

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Lewis G. Evangelidis**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to ethics reform.

PETITION OF:

NAME:

Lewis G. Evangelidis

DISTRICT/ADDRESS:

1st Worcester

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT RELATIVE TO ETHICS REFORM.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 **SECTION 1.** Chapter 3 of the General Laws is hereby amended by inserting after section 3 the following  
2 section:-

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4 Section 3A. The speaker of the house, the president of the senate and the majority and minority  
5 leaders of each branch shall not serve in such positions for more than 6 years.

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7 **SECTION 2.** Section 48 of said chapter 3, as appearing in the 2006 Official Edition, is hereby amended by  
8 striking out in line 3 the words:- “one hundred not more than five thousand” and inserting in place  
9 thereof the following:-

10 1,000 and not more than 10,000

11

12 **SECTION 3.** Section 7L of chapter 29 of the General Laws, as so appearing, is hereby amended by adding  
13 the following sentence:- a law making an appropriation for expenses of the commonwealth shall not  
14 contain any earmarks.

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18 **SECTION 4.** The last paragraph of section 3 of chapter 55 of the General Laws, as so appearing, is hereby  
19 amended by striking out the second sentence and inserting in place thereof the following sentence:-  
20 said civil penalty shall be in the amount of \$50 per day, provided, however, the maximum penalty the  
21 director may assess shall be no greater than \$10,000 for any one report, statement or affidavit which is  
22 filed later than the prescribed date.

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25 **SECTION 5.** . Section 5 of said chapter 55, as so appearing is hereby amended by adding at the end the  
26 following paragraph:- fines for violations of this section shall not be used from the candidates campaign  
27 account.

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29 **SECTION 6.** Section 6 of said chapter 55, as so appearing is hereby amended by inserting after the word  
30 “principle” in line 19 the following:-

31 But shall not include expenditures for the leasing of a vehicle, repairs or maintenance of a  
32 vehicle, clothing items, laundry or dry cleaning and no expenditures shall be made to any person  
33 employed by the general court as a legislative aide or member.

34 **SECTION 7.** The fifth paragraph of said section 6 of said chapter 55, as so appearing, is hereby amended  
35 by adding the following sentence:-

36 Expenditures from the campaign account shall be prohibited when legislative district offices are  
37 used simultaneously for other purposes, including but not limited to law offices or private business.

38 **SECTION 8.** The last paragraph of said section 6 of said chapter 55, as so appearing is hereby amended  
39 by adding the following sentence:-

40 Fines for violations of this section shall not be paid from the candidates campaign account.

41

42 **SECTION 9.** Said chapter 55 is hereby amended by striking section 6A and inserting in place thereof the  
43 following section:-

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45 Section 6A. A candidate and his committee shall not accept any contribution from a political  
46 action committee, lobbyist or legislative agent.

47

48 **SECTION 10.** Section 7A of said chapter 55, as so appearing, is hereby amended by striking out the  
49 words “twelve thousand five hundred dollars” in lines 21 and 22 and inserting in place thereof the  
50 figure:- \$2,500.

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53 **SECTION 11.** Clause (a) of Section 2 of chapter 268A of the General Laws, as appearing in the 2006  
54 Official Edition, is hereby amended by striking out subclauses (1), (2) and (3).

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57 **SECTION 12.** Said section 2 of said chapter 286A, as so appearing , is hereby amended by striking out in  
58 line 46 the word “five” and inserting in place thereof the figure:- 25.

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60 **SECTION 13.** Section 5 of said chapter 268A, as so appearing, is hereby amended by striking out the  
61 word “one” in line 29 and inserting in place thereof the figure:- 2.

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63 **SECTION 14.** Section 9 of said chapter 268A, as so appearing is hereby amended by adding the following  
64 paragraph:-

65           The state ethics commission may issue civil penalties not to exceed \$10,000 for violations of  
66 section 2 to 8, inclusive

67 **SECTION 15.** Said chapter 268A is hereby amended by adding the following section:-

68           Section 26. No public officer or public employee shall knowingly and intentionally use the  
69 authority of his office or position to compel or coerce any person to provide such officer, employee or  
70 other person with anything of apparent present or prospective value when such officer or employee is  
71 not entitled by the nature of his office to the services sought or the object of his demand. Any person  
72 who violates this section shall be punished by a fine not be exceed \$10,000 or by imprisonment for not  
73 more than 2 years.

74 **SECTION 16.** Chapter 268B of the General Laws is hereby amended by inserting after section 4 the  
75 following section:-

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77           Section 4A. A member of the general court who holds a leadership position or chairmanship  
78 who is fired under section 4 shall immediately forfeit such position or chairmanship.

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80 **SECTION 17.** Section 7 of said chapter 268B, as appearing in the 2006 Official Edition, is hereby  
81 amended by striking out in line 9 the words:- “one thousand dollars” and inserting in place thereof the  
82 figure:- \$10,000.

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85 **SECTION 18.** Chapter 3 of the acts of 2005 is hereby amended by adding the following 2 sections:-

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87           Section 4. Any day the senate or house of representatives is in session and a member does not  
88 attend the session, he shall have his salary reduced on a daily pro rate basis unless he receives an  
89 excused absence. The reason for an excused absence shall be publicly stated and approved on a  
90 recorded roll call. An excused absence shall be granted only for a compelling reason, including but not  
91 limited to the birth or adoption of a child or grandchild, military duty, serious illness of the member or a  
92 member of his family, death of a family member or unforeseen emergencies including unsafe weather  
93 conditions. The salary reductions shall be transferred to the general fund.

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95           Section 5. Section 4 of this act shall take effect as of July 1, 2009.

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