

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

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No. 1774

H.P. 1283

House of Representatives, June 20, 1989

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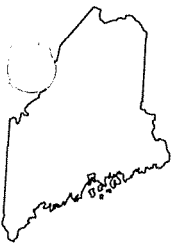
Ed Pert

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

An Act Regarding Governmental Ethics.



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

3 **Sec. 1. 1 MRSA §1002, sub-§1, as amended by PL 1983, c. 812,**
5 **§1, is repealed and the following enacted in its place:**

7 **1. Membership. The Commission on Governmental Ethics and**
9 **Election Practices, hereinafter called the "commission," shall**
11 **consist of 7 members to be appointed as follows:**

13 **A. The President of the Senate and the floor leaders of the**
15 **2 major parties in the Senate shall each appoint one member,**
17 **with the concurrence of 2/3 vote of the Senate. Each member**
19 **shall serve a term of 3 years, except the initial members,**
21 **appointed in January 1990, shall be appointed to staggered**
23 **terms. The initial appointment of the President of the**
25 **Senate shall be for one year, the initial appointment of the**
27 **majority leader shall be for 2 years and the initial**
29 **appointment of the minority leader shall be for 3 years.**

31 **B. The Speaker of the House of Representatives and the**
33 **floor leaders of the 2 major parties in the House of**
35 **Representatives shall each appoint one member, with the**
37 **concurrence of 2/3 vote of the House of Representatives.**
39 **Each member shall serve a term of 3 years, except the**
41 **initial members, appointed in January 1990, shall be**
43 **appointed to staggered terms. The initial appointment of**
45 **the Speaker of the House of Representatives shall be for 3**
47 **years, the initial appointment of the majority leader shall**
49 **be for 2 years, and the initial appointment of the minority**
leader shall be for one year.

C. The 6 members so appointed shall, by an affirmative vote
of at least 5 members, elect a 7th member, who shall act as
chair, and who shall serve a term of 3 years, or until a
successor is appointed and qualified.

The appropriate appointing authority shall appoint members to
vacancies on the commission as they occur or upon expiration of
terms. Any vacancy shall be filled for the unexpired portion of
the term in which such vacancy occurs.

The appointed members of the commission may be reappointed, and
the chair may be reelected.

45 **Sec. 2. 1 MRSA §1007, as enacted by PL 1975, c. 621, §1, is**
47 **amended to read:**

49 **§1007. Annual report**

1 The commission shall submit to the Legislature and the
2 public an annual report discussing its activities under this
3 chapter and any changes it considers necessary or appropriate
4 regarding ethical standards.

5 **Sec. 3. 1 MRSA §1008, sub-§2,** as amended by PL 1977, c. 337,
6 §1, is further amended to read:

7 **2. Election practices.** To administer and investigate any
8 violations of the requirements for campaign reports and campaign
9 financing and to investigate and make findings of fact and
10 opinion on the final determination of the results, within the
11 limits of the Constitution of ~~the--State--of~~ Maine and the
12 Constitution of the United States, of any contested count, state
13 or federal election within this State; and

14 **Sec. 4. 1 MRSA §1008, sub-§3** is enacted to read:

15 **3. Ethics seminar.** To conduct, in conjunction with the
16 Attorney General, an ethics seminar for Legislators after the
17 general election and before the convening of the Legislature, in
18 every even-numbered year. The Attorney General shall provide
19 each Legislator with a bound compilation of the laws of this
20 State pertaining to legislative ethics and conduct.

21 **Sec. 5. 1 MRSA §1012, sub-§1-A** is enacted to read:

22 **1-A. Commission.** "Commission" means the Commission on
23 Governmental Ethics and Election Practices.

24 **Sec. 6. 1 MRSA §1013, sub-§1, ¶B,** as enacted by PL 1975, c.
25 621, §1, is amended to read:

26 **B.** To investigate complaints filed by Legislators or any
27 citizen of the State alleging conflict of interest against
28 any-Legislator, to hold hearings thereon if the commission
29 deems appropriate and to issue publicly findings of fact
30 together with its opinion. All complaints shall be held in
31 strict confidence until an investigation is fully completed
32 and a hearing ordered insofar as possible under
33 right-to-know laws; and

34 **Sec. 7. 1 MRSA §1013, sub-§2, ¶B,** as enacted by PL 1975, c.
35 621, §1, is amended to read:

36 **B.** A Legislator or citizen making a complaint shall file
37 the complaint under oath with the chairman chair. The
38 complaint shall specify the facts of the alleged conflict of
39 interest. The Legislator against whom a complaint is filed
40 shall immediately be given a copy of the complaint and the
41 name of the complainant. Only those complaints dealing with
42 alleged conflicts of interest related to the current

1 Legislature shall be considered by the commission. Upon a
2 majority vote of the commission, the commission shall
3 conduct such investigation and hold such hearings as it
4 deems necessary. The commission shall issue its findings of
5 fact together with its opinion regarding the alleged
6 conflict of interest to the House of which the Legislator
7 concerned is a member. That House may take whatever action
8 it deems appropriate, in accordance with the Constitution of
9 the State of Maine.

11 Sec. 8. 1 MRSA §1014, sub-§1, ¶E, as enacted by PL 1975, c.
12 621, §1, is repealed.

13 Sec. 9. 1 MRSA §1014, sub-§2, ¶A, as enacted by PL 1975, c.
14 621, §1, is repealed and the following enacted in its place:

17 A. Appearing for, representing or assisting another in a
18 matter before a state agency or authority, unless without
19 compensation and for the benefit of a constituent.

21 Sec. 10. 1 MRSA §1016, as enacted by PL 1975, c. 621, §1, is
22 repealed.

23 Sec. 11. 1 MRSA §1016-A is enacted to read:

25 §1016-A. Financial disclosure by Legislators

27 1. Definitions. As used in this section, unless the
28 context otherwise indicates, the following terms have the
29 following meanings.

31 A. "Dependent child" means, when used with respect to any
32 Legislator, any individual who is a son, daughter, stepson
33 or stepdaughter and who:

35 (1) Is unmarried and under 21 years of age and is
36 living in the household of that Legislator; or

39 (2) Is a dependent of that Legislator for purposes of
40 the state income tax laws.

41 B. "Legislator" means a Senator or a member of the House of
42 Representatives.

45 C. "Personal hospitality of an individual" means
46 hospitality extended for a nonbusiness purpose by an
47 individual, not a corporation or organization, at the
48 personal residence of that individual or the individual's
49 family or on property or facilities owned or rented by that
50 individual or the individual's family.

51 D. "Relative" means an individual who is related to the
52 Legislator or the Legislator's spouse as father, mother,
53 son, daughter, brother, sister, uncle, aunt, great-aunt,

1 great-uncle, first cousin, nephew, niece, husband, wife,
3 grandfather, grandmother, grandson, granddaughter,
5 father-in-law, mother-in-law, son-in-law, daughter-in-law,
7 brother-in-law, sister-in-law, stepfather, stepmother,
9 stepson, stepdaughter, stepbrother, stepsister, half brother
11 or half sister, and shall be deemed to include the fiance or
13 fiancee of the Legislator.

9 E. "Reportable gift" means anything of value given to a
11 person, including the forgiveness of an obligation, unless
13 consideration of equal or greater value is received by the
15 donor. "Reportable gift" does not include:

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

23 (2) A bequest or other form of inheritance;

25 (3) A gift received from a relative; and

27 (4) A gift of personal hospitality of an individual.

29 F. "Reportable income" means all income from any source,
31 including, but not limited to, compensation for services,
33 including fees, commissions and payments in kind; gross
35 income derived from business; gains derived from property
37 transactions; rents; royalties; income from investments;
39 interest; dividends; annuities; income from life insurance
41 or endowment contracts; pensions; discharges of
43 indebtedness; distributive share of partnership income;
45 income from an interest in an estate or trust; and grants.
47 "Reportable income" does not include:

49 (1) Income derived from a single source during the
51 reporting period with an aggregate value of \$300 or
53 less;

55 (2) Alimony and child support payments; and

57 (3) Campaign contributions duly recorded as required
59 by law.

61 G. "Reportable liability" means any debt or other similar
63 obligation. "Reportable liability" does not include:

65 (1) Liabilities owed to a single creditor the
67 aggregate value of which did not exceed \$1,000 at any
69 time during the reporting period;

71 (2) A debt owed to a relative;

1 (3) Mortgages secured by personal residences from
3 which no income was derived during the reporting period;

5 (4) A loan secured by a personal motor vehicle or by
7 household furnishings in a personal residence if the
9 loan does not exceed the purchase price of the item;

11 (5) Amounts owed for alimony or child support;

13 (6) An educational loan made or guaranteed by a
15 governmental entity, educational institution or
17 nonprofit organization; and

19 (7) A revolving charge account, if the outstanding
21 liability did not exceed \$5,000 at the end of the
23 reporting period.

25 H. "Reportable reimbursement" means any payment or other
27 thing of value, including the direct provision of
29 transportation, meals or lodging, received by a person,
31 other than as a gift, to cover travel-related expenses.
33 "Reportable reimbursement" does not include:

35 (1) Reimbursement received from a single source during
37 the reporting period with an aggregate value of \$300 or
39 less; and

41 (2) Reimbursement received from federal, state and
43 local government or from an association of government
45 officials.

47 I. "Reporting period" means the calendar year immediately
49 preceding the filing of the financial disclosure statement.

51 J. "Spouse" means the husband or wife of the Legislator,
 but does not include a husband or wife:

(1) From whom the Legislator is legally separated; or

(2) Who is living apart from the Legislator and from
 whom the Legislator is unable to obtain the information
 needed to complete the financial disclosure statement.

2. Financial disclosure statement. Each Legislator shall
 file with the Commission on Governmental Ethics and Election
 Practices prior to the close of the 2nd week in February of each
 year a sworn and notarized financial disclosure statement
 containing the following information for the applicable reporting
 period for the Legislator and the Legislator's spouse and
 dependent children:

1 A. For all reportable income, the type of income and the
3 specific identity of the source. In identifying the source
5 of earned income received by a self-employed person not
7 doing business as a separate legal entity, it shall be
9 sufficient to specify the principal type of economic
11 activity from which the income is derived. In identifying
13 the source of all other earned income, it shall be
15 sufficient to identify the name and principal type of
17 economic activity of the corporation, professional
19 association, partnership, financial institution, nonprofit
21 organization, or other entity directly providing the income
23 to the individual;

16 B. For all reportable liabilities owed at any time during
17 the reporting period, the specific identity of the creditor;

18 C. For all reportable gifts, the specific identity of the
19 donor. A gift given to a spouse or dependent child totally
21 independent of the recipient's relationship to the
23 Legislator need not be reported; and

24 D. For all reportable reimbursements, the specific identity
25 of the source of the reimbursement. A reimbursement paid to
27 a spouse or dependent child totally independent of the
29 recipient's relationship to the Legislator need not be
31 reported.

32 3. Additional disclosures. The Legislator shall make the
33 following additional disclosures.

34 A. The Legislator shall include in the financial disclosure
35 statement the names of any state agencies before which the
37 Legislator represented or assisted others for compensation
39 during the reporting period.

40 B. The Legislator shall include in the financial disclosure
41 statement the names of any state agencies to which the
43 Legislator or any member of the Legislator's immediate
45 family sold goods or services during the reporting period.

46 C. For a Legislator or a Legislator's spouse who is an
47 attorney or consultant, the financial disclosure statement
49 shall include, in addition to the information required in
51 subsection 2, the major areas of the person's practice and,
 if associated with a firm, the major areas of the firm's
 practice.

4. Delivery of financial disclosure form. The Secretary of
 State shall, prior to the end of the first week in January in
 each year, deliver to each Legislator the form for filing the
 financial disclosure statement.

1 5. Penalty. Failing to meet the requirements of subsection
2 2 or 3 within 15 days of having been notified of that failure by
3 the commission is a civil violation for which a forfeiture of not
4 more than \$100 may be adjudged.

5 6. Rules. The commission may adopt or amend rules
6 necessary to carry out this section, including, but not limited
7 to, rules specifying reportable categories or types, defining
8 terms and prescribing forms and procedures for filing financial
9 disclosure statements.

10 7. Public record. Financial disclosure statements filed
11 under this section are public records.

12 Sec. 12. 1 MRSA §1017, as amended by PL 1981, c. 698, §2, is
13 repealed.

14 Sec. 13. 1 MRSA §1017-A is enacted to read:

15 §1017-A. Prohibition against acceptance of honoraria

16 1. Honorarium. For purposes of this section, "honorarium"
17 means a payment of money or anything of value to a Legislator for
18 an appearance or a speech by the Legislator. "Honorarium" does
19 not include:

20 A. Reimbursement for any actual and necessary travel
21 expenses incurred by the Legislator or an aide in connection
22 with an appearance or a speech; or

23 B. A payment for an appearance or a speech if the
24 appearance or speech is unrelated to the person's official
25 capacity or duties as a member of the Legislature.

26 2. Prohibition. It is unlawful for a Legislator to accept
27 an honorarium.

28 3. Penalty. Any Legislator who violates this section shall
29 be subject to a civil penalty, payable to the State, not to
30 exceed twice the value of the honorarium.

31 Sec. 14. 1 MRSA §1018, as repealed and replaced by PL 1977,
32 c. 252, §4, is repealed.

33 Sec. 15. 1 MRSA §§1022, 1023 and 1024 are enacted to read:

34 §1022. Former Legislators; lobbying

35 No former Legislator may engage in lobbying activity, as
36 defined in Title 3, chapter 15, including appearance as an agent
37 before a legislative committee after leaving office, until 12
38 months following the end of the term to which the Legislator was
39 elected.

1 This section applies to Legislators elected to the 115th and
2 subsequent Legislatures.

3 §1023. Disciplinary guidelines

4 The Legislature shall enact, publish, maintain and
5 implement, as authorized in the Constitution of Maine, Article
6 IV, Part Third, Section 4, disciplinary guidelines and procedures
7 for Legislators, including the violations of ethical standards
8 for which the penalties of reprimand, censure or expulsion are
9 appropriate and the proceedings under which these or other
10 penalties may be imposed.

11 §1024. Code of ethics

12 1. Code established. The Legislature, by joint rule,
13 shall enact, publish, maintain and implement a code of ethics for
14 Legislators and legislative employees that shall address:

15 A. The conduct of Legislators and employees;

16 B. Voting abstention;

17 C. Compensation;

18 D. Confidentiality;

19 E. Improper influence;

20 F. The use of staff;

21 G. Honoraria;

22 H. Improper inducement;

23 I. Improper communication; and

24 J. The appearance of impropriety.

25 2. Revision. The code shall be revised as considered
26 appropriate or necessary by the Legislature or on recommendation
27 of the commission.

28 Sec. 16. 5 MRSA §19, as amended by PL 1987, c. 784, §4, is
29 repealed and the following enacted in its place:

30 §19. Financial disclosure by executive employees

31 1. Definitions. As used in this section, unless the
32 context otherwise indicates, the following terms have the
33 following meanings.

1 A. "Appointed executive employee" means a compensated
3 member of the classified or unclassified service employed by
5 the Executive Department, who is appointed by the Governor
7 and confirmed by the Legislature, or who serves in a major
9 policy-influencing position as set forth in chapter 71,
11 except assistant attorneys general.

13 B. "Dependent child" means, when used with respect to any
15 executive employee, any individual who is a son, daughter,
17 stepson or stepdaughter and who:

19 (1) Is unmarried and under 21 years of age and is
21 living in the household of that executive employee; or

23 (2) Is a dependent of that executive employee for
25 purposes of the state income tax laws.

27 C. "Elected executive employee" means the Governor,
29 Attorney General, Secretary of State, Treasurer of State and
31 the State Auditor.

33 D. "Executive employee" means an appointed executive
35 employee or an elected executive employee.

37 E. "Personal hospitality of an individual" means
39 hospitality extended for a nonbusiness purpose by an
41 individual, not a corporation or organization, at the
43 personal residence of that individual or the individual's
45 family or on property or facilities owned or rented by that
47 individual or the individual's family.

49 F. "Relative" means an individual who is related to the
51 executive employee or the executive employee's spouse as
father, mother, son, daughter, brother, sister, uncle, aunt,
great-aunt, great-uncle, first cousin, nephew, niece,
husband, wife, grandfather, grandmother, grandson,
granddaughter, father-in-law, mother-in-law, son-in-law,
daughter-in-law, brother-in-law, sister-in-law, stepfather,
stepmother, stepson, stepdaughter, stepbrother, stepsister,
half brother or half sister, and shall be deemed to include
the fiance or fiancee of the executive employee.

G. "Reportable 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. "Reportable gift" does not include:

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

(2) A bequest or other form of inheritance;

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(3) A gift received from a relative; and

(4) A gift of personal hospitality of an individual.

H. "Reportable income" means all income from any source, including, but not limited to, compensation for services, including fees, commissions and payments in kind; gross income derived from business; gains derived from property transactions; rents; royalties; income from investments; interest; dividends; annuities; income from life insurance or endowment contracts; pensions; discharges of indebtedness; distributive share of partnership income; income from an interest in an estate or trust; and grants. "Reportable income" does not include:

(1) Income derived from a single source during the reporting period with an aggregate value of \$300 or less;

(2) Alimony and child support payments; and

(3) Campaign contributions, duly recorded as required by law.

I. "Reportable liability" means any debt or other similar obligation. "Reportable liability" does not include:

(1) Liabilities owed to a single creditor, the aggregate value of which did not exceed \$1,000 at any time during the reporting period;

(2) A debt owed to a relative;

(3) Mortgages secured by personal residences from which no income was derived during the reporting period;

(4) A loan secured by a personal motor vehicle or by household furnishings in a personal residence if the loan does not exceed the purchase price of the item;

(5) Amounts owed for alimony or child support;

(6) An educational loan made or guaranteed by a governmental entity, educational institution or nonprofit organization; and

(7) A revolving charge account, if the outstanding liability did not exceed \$5,000 at the end of the reporting period.

1 J. "Reportable reimbursement" means any payment or other
3 thing of value, including the direct provision of
5 transportation, meals or lodging, received by a person,
other than as a gift, to cover travel-related expenses.
"Reportable reimbursement" does not include:

7 (1) Reimbursement received from a single source during
9 the reporting period with an aggregate value of \$300 or
less; and

11 (2) Reimbursement received from federal, state and
13 local government or from an association of government
officials.

15 K. "Reporting period" means, for purposes of an initial
17 financial disclosure statement, the 12 months immediately
19 preceding the month the statement is filed, and for purposes
of an annual financial disclosure statement, the calendar
year immediately preceding the filing of the statement.

21 L. "Spouse" means the husband or wife of the executive
23 employee, but does not include a husband or wife:

25 (1) From whom the executive employee is legally
separated; or

27 (2) Who is living apart from the executive employee
29 and from whom the executive employee is unable to
31 obtain the information needed to complete the financial
disclosure statement.

33 2. Financial disclosure statement. Each executive employee
35 shall file with the Secretary of State, at the times specified in
37 subsection 4, a sworn and notarized financial disclosure
statement containing the following information for the applicable
reporting period for the executive employee and the executive
employee's spouse and dependent children:

39 A. For all reportable income, the type of income and the
41 specific identity of the source. In identifying the source
43 of earned income received by a self-employed person not
45 doing business as a separate legal entity, it shall be
47 sufficient to specify the principal type of economic
49 activity from which the income is derived. In identifying
the source of all other earned income, it shall be
sufficient to identify the name and principal type of
economic activity of the corporation, professional
association, partnership, financial institution, nonprofit
organization or other entity directly providing the income
to the individual;

1 B. For all reportable liabilities owed at any time during
2 the reporting period, the specific identity of the creditor;

3
4 C. For all reportable gifts, the specific identity of the
5 donor. A gift given to a spouse or dependent child totally
6 independent of the recipient's relationship to the executive
7 employee need not be reported; and

8
9 D. For all reportable reimbursements, the specific identity
10 of the source of the reimbursement. A reimbursement paid to
11 a spouse or dependent child totally independent of the
12 recipient's relationship to the executive employee need not
13 be reported.

14 3. Additional disclosure for attorneys and consultants.
15 For an executive employee or an executive employee's spouse who
16 is an attorney or consultant, the financial disclosure statement
17 shall include, in addition to the information required in
18 subsection 2, the major areas of the person's practice and, if
19 associated with a firm, the major areas of the firm's practice;

20
21 4. Time for filing. Every executive employee shall file
22 financial disclosure statements as follows.

23
24 A. An elected executive employee shall file an initial
25 financial disclosure statement within 30 days of the
26 executive employee's election. An appointed executive
27 employee shall file an initial financial disclosure
28 statement prior to confirmation by the Legislature or, if
29 confirmation is not required, within 30 days of the
30 employee's appointment.

31
32 B. Every executive employee shall file an annual financial
33 disclosure statement prior to the close of the 2nd week in
34 April, unless the executive employee has filed an initial
35 financial disclosure statement within the preceding 4 months.

36
37 5. Penalty. Failing to meet the requirements of subsection
38 2 or 3 within 15 days of having been notified of that failure by
39 the Secretary of State is a civil violation for which a
40 forfeiture of not more than \$100 may be adjudged.

41
42 6. Rules. The Secretary of State may adopt or amend rules
43 necessary to carry out this section, including, but not limited
44 to, rules specifying reportable categories or types, defining
45 terms and prescribing forms and procedures for filing financial
46 disclosure statements.

47
48 7. Public record. Financial disclosure statements filed
49 under this section are public records.

50
51

Sec. 17. 5 MRS-A §19-A is enacted to read:

1 §19-A. Prohibition against acceptance of honoraria

3 1. Executive employee. For purposes of this section,
5 "executive employee" has the same meaning as in section 19.

7 2. Honorarium. For purposes of this section, "honorarium"
9 means a payment of money or anything of value to an executive
11 employee for an appearance or a speech by the executive
13 employee. "Honorarium" does not include:

15 A. Reimbursement for any actual and necessary travel
17 expenses incurred by the executive employee or an aide in
19 connection with an appearance or a speech; or

21 B. A payment for an appearance or a speech if the
23 appearance or speech is unrelated to the person's official
25 capacity or duties as an executive employee.

27 3. Prohibition. It is unlawful for an executive employee
29 to accept an honorarium.

31 4. Penalty. Any executive employee who violates this
33 section shall be subject to a civil penalty, payable to the
35 State, not to exceed twice the value of the honorarium.

37 **Sec. 18. Transition.** Beginning in 1990, persons subject to the
39 income disclosure requirements of sections 10 and 16 of this Act
41 shall complete the forms and provide the information as required
43 by this Act.

45 **Sec. 18. Appropriation.** The following funds are appropriated
47 from the General Fund to carry out the purposes of this Act.

	1989-90	1990-91
ATTORNEY GENERAL, DEPARTMENT OF THE		
Administration - Attorney General		
All Other	\$2,000	\$2,000
Provides funds for bound compilations of laws pertaining to legislative ethics and conduct to be distributed to each Legislator.		
DEPARTMENT OF THE ATTORNEY GENERAL		

1	TOTAL	\$2,000	\$ 2,000
3	COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES		
5	Governmental Ethics and Election Practices - Commission on		
9	Positions	(1)	(1)
	Personal Services	\$19,442	\$26,824
11	All Other	1,125	1,500
	Capital Expenditures	1,000	
13			
15	Provides funds for one Administrative Secretary and related expenses.		
17	COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES		
19	TOTAL	<u>\$21,567</u>	<u>\$28,324</u>
21	LEGISLATURE		
23	Legislature		
25	All Other	\$3,500	\$3,500
27			
29	Provides funds for the costs associated with printing disciplinary guidelines and procedures for Legislators.		
31			
33	LEGISLATURE		
35	TOTAL	<u>\$3,500</u>	<u>\$3,500</u>
37	TOTAL APPROPRIATIONS	<u>\$27,067</u>	<u>\$33,824</u>

FISCAL NOTE

41 The Governor's proposed Part II budget provides funds to the
43 Commission on Governmental Ethics and Election Practices for an
45 administrative secretary position and related expenses in the
47 amount of \$25,000 in Fiscal Year 1990 and \$26,250 in Fiscal Year
1991.

49 The Judicial Department can absorb any additional costs
51 resulting from anticipated increased filings within existing
resources.

STATEMENT OF FACT

1
3 This bill which comprises the report of the minority of the
5 committee requires Legislators and executive employees to report
7 income exceeding \$300, liabilities exceeding \$1,000, gifts valued
9 at more than \$300 and reimbursements exceeding \$300. To avoid
unnecessary invasions of privacy, the bill follows the current
practice of not requiring disclosure of actual monetary amounts
or categories of monetary amounts.

11 This report requires identification of the specific sources
13 of income, gifts and reimbursement and the names of creditors.
15 In addition, this report prohibits the acceptance of honoraria by
17 Legislators and executive branch officials. Acceptance of an
honorarium would be subject to a civil penalty, payable to the
State, with a maximum penalty of twice the value of the
honorarium.

19 Other provisions of this bill include:

- 21 1. An ethics seminar to be presented by the Commission on
23 Governmental Ethics and Election Practices and the
Attorney General's office to Legislators following the
general election in the even-numbered years;
- 25 2. A code of ethics and disciplinary guidelines for the
27 Legislature to be adopted by Joint Rule;
- 29 3. The creation of staggered 3-year terms for members of
31 the Commission on Governmental Ethics and Election
Practices; and
- 33 4. The requirement that municipal and county officers
35 develop their own ethics policy for elected and
appointed officials.