

**HOUSE . . . . . No. 3498**

---

**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:	DISTRICT/ADDRESS:
Lewis G. Evangelidis	1st Worcester
Jeffrey Davis Perry	5th Barnstable

# 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  
2 following section:-

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

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

8           1,000 and not more than 10,000

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

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

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

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

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

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

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

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

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

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

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

36 **SECTION 10.** Section 7A of said chapter 55, as so appearing, is hereby amended by striking out the  
37 words “twelve thousand five hundred dollars” in lines 21 and 22 and inserting in place thereof the figure:-  
38 \$2,500.

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

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

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

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

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

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

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

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

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

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

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

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

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