

Date: (Filing No. H-)

STATE AND LOCAL GOVERNMENT

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

STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " " to H.P. 599, L.D. 850, Bill, "An Act To Prohibit a Person from Providing False Testimony to a Committee of the Legislature"

Amend the bill by striking out all of section 1 and inserting the following:

'Sec. 1. 3 MRSA c. 22 is enacted to read:

CHAPTER 22

TESTIMONY BEFORE LEGISLATIVE COMMITTEES

§491. Requirement to provide truthful testimony

1. Definitions. As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

A. "Legislative committee" means a committee, subcommittee or joint or select committee of the Legislature or any special committee or commission, by whatever name, established by the Legislature to make recommendations for legislative action or to develop legislation, when convened for a hearing, work session or other official purpose.

B. "Lobbyist" has the same meaning as defined in section 312-A, subsection 10;

C. "Lobbyist associate" has the same meaning as defined in section 312-A, subsection 10-A;

D. "Testimony" means information, provided either in person or by other means, and includes information provided orally, in writing or by other means of communication.

2. Testimony. A lobbyist or lobbyist associate who provides testimony to a legislative committee may not:

A. Purposely provide false testimony regarding a material fact pertaining to that lobbyist or lobbyist associate's testimony;

B. Purposely falsify any testimony; or

COMMITTEE AMENDMENT

1
2
3
4
5
6
7
8
9
10
11

C. Purposely omit or conceal a material fact related to the testimony.
3. Penalty. A lobbyist or lobbyist associate who violates subsection 2 commits a Class E crime.
4. Suspension. The Commission on Governmental Ethics and Election Practices may suspend a lobbyist or lobbyist associate who violates subsection 2 from further lobbying before the Legislature for a period of up to 2 years, in addition to any penalty imposed pursuant to subsection 3.'

SUMMARY

This amendment is a minority report of the committee. The amendment removes the provision of the bill that allows a member of a legislative committee to place a person providing testimony under oath.