

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1578

S.P. 489

In Senate, March 13, 2001

An Act to Clarify the Laws Governing Employment by the State.

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by President MICHAUD of Penobscot.

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

2

Sec. 1. 5 MRSA §18, sub-§7, as enacted by PL 1987, c. 784, §3,
4 is amended to read:

6

7. **Avoidance of appearance of conflict of interest.** Every
executive employee shall endeavor to avoid the appearance of a
8 conflict of interest by disclosure or by abstention. For the
purposes of this subsection and subsection 8, "conflict of
10 interest" includes receiving remuneration for performing duties
or functions that a reasonable person would expect to perform as
12 part of that person's state employment.

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SUMMARY

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This bill amends the law requiring executive employees to
18 avoid the appearance of conflict of interest. Under this bill,
receiving remuneration for doing something that would reasonably
20 be viewed as part of the job would be a conflict of interest and
subject to a civil forfeiture by operation of the Maine Revised
22 Statutes, Title 5, section 18, subsection 5.