

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 1920

H.P. 1337

House of Representatives, March 17, 1999

### **An Act to Prevent Conflicts of Interest.**

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Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative TOWNSEND of Portland.  
Cosponsored by Senator KILKELLY of Lincoln and  
Representatives: AHEARNE of Madawaska, BUMPS of China, DUNLAP of Old Town,  
ETNIER of Harpswell, MARTIN of Eagle Lake, PERKINS of Penobscot, PIEH of Bremen,  
Senator: NUTTING of Androscoggin.

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

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Sec. 1. 5 MRSA §18, sub-§1, ¶¶C and D, as enacted by PL 1979, c. 734, §2, are amended to read:

C. "Participate in his an official capacity" means to take part in reaching a decision or recommendation in a proceeding that is within the authority of the position he holds held or to take part in activities that relate to pending legislation or rulemaking, including but not limited to assisting the planning or implementation of policies or procedures and presenting or preparing testimony before a legislative or governing body or board.

D. "Proceeding" means a proceeding, application, request, ruling, determination, award, contract, claim, controversy, charge, accusation, arrest or other matter relating to governmental action or inaction or activities that relate to proposed legislation or rulemaking, planning or implementation of policies or procedures and presenting or preparing testimony before a legislative or governing body or board.

Sec. 2. 5 MRSA §18, sub-§2, as enacted by PL 1979, c. 734, §2, is amended to read:

2. **Executive employee.** An executive employee commits a civil violation if he that employee personally and substantially participates in his an official capacity in any proceeding in which, to his that employee's knowledge, any of the following have has a direct and substantial financial interest:

A. Himself The employee, his the employee's spouse or his the employee's dependent children;

B. His The employee's partners;

C. A person or organization with whom he the employee is negotiating or has agreed to an arrangement concerning prospective employment;

D. An organization in which he the employee has a direct and substantial financial interest; or

E. Any person with whom he the employee has been associated as a partner or a fellow shareholder in a professional service corporation pursuant to Title 13, chapter 22, during the preceding year.

Sec. 3. 5 MRSA §18, sub-§8 is enacted to read:

