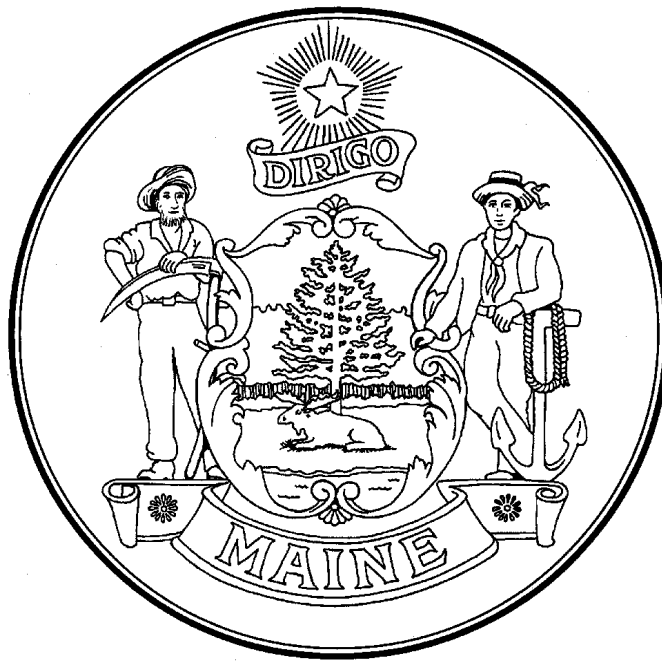


MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

SMG
R. 415

H.P. 107

Date: 11/26/10

(Filing No. H-591)

LEGAL AND VETERANS AFFAIRS

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 107, "Joint Order, To Add Joint Rule
108 Requiring Agreement with the Legislative Code of Ethics"

Amend the Joint Order by striking out the title and substituting the following:

**'Joint Order, To Amend the Joint Rules To Require Agreement with a Statement of
Legislative Ethics'**

Amend the Joint Order by striking out all of Joint Rule 108 and inserting the
following:

Rule 108. Legislative Statement of Ethics.

All members shall sign and file with their Presiding Officer, and agree to abide by,
the following statement that serves as the statement of purpose for the laws that govern
legislative ethics:

"The Maine Legislature enjoys a high reputation for progressive accomplishment.
The vast majority of its members are public officers of integrity and dedication,
seeking at all times to maintain high standards of ethical conduct.

The public interest is best served by attracting and retaining in the Legislature men
and women of high caliber and attainment. The public interest will suffer if unduly
stringent requirements deprive government "of the services of all but princes and
paupers."

Membership in the Legislature is not a full-time occupation and is not compensated
on that basis; moreover, it is measured in 2-year terms, requiring each member to
recognize and contemplate that his election will not provide him with any career
tenure.

Most Legislators must look to income from private sources, not their public salaries,
for their sustenance and support for their families; moreover, they must plan for the
day when they must return to private employment, business or their professions.

The increasing complexity of government at all levels, with broader intervention into
private affairs, makes conflicts of interest almost inevitable for all part-time public

1 officials, and particularly for Legislators who must cast their votes on measures
2 affecting the lives of almost every citizen or resident of the State. The adoption of
3 broadier standards of ethics for Legislators does not impugn either their integrity or
4 their dedication; rather it recognizes the increasing complexity of government and
5 private life and will provide them with helpful advice and guidance when confronted
6 with unprecedented or difficult problems in that gray area involving action which is
7 neither clearly right nor clearly wrong.

8 If public confidence in government is to be maintained and enhanced, it is not enough
9 that public officers avoid acts of misconduct. They must also scrupulously avoid acts
10 which may create an appearance of misconduct.

11 The Legislature cannot legislate morals and the resolution of ethical problems must
12 indeed rest largely in the individual conscience. The Legislature may and should,
13 however, define ethical standards, as most professions have done, to chart the areas
14 of real or apparent impropriety."

15 SUMMARY

16 This amendment proposes to amend the Joint Rules to require that all members of the
17 Legislature sign, and agree to abide by, a statement of legislative ethics.