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VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE
SENATE
126TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " " to S.P. 346, L.D. 1001, Bill, "An Act To Improve Laws Governing Financial Disclosure by Legislators and Certain Public Employees and Public Access to Information Disclosed"

Amend the bill by striking out all of section 2 and inserting the following:

'Sec. 2. 1 MRSA §1016-G, sub-§5, as enacted by PL 2011, c. 634, §11, is amended to read:

5. Public record. Statements filed under this section are public records. The commission shall publish provide a means for Legislators to file statements in an electronic format that must immediately place the statements on a publicly accessible website the completed forms of Legislators filed under this section. Legislators shall file statements required by this section using the electronic format prescribed by the commission. If a Legislator can attest to an inability to access or use the electronic filing format, the commission may provide assistance to the Legislator to ensure proper and timely placement of the required statements on the publicly accessible website.'

Amend the bill by striking out all of sections 4 and 5 and inserting the following:

'Sec. 4. 5 MRSA §19, sub-§6, as amended by PL 2007, c. 704, §9, is further amended to read:

6. Public record. Statements filed under this section are public records. The Commission on Governmental Ethics and Election Practices shall publish provide a means for executive employees to file statements in an electronic format that must immediately place the statements on a publicly accessible website the completed forms of executive employees filed under this section. Executive employees shall file statements required by this section using the electronic format prescribed by the commission. If an executive employee can attest to an inability to access or use the electronic filing format, the commission may provide assistance to the employee to ensure proper and timely placement of the required statements on the publicly accessible website.

Sec. 5. Commission on Governmental Ethics and Election Practices to recommend method for disclosing income in ranges. By February 1, 2014, the

COMMITTEE AMENDMENT

1 staff of the Commission on Governmental Ethics and Election Practices shall recommend  
2 to the Joint Standing Committee on Veterans and Legal Affairs a method for providing  
3 disclosure of income received by Legislators and certain employees of the executive  
4 branch as ranges of income reported. The committee shall consider the recommendations  
5 of the commission and seek input from Legislators and members of the executive branch  
6 subject to disclosure requirements. The committee is authorized to report out a bill to the  
7 Second Regular Session of the 126th Legislature directing the commission to adopt major  
8 substantive rules, as defined in the Maine Revised Statutes, Title 5, chapter 375,  
9 subchapter 2-A, to require that income disclosures, required by Title 1, section 1016-G  
10 and Title 5, section 19, be submitted in ranges.

11 **Sec. 6. Appropriations and allocations.** The following appropriations and  
12 allocations are made.

13 **ETHICS AND ELECTION PRACTICES, COMMISSION ON GOVERNMENTAL**  
14 **Governmental Ethics and Election Practices - Commission on 0414**

15 Initiative: Provides one-time funding to develop and implement a new electronic filing  
16 system.

17	<b>GENERAL FUND</b>	<b>2013-14</b>	<b>2014-15</b>
18	All Other	\$50,000	\$0
19			
20	GENERAL FUND TOTAL	<u>\$50,000</u>	<u>\$0</u>
21			

22 Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
23 section number to read consecutively.

24 **SUMMARY**

25 This amendment clarifies language in the bill regarding the requirement that financial  
26 disclosure statements required to be filed by Legislators and certain executive branch  
27 employees be filed electronically and immediately placed on a publicly accessible  
28 website. It also allows the Commission on Governmental Ethics and Election Practices to  
29 assist with the electronic filing if necessary. The amendment removes the requirement  
30 that the commission adopt routine technical rules to provide for income disclosures to be  
31 sorted in ranges based on amount. Instead, the amendment directs the commission to  
32 make recommendations to the Joint Standing Committee on Veterans and Legal Affairs,  
33 which may then submit a bill directing the commission to adopt major substantive rules to  
34 provide for income disclosures to be reported in ranges based on income amount.

35 **FISCAL NOTE REQUIRED**

36 (See attached)