

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 388

H.P. 310

House of Representatives, January 30, 2001

An Act to Amend Disclosure Reporting Requirements.

Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative McDONOUGH of Portland.
Cosponsored by Senator RAND of Cumberland and
Representatives: BOUFFARD of Lewiston, BRANNIGAN of Portland, BRYANT of
Dixfield, COLWELL of Gardiner, COWGER of Hallowell, GOODWIN of Pembroke,
PINKHAM of Lamoine, SHERMAN of Hodgdon.

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

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Sec. 1. 1 MRSA §1016-A, first ¶, as amended by PL 1989, c. 734, is further amended to read:

Each Legislator shall file a statement of specific sources of income received in the preceding calendar year with the commission by 5:00 p.m. on February 15th of each year on forms provided by the ~~Secretary-of-State~~ commission. Prior to the end of the first week in January of each year, the ~~Secretary-of-State~~ commission shall deliver a form to each Senator and member of the House of Representatives. The statement of specific sources of income filed under this subchapter must be on a form prescribed by the commission ~~and-prepared-by-the-Secretary-of-State~~ and is a public record.

Sec. 2. 5 MRSA §19, sub-§2, as amended by PL 1989, c. 608, §3, is further amended by amending the first paragraph to read:

2. Statement of sources of income. Each executive employee shall annually file with the ~~Secretary-of-State~~ Commission on Governmental Ethics and Election Practices a sworn and notarized statement of finances for the preceding calendar year. The statement shall ~~shall~~ must indicate:

Sec. 3. 5 MRSA §19, sub-§3, ¶B, as enacted by PL 1979, c. 734, §2, is amended to read:

B. Each executive employee shall file the annual report prior to the close of the 2nd week in April, ~~inless-he~~ unless that employee has filed an initial or updating report during the preceding 30 days; ~~except that, if an elected or appointed executive employee has already filed a report for the preceding calendar year pursuant to paragraph A, a report does not need to be filed.~~

Sec. 4. 5 MRSA §19, sub-§§4 and 5, as enacted by PL 1979, c. 734, §2, are amended to read:

4. Penalties. Failing to file the statement, within 15 days of having been notified by the ~~Secretary-of-State~~ Commission on Governmental Ethics and Election Practices of failing to meet the requirements of subsection 2, is a civil violation for which a forfeiture of not more than \$100 may be adjudged.

5. Rules. The ~~Secretary-of-State~~ Commission on Governmental Ethics and Election Practices may adopt or amend rules to specify the reportable categories or types and the procedures and forms for reporting and to administer this section. Rules adopted pursuant to this section are routine technical rules in accordance with chapter 375, subchapter II-A.

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SUMMARY

6 This bill provides that the forms for legislative financial
disclosure will be prepared by and provided to each Senator and
8 each member of the House of Representatives by the Commission on
Governmental Ethics and Election Practices. This bill also
10 changes the responsibility for administering disclosure reporting
requirements from the Secretary of State to the commission.
12 Additionally, this bill exempts an appointed and elected
executive employee from filing another statement if one has
14 already been filed by that employee for the preceding calendar
year.