

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 electronic originals
(may include minor formatting differences from printed original)



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1001

S.P. 346

In Senate, March 12, 2013

**An Act To Improve Laws Governing Financial Disclosure by
Legislators and Certain Public Employees and Public Access to
Information Disclosed**

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator CAIN of Penobscot. (GOVERNOR'S BILL)
Cosponsored by Representative BEAULIEU of Auburn and
Senator: TUTTLE of York.

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

2 **Sec. 1. 1 MRSA §1016-G, sub-§1, ¶¶C, E and K,** as enacted by PL 2011, c.
3 634, §11, are amended to read:

4 C. The name, address and principal economic or business activity of any corporation,
5 partnership, limited liability company or other business in which the Legislator or
6 members of the Legislator's immediate family own or control, directly or indirectly,
7 more than ~~50%~~ 5% of the outstanding equity, whether individually or in the
8 aggregate, that has received revenue of \$2,000 or more;

9 E. Each source of income of \$2,000 or more received by the Legislator and a
10 description of the nature of the income, such as rental income, dividend income and
11 capital gains;

12 K. Each party as defined in Title 21-A, section 1, subsection 28, including a party
13 committee, and each organization that is required under Title 21-A, chapter 13 to
14 register with the commission as a political action committee or ballot question
15 committee for which the Legislator or a member of the Legislator's immediate family
16 is a treasurer, principal officer or principal fund-raiser or decision maker;

17 **Sec. 2. 1 MRSA §1016-G, sub-§§4 and 5,** as enacted by PL 2011, c. 634, §11,
18 are amended to read:

19 **4. Rules, procedures and forms.** The commission may adopt or amend rules to
20 specify the reportable categories or types and the procedures and forms for reporting and
21 to administer this section. The commission shall adopt rules requiring that income
22 received of \$2,000 or more be reported in one of at least 4 ranges based on amount.
23 Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5,
24 chapter 375, subchapter 2-A.

25 **5. Public record.** Statements filed under this section are public records. ~~The~~
26 ~~commission~~ Legislators shall publish file these statements electronically in a format to be
27 specified by the commission, which format must include immediate placement of the
28 statements on a publicly accessible website ~~the completed forms of Legislators filed~~
29 ~~under this section.~~

30 **Sec. 3. 5 MRSA §19, sub-§2, ¶¶H, J and P,** as enacted by PL 2011, c. 634,
31 §19, are amended to read:

32 H. The name, address and principal economic or business activity of any
33 corporation, partnership, limited liability company or other business in which the
34 executive employee or members of the employee's immediate family own or control,
35 directly or indirectly, more than ~~50%~~ 5% of the outstanding equity, whether
36 individually or in the aggregate, that has received revenue of \$2,000 or more;

37 J. Each additional source of income of \$2,000 or more received by the executive
38 employee and a description of the nature of the income, such as rental income,
39 dividend income and capital gains;

1 P. Each party as defined in Title 21-A, section 1, subsection 28, including a party
2 committee, and each organization that is required under Title 21-A, chapter 13 to
3 register with the commission as a political action committee or ballot question
4 committee for which the executive employee or a member of the executive
5 employee's immediate family is a treasurer, principal officer or principal fund-raiser
6 or decision maker of the organization;

7 **Sec. 4. 5 MRSA §19, sub-§5**, as amended by PL 2007, c. 704, §8, is further
8 amended to read:

9 **5. Rules.** The Commission on Governmental Ethics and Election Practices may
10 adopt or amend rules to specify the reportable categories or types and the procedures and
11 forms for reporting and to administer this section. The commission shall adopt rules
12 requiring that income received of \$2,000 or more be reported in one of at least 4 ranges
13 based on amount. Rules adopted pursuant to this subsection are routine technical rules as
14 defined in chapter 375, subchapter 2-A.

15 **Sec. 5. 5 MRSA §19, sub-§6**, as amended by PL 2007, c. 704, §9, is further
16 amended to read:

17 **6. Public record.** Statements filed under this section are public records. ~~The~~
18 ~~Commission on Governmental Ethics and Election Practices~~ Executive employees shall
19 ~~publish~~ file these statements electronically in a format to be specified by the commission,
20 which format must include immediate placement of the statements on a publicly
21 accessible website ~~the completed forms of executive employees filed under this section.~~

22 SUMMARY

23 This bill amends financial disclosure laws applicable to Legislators and certain
24 executive branch employees. Annual income received of \$2,000 or more must include a
25 description as to the nature of the income. Ownership interests of 5% or more in business
26 entities must be reported. Involvement as a responsible officer of a political party or
27 political committee by the Legislator or executive employee, or by a member of that
28 person's immediate family, must be reported. The Commission on Governmental Ethics
29 and Election Practices is directed to adopt rules that require reporting of income of
30 \$2,000 or more in ranges. Finally, Legislators and executive employees are required to
31 file their disclosure statements electronically and those statements must be on a publicly
32 accessible website.