partnership, person
51 or other entity representing each source of income;

1 C. The specific source of each received gift with a
3 fair-market value in excess of \$300 except for gifts from
immediate family members;

5 D. The principal source of income of \$300 or more that any
7 member of the immediate family of the executive employee
received;

9 E. Each executive branch agency before which the executive
11 employee or any immediate family member has represented or
assisted others for compensation;

13 F. Each executive branch agency to which the executive
15 employee or the employee's immediate family has sold goods
or services with a value in excess of \$300; and

17 G. Income received in-kind, including, but not limited to,
19 the transfer of property, options to buy or lease and stock
certificates.

21 For the purposes of this subsection "immediate family" means the
23 spouse or dependent children of the executive employee.'

Further amend the bill by striking out all of section 13.

Further amend the bill in section 14 in subsection 8 in the
2nd line (page 7, line 34 in L.D.) by striking out the following:
"a joint standing committee"

Further amend the bill in section 14 in subsection 8 in the
3rd line (page 7, line 35 in L.D.) by inserting after the
following: "Legislature" the following: 'for compensation'

Further amend the bill by renumbering the sections to read
consecutively.

STATEMENT OF FACT

This amendment makes some technical changes and a
substantive change. This amendment:

1. Provides that honoraria that are provided to Legislators
for an appearance or speech unrelated to the official capacity of
the Legislator do not have to be reported;

2. Requires that the Legislator disclose the type of
economic activity or entity for each source of income of
immediate family members in contrast to the principal source of
income of immediate family members; and

SENATE AMENDMENT "D " to H.P. 1282, L.D. 1773

1
3
5
7
9
11
13

3. Authorizes former Legislators and former executive employees subject to the one-year restriction on lobbying activities, to lobby without restriction if they lobby for no compensation.

(Senator BERUBE)
SPONSORED BY: George B. Berube

COUNTY: Androscoggin

Reproduced and Distributed Pursuant to Senate Rule 12.
(6/21/89) (Filing No. S-395)