



## **121st MAINE LEGISLATURE**

## FIRST REGULAR SESSION-2003

**Legislative Document** 

No. 1336

H.P. 981

House of Representatives, March 12, 2003

## An Act to Strengthen the Governmental Ethics Laws

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

Millicent M. Mac Failand

MILLICENT M. MacFARLAND Clerk

Presented by Representative CANAVAN of Waterville. Cosponsored by Senator GAGNON of Kennebec and Representatives: DUDLEY of Portland, DUPLESSIE of Westbrook, LERMAN of Augusta.

2	Be it enacted by the People of the State of Maine as follows:
	Sec. 1. 1 MRSA §1012, sub-§1-A is enacted to read:
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~	1-A. Associated organization. "Associated organization"
6	means any organization in which a Legislator or a member of the
•	Legislator's immediate family is a director, officer or trustee,
8	or owns or controls, directly or indirectly, and severally or in
10	the aggregate, at least 10% of the outstanding equity.
	Sec. 2. 1 MRSA §1015, sub-§4 is enacted to read:
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	4. Contract with a governmental agency or department. A
14	Legislator and associated organization may not enter with a state
	governmental agency into any contract that is to be paid in whole
16	or in part out of governmental funds, when such a contract is
	normally awarded through a process of public notice and
18	competitive bidding, unless the contract has been awarded through
-0	a process of public notice and competitive bidding.
20	a process or public modice and competitive blading.
10	Sec. 3. 1 MRSA §1016-A, sub-§§8 and 9 are enacted to read:
22	see s. Thinkshi givio hij sub ggo and y are enacted to read.
<i>L L</i>	8. Organization affiliations. A Legislator shall disclose
24	the identity of every associated organization with which the
24	
26	Legislator is associated and the nature of the Legislator's association with the organization, except that no identification
20	need be made of:
28	need be made of:
20	A. Any associated organization that is organized and
30	operated primarily to influence voting at an election,
30	
32	<u>including support for or opposition to an individual's</u> present or future candidacy or to a present or future
32	
34	<u>referendum campaign; or</u>
24	B. Any nonprofit associated organization that is formed
36	exclusively for social purposes and any nonprofit community
30	service associated organization, if the Legislator receives
38	
30	no reimbursement or other payment from the organization
40	except for travel expenses.
40	O Disclosure of real presents The Lesislator shall
42	9. Disclosure of real property. The Legislator shall
42	disclose the real property located in this State in which the
	Legislator or the Legislator's immediate family holds an
44	interest, other than the principal residence of the Legislator or
A.C.	the Legislator's immediate family, and the nature of the interest
46	held. A Legislator's interests in real property do not include a
	proportional share of interests in real property if the
48	individual's proportional share is less than 10% of the
-	outstanding shares or is less than an equity value of \$5,000.
50	

	Sec. 4. 1 MRSA §1017-A is enacted to read:
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	<u>1017-A. Civil penalties; late and incomplete statements;</u>
4	<u>failure to file</u>
б	A Legislator who fails to file a statement in accordance
	with this subchapter may be assessed a forfeiture of \$10 for each
8	business day the statement is filed late. A statement is not
	<u>deemed filed unless it substantially conforms to the requirements</u>
10	of this subchapter and is properly signed. The commission shall
	determine whether a statement substantially conforms to the
12	requirements of this subchapter.
14	
16	SUMMARY
10	This bill nowines a tonislation to displace all
18	This bill requires a Legislator to disclose all
10	organizations in which the Legislator or a member of the
20	Legislator's immediate family is associated through ownership or
20	service. The bill prohibits a Legislator from bypassing the bidding process when entering into a contract with a governmental
~ ~	bidding process when entering into a contract with a governmental

22 agency or department. The bill also establishes a forfeiture of \$10 for each business day that a statement is late or incomplete.