



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

Commission Meeting 11/18/2020
Agenda Item #2

To: Commission
From: Jonathan Wayne, Executive Director
Date: November 11, 2020
Re: Complaint – 2019 Statement of Sources of Income by Rep. John L. Martin

The Maine Commission on Governmental Ethics and Election Practices received a complaint against State Representative John L. Martin from Kevin Bushey of Ashland, Maine questioning the accuracy of how Rep. Martin described his employment for the University of Maine at Fort Kent in his annual Statement of Sources of Income (SOSOI) that Rep. Martin filed for 2019. (The 2019 statement is attached to this memo, followed by Mr. Bushey’s complaint.) Mr. Bushey was Rep. Martin’s opponent in the November 3, 2020 general election.

Annual Income Source Reporting by Maine Legislators

Members of the Maine Legislature are required to file annual SOSOIs, pursuant to 1 M.R.S. § 1016-G. The statements are due February 15th of each year, and cover the Legislator’s sources of income during the previous calendar year. The required contents of the statement are set out in § 1016-G(1). Under 1 M.R.S. § 1016-G(1)(A), Legislators are required to disclose the name and address of each employer that has compensated the Legislator at least \$2,000, and the “title and position held by the Legislator.” *Id.*

Complaint by Mr. Bushey

In his complaint, Mr. Bushey relies on two salary reports prepared by the University of Maine at Fort Kent that are posted on the school’s website. The reports list Rep. Martin’s title as “Dir of CRSD,” which stands for Director of the Center for Rural Sustainable Development (CRSD). The CRSD is described on this webpage of the University of Maine at Fort Kent: <https://crsd.umfk.edu/>.

Mr. Bushey questions why Rep. Martin reported his job title as “Assistant Professor of Political Science” in his 2019 SOSOI if his position is directing the CRSD. In his complaint, Mr. Bushey writes: “I am of the opinion Mr. Martin is misleading the public as to his employment at UMFK, how he gets paid, and the high probability of a huge conflict of interest as a sitting member of the Appropriations and Inland Wildlife and Fisheries Committees while serving as the Director of UMFK’s Center for Rural Sustainable Development.”

Mr. Bushey supplemented his complaint with an email containing links to two public presentations by Tom DeWeese, an opponent of sustainable development. These videos contain general policy discussions of sustainable development but, as far as I could tell, do not refer to any activities or positions at the University of Maine. If you would like to refer to them, the videos can be found at <https://youtu.be/85CNjDkFH9s> and <https://youtu.be/EzNrWihhSb0>.

Scheduling of this Matter by Commission Staff

Upon reviewing Mr. Bushey’s complaint, I sought advice from the Commission’s counsel concerning the correct procedures for considering the complaint because it alleges a specific violation of the SOSOI disclosure requirement in 1 M.R.S. § 1016-G(1)(A) *and* refers in a general way to a possible conflict of interest by Rep. Martin.

Under 1 M.R.S. § 1013(2), a member of the public may complain that a Legislator has acted in a conflict of interest, but they must use special procedures to file the complaint. The complaint must be kept confidential and must cite to the specific provision of 1 M.R.S. § 1014(1) that the complainant alleges was violated. The Commission considers the complaint confidentially in executive session. The complaint becomes public only if the Commission decides to pursue the matter. After conferring with counsel, on October 28, I scheduled this matter for your Nov. 18 meeting and sent Mr. Bushey correspondence describing how to file a confidential complaint alleging a conflict of interest (attached).

Response by Rep. John L. Martin

Rep. Martin provided a response by letter dated November 5, 2020 (attached). He states that since 1974 he has been an instructor or assistant professor of political science, and this has been his primary position on campus. In 1995, he “went part time” and the acting President agreed to compensate him at the rate of \$34,000 per year. Over the years, the university administration has assigned him various temporary administrative and fundraising duties apart from his teaching responsibilities.

With regard to the CRSD, he writes that when the director position became vacant the university president requested that he assume the position while the university evaluated whether to continue the CRSD. Since he was appointed director, the CRSD’s board of directors has not met and he has done no work for the CRSD.

Recommendation by Commission Staff

After I emailed Mr. Bushey’s complaint to Rep. Martin, he called me the next day. He provided substantially the same explanation that is set out in his Nov. 5 letter: that his primary position is Assistant Professor but he has taken on other administrative and fundraising jobs assigned by the school’s leaders. He agreed to be the director of the CRSD but it has been inactive since he accepted that title.

We understand that Mr. Bushey filed the complaint because there is a discrepancy between Rep. Martin’s job title in his 2019 SOSOI compared to the university’s salary reports. The explanation provided by the Representative seems believable, however, and we do not see the need for gathering further factual information. If you do, the Commission staff would be pleased to perform whatever investigation you see as necessary. We anticipate that both Mr. Bushey and Rep. Martin will participate in your November 18, 2020 meeting by videoconference.

Thank you for your consideration of this item.



Received
FEB 18 2020
 Maine Ethics Commission

COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES

MAIL: 135 STATE HOUSE STATION, AUGUSTA, MAINE 04333
 OFFICE: 45 MEMORIAL CIRCLE, AUGUSTA, MAINE
 WEBSITE: WWW.MAINE.GOV/ETHICS
 EMAIL: ETHICS@MAINE.GOV
 PHONE: 207-287-4179

STATEMENT OF SOURCES OF INCOME FOR LEGISLATORS

2019 Calendar Year: January 1, 2019 - December 31, 2019

Check here if this statement is an amendment of a previously filed statement.

Name <i>John L. Murphy</i>	Office <input checked="" type="checkbox"/> House <input type="checkbox"/> Senate
Mailing Address <i>PO Box 250</i>	District Number <i>151</i>
City/Town, State, Zip <i>East Lake, Maine 04739</i>	E-mail Address <i>Moorecomp5@yahoo.com</i>

FILING DEADLINE

Please file this statement with the Clerk of the House or Secretary of the Senate by **5:00 p.m., Friday, February 18, 2020.**

GENERAL INSTRUCTIONS TO COMPLETE THIS FORM

- Complete all sections. If a section is not applicable, check the box labeled "None" for that section.
- A glossary is located in the back of this form.
- If completing this form by hand, **PLEASE WRITE LEGIBLY.**
- Report the sources of income for you, your spouse or domestic partner, and your dependent children.
- Report only specific sources of income. **Dollar amounts should not be reported.**
- Campaign contributions and Maine Clean Election Act payments should not be reported in this statement.
- The completed statements are posted on the Commission's website and copies are made available to the public upon request.
- Please keep a copy of this statement for your records.

IMPORTANT NOTICE: REQUIREMENT TO FILE AN UPDATED STATEMENT

Legislators are required to update their statement of sources of incomes within 30 days of a substantial change in income, reportable liabilities, or positions of the Legislator or an immediate family member (except dependent children) that occurs in the current calendar year. (1 M.R.S.A. § 1016-G(2)(B)) Updated statement forms are available at www.maine.gov/ethics or by calling the Commission. Substantial changes include but are not limited to:

- A new employer or other source of income that has paid the Legislator or immediate family member \$2,000 or more in the current year;
- A new reportable liability of \$3,000 or more obtained during the current calendar year;
- A new contract or other arrangement between the Legislator, immediate family member or associated organization and a State agency, board or commission for the lease or sale of goods or services with a value of more than \$10,000 during the current calendar year; and
- A new position in a political action committee, ballot question committee, party committee, or non-profit or for profit organization.

Please call the Commission staff 207-287-4179 if you have any questions.

Thank you for your cooperation!

Part 1. Income from Employment by Another

None. Check this box if you did not have income from employment by another.

Name of Employer	Address	Principal Type of Economic or Business Activity of Employer	Job Title
Maine State Legislature	State House Augusta, ME	Government	Legislator
U of ME	23 University DR Forestport, ME 04943	Education	Asst Prof of Political Science

Part 2. Income from Self-Employment

None. Check this box if you did not have income from self-employment.

Name of Your Business/Trade Name	Address	Principal Type of Economic or Business Activity
American Life Cos Co Blue Cross Blue Shield	Cincinnati, Ohio South Portland, Maine	Health / life Health / life / dental
MetLife Insurance Co	West Des Moines, IA	Toy Store, Retirement Agency
Name of Client or Customer, if required (see instructions)	Address	Principal Type of Economic or Business Activity of Client
Fact Funding Various SAs, School + Committee	Various	Maine Labor Board

Part 3. Business Entities

None. Check this box if you and your immediate family did not own or control more than 5% of any business.

Name of Business	Address	Principal Type of Economic or Business Activity
Mad Rock Lane Fish Pond Development	Eagle Lake Eagle Lake	rental property rental + land sales
Washing Machine Center Prestonville Lane	Windsor Eagle Lake	rental property rental property

Part 4. Income from the Practice of Law

None. Check this box if you did not have income from the practice of law.

Name of Practice or Firm	Address	Your Major Areas of Practice	Firm's Major Areas of Practice	Position: Partner, Associate, Solo Practitioner
Madison Park Assoc T13 R8		Spinity Care		
Old Post Office Assoc - Eagle Lake		rental property		
Old Post Office - Eagle Lake		rental property		
Greenwood Estates - Buxton J + P Partners Eagle Lake		rental property work jobs -	Eagle Lake + Winterville	

Part 5. Income from Any Other Source

None. Check this box if you did not have income from any other source.

Name of Source	Address	Description of Income
Maine Community Foundation	Ellsworth, Maine	Maine Policy School Program - serve as Advisor

Part 6-A. Compensation Income of Immediate Family Members

None. Check this box if no members of your immediate family received income of \$2,000 or more from employment or compensation.

Name and Job Title (do not list name of dependent child)	Employer's Name and Address	Principal Type of Economic or Business Activity of Employer

Part 6-B. Other Sources of Income of Immediate Family Members

None. Check this box if no members of your immediate family received income of \$2,000 or more from any other source.

Name of Spouse or Partner (do not list name of dependent child)	Source of Income Name and Address	Type of Income

Part 7. Loans

None. Check this box if you did not have reportable liabilities.

Lender's Name	Lender's Address	Principal Type of Economic or Business Activity of Lender

Part 8. Gifts, Including Travel and Accommodations

None. Check this box if you did not receive any gifts.

Source of Gift	Source of Gift
1.	2.
3.	4.

Part 9. Honoraria

None. Check this box if you did not receive honoraria.

Source of Honoraria	Source of Honoraria
1.	2.
3.	4.

Part 10. Positions in Political Action, Ballot Question or Party Committees

None. Check this box if you and your immediate family were not a treasurer, or principal officer, decision-maker or fundraiser of a PAC, BQC, or Party Committee.

Name of Committee	Name of Official or Family Member	Title
1. <i>Martin for Horse Committee</i>	<i>John L. Martin</i>	<i>Asst Secy</i>
2.		
3.		

Part 11. Conducting Business with State Agencies

None. Check this box if neither you nor your immediate family did business with any State agency.

Name of Agency	Name of Individual/Organization Selling Goods or Services	Description of Good or Services

Part 12. Representing Others Before State Agencies

None. Check this box if neither you nor your immediate family represented another before a State agency.

Name of Agency	Name of Individual Receiving Compensation
Assisted local citizens as a state representative without compensation	


Part 13. Positions in For-Profit and Non-Profit Organizations

None. Check this box if you and members your immediate family did not hold positions in any for-profit or non-profit organizations.

Organization/Business and Address	Title	Name of Position Holder	Relationship to Legislator	Compensated Yes/No
Hedgehog Mountain Land Trust	President	John L. Martin	<input checked="" type="checkbox"/> Self <input type="checkbox"/> Spouse <input type="checkbox"/> Dependent	no
Western Maine Youth Center Eugene M. Healy Center	Treasurer Director	Jlu Jlu	<input checked="" type="checkbox"/> Self <input type="checkbox"/> Spouse <input type="checkbox"/> Dependent	no no
Fish River Pond Health Ambulance Service Inc	President President	Jlu Jlu	<input checked="" type="checkbox"/> Self <input type="checkbox"/> Spouse <input type="checkbox"/> Dependent	no no

SIGNATURE

I CERTIFY THAT I HAVE EXAMINED THIS REPORT AND TO THE BEST OF MY KNOWLEDGE IT IS TRUE, CORRECT, AND COMPLETE


Signature

1/25/19
Date

October 21, 2020

Kevin Bushey
Candidate for Maine House #151
PO Box 121
Ashland, ME

Maine Ethics Commission
135 State House Station
Augusta, Me 04333

Dear Commission,

I am filing this formal complaint against Representative John L. Martin, democratic candidate for Maine Legislative District #151. In an October 21 article by Mr. David Deschesne, editor of the Fort Fairfield Journal, Deschesne describes the facts of Mr. Martin's employ with the University of Maine system.

After reviewing the various documents to attest to this article's authenticity, I am of the opinion Mr. Martin is misleading the public as to his employment at UMFK, how he gets paid, and the high probability of a huge conflict of interest as a sitting member of the Appropriations and Inland Wildlife and Fisheries Committees while serving as UMFK's Director of the Center for Rural Sustainable Development.

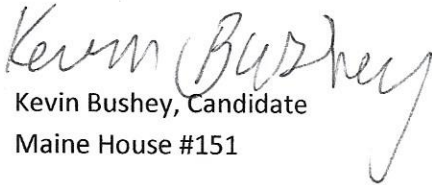
At the very least, the taxpayers and voters are entitled to know:

1. Why Mr. Martin has attested to a different position in his Maine Ethics 2019 Financial Disclosure?
2. Who approved his 81% increase in pay and reduction in hours from 36 to 20 per week?
3. Why is there no proof of the Center's work posted nor shared on UMFK platforms or media?
4. Is Mr. Martin afforded an office to conduct his Directorship or any other work he does for UMFK?
5. Are Speaker Sarah Gideon and President Troy Jackson aware of this inappropriate financial disclosure and relationship Mr. Martin has with UMFK and sanction it?

It is my expectation that the commission will review the following support documentation and determine the validity and infractions that have occurred in this matter. The attachment enclosed reflects the open source documents found on the internet that clearly show the commission that an ethics violation is in order.

I look forward to the commission's response and given the shortness of time before election day, I ask that this complaint receive the highest priority so that the voters in District #151 are provided a ruling on the severity of any violation by Mr. Martin. The taxpayers and voters deserve to know the truth before casting their vote for their next representative for House District #151.

Sincerely,

A handwritten signature in cursive script that reads "Kevin Bushey". The signature is written in dark ink and is positioned to the right of the typed name.

Kevin Bushey, Candidate

Maine House #151

Attachment

The Center for Rural Sustainable Development (CRSD)

The CRSD is an entity housed at the University of Fort Kent (UMFK). Here is the website: <https://crsd.umfk.edu>. It becomes apparent after doing a simple review of the webpages, the CRSD seems to be quite "inactive". Major links show reports, studies, etc, over 10 years old. The last posting seems to be back in 2015:

▪ **2/13/2015 • UMFK**
Environmental Studies Speaker
Series featuring Dr. Chunzeng
Wang

▪ **2/28/2014 • UMFK, MSAD #27**
CELEBRATE FIRST FIRING OF
BIOMASS PLANT

▪ **2/10/2014 • The Production of**

Headlines
Latest News

The most important posting seems to be the biomass conversion that is now over 10 years ago:

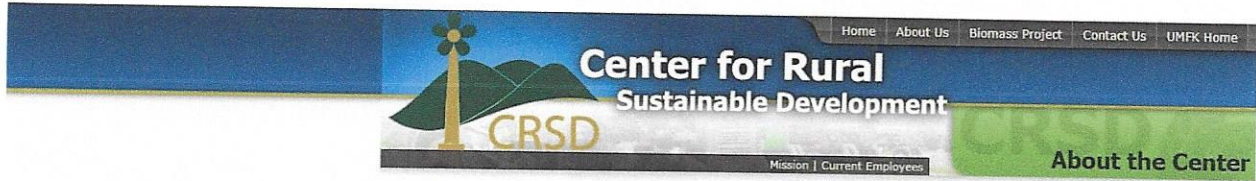
CRSD wins 2 biomass grants: EPSCoR (NSF) & Maine Wood-to-Energy

The Center for Rural Sustainable Development with the Environmental Studies Program recently received an [NSF/EPSCoR](#) grant as part of the Sustainability Solutions Initiative from U Maine-Orono. As a Sustainability Solutions Partner, UMFK received \$45,000 for 2011, with the potential of receiving funds for the next three years (up to perhaps \$300,000). The project will assess the landscape implications and sustainable development potential of biomass energy resources in Northern Maine! [Here for more.](#) The Center also won a stimulus grant of \$500,000 to replace an old oil-fired boiler with a biomass boiler at UMFK. [Here for more.](#)

The employee page shows no employees:



On the <https://crsd.umfk.edu/about/>, they define clearly "Sustainable Development". Much of the language and links refer to United Nations programs/initiatives: environmental services, diversity, landscapes, social justice, reserve and restore nature, design livable, resilient, and secure communities. Yes, I'd say whoever wrote this stuff up hit most of the Agenda 21 initiatives described in the UN's 1986 publication "Our Common Future".



The Purpose of the Center for Rural Sustainable Development

Vision and Mission

The CRSD **envisions** a region of resilient, durable and prosperous communities in Northeastern Maine and beyond. The Center's **mission** is to guide sustainability efforts by providing academic resources and quality information for improving lives and livelihoods and safeguarding cultural and natural heritage for the future.

Goals

To foster regional sustainable development, citizens must be empowered with high quality information and well developed technical capabilities. It is, therefore, necessary for the center to:

1. Gather and generate knowledge for a deep understanding of the issues so that quality information may be shared;
2. Educate stakeholders on issues of concern so that well-informed decisions may be made;
3. Train a technically competent citizenry to conduct the business of sustainability.

What is sustainable development?

Sustainable development or more simply **sustainability** is a societal condition wherein people live quality lives, meeting their needs in ways that permit other people to do the same now and into the distant future. Sustainable communities are nurturing places where people prosper and cultures thrive; they maintain capital stocks including environmental services; they are characterized by a diversity of ideas, economic activities, and landscapes; and they seek social justice and equity, while maintaining freedom and opportunities for citizens.

The **sustainability path** involves the merging of the historically distinct and often conflicting goals of *development* and *conservation*, which requires that societies work to:

- create opportunities where people may realize their full potentials, find productive livelihoods, and prosper;
- protect and enhance human health and encourage wellness;
- restore and preserve nature's life-support systems and evolutionary potential;
- extract benefits from natural capital without diminishing stocks for future generations;
- achieve social justice;
- design livable, resilient and secure communities.

The path to sustainability occurs through the process of establishing appropriate institutions, policies, strategies, and technologies in a *just transition* that moves society toward the proper state. Democracy is often viewed similarly, as a process of continuous improvement.

The path to sustainability occurs through the process of establishing appropriate institutions, policies, strategies, and technologies in a *just transition* that moves society toward the proper state. Democracy is often viewed similarly, as a process of continuous improvement.

Sustainability is also the emerging science that seeks to understand the issues at the interface between society and nature and to find solutions to the associated problems so that people may thrive everywhere today and into the distant future. Sustainability science employs multidisciplinary and interdisciplinary thinking in addressing the complex interactions between natural and social systems. See the following for more information on sustainability science:

- [Sustainability Science Program at the National Academy of Sciences](#)
- Clark, William C. 2007. "[Sustainability Science: A Room of its Own](#)." *Proceedings of the National Academy of Sciences* 104(6):1737-1738.

For a broad look at peer-reviewed sustainability research see the following online journals:

- [Sustainability: Science, Practice, and Policy](#)
- [Ecology and Society](#)

Current Work of the Center for Rural Sustainable Development

- Regional renewable energy planning
 - A preliminary assessment report was presented during the [UMFK Scholars' Symposia, April 23, 2010](#)
- Regional tourism and recreation opportunities
- [Campus Greening](#)
 - [Climate Action Plan](#)
 - [Greenhouse gas emissions inventory](#)
 - Comprehensive sustainability campus plan
 - LEED certified building initiative
 - UMFK's Powell Hall was renovated in 2010 and is under review for LEED certification.
- Energy efficiency upgrades and renewable energy at UMFK.
 - The campus has developed plans to install two biomass boilers that would replace 8 oil-fired boilers and displace approximately 90% of the schools' fuel oil consumption. Funds for the projects are currently being sought.

The Center has three goals posted and number 3 states: "Train a technically competent citizenry to conduct the business of sustainability." How is UMFK is doing that? Unfortunately, one has to wonder

how an organization that has no employees, has no current data shared on its webpages, nor provides the status of its goals, whether it actually does anything at all. Questions that come to my mind include:

1. Who is responsible for the Center for Rural Sustainable Development? Who supervises its output?
2. What responsibility to the taxpayers is demanded if their taxes pay for this entity to exist?
3. Who is accountable for the production, output and operations of this organization?
4. Why is there not any information available online as to the success or failure of its mission and goals?

Obviously, some digging is required since it's not easy to find much in the way of any answers to these questions. The website does give us a hint on who's running the center:

The screenshot shows the contact page of the Center for Rural Sustainable Development (CRSD). The page header includes navigation links: Home, About Us, Biomass Project, Contact Us, and UMFK Home. The main heading is "Center for Rural Sustainable Development" with the CRSD logo. Below the heading, there is a "Contact Us" section with the following information: "Center for Rural Sustainable Development, 23 University Drive, University of Maine at Fort Kent, Fort Kent, ME 04743". A red oval highlights the contact details: "Phone: (207) 834-7568", "Email: jlmartin@maine.edu", and "Web: crsd.umfk.maine.edu | www.umfk.edu". A yellow box highlights the email address "jlmartin@maine.edu". The footer contains copyright information: "Copyright © 2020 Center for Rural Sustainable Development. All Rights Reserved. Web Hosting Provided By University of Maine at Fort Kent."

Mr. John Martin is the Director of the Center for Rural Sustainable Development! However Mr. Martin clearly attests in his 2019 financial disclosure: https://www.maine.gov/ethics/sites/maine.gov.ethics/files/inline-files/Martin%2C%20John_HD151.pdf that the UMaine system pays him as an Assistant Professor in Political Science.

Let's see what the UMaine system says about the matter. In its 2019 Document: https://www.maine.edu/human-resources/wp-content/uploads/sites/7/2020/02/Public-Information-Document-11.26.19_accessible.pdf, we find the following on page 19:

University of Maine System
Salaries for Regular Employees by University
As of November 25, 2019

CMP	Formatted_Name	Dept ID	Title	Salbase	JobSt	Bargaining Unit	Faculty Appt	FTE
UMFK	Lugdon, Shannon L.	KDEVL	Development Officer	43,260.00	FR	UMPSA		1.00
UMFK	Martin, John L.	KPRES	Dir of CRSD	30,085.20	PR	Non-Represented Faculty	FY	0.90

Mr. Martin was paid 30,085.20 as a .9 FTE (1874 hrs per annum or 36 hrs/week). That's about \$16.05 per hour.

Five months later, a UMaine system document posted on April 3, 2020 shows the following salary sheet: <https://www.maine.edu/human-resources/wp-content/uploads/sites/7/2020/04/Public-Information-Document-4.3.20.pdf>, includes the following on page 21:

University of Maine System
Salaries for Regular Employees by University
As of April 3, 2020

CMP	Formatted_Name	Dept ID	Title	Salbase	JobSt	Bargaining Unit	Faculty Appt	FTE
UMFK	Epp, Marilyn F.	KPROF	Assist Prof of Pub Safety	52,538.60	FR	AFUM	AY	1.00
UMFK	Gonzalez, Javier S.	KRESH	Dir of Res Life & Leadership	39,140.00	FR	UMPSA		1.00
UMFK	Graham, Shawn E.	KBEHA	Asst Prof of Counseling	51,961.52	FR	AFUM	AY	1.00
UMFK	Gregory, Janna L.	KPRES	Administrative Spclst(Cl)CL3	34,486.40	FR	Non-Represented Hourly		1.00
UMFK	Griffin, Diane M.	KNURS	Assistant Professor Nursing	55,682.59	FR	AFUM	AY	1.00
UMFK	Guimond, Paul A.	KPLNT	Mech Specialist Mechanical CL1	21,016.32	PR	Service and Maintenance		0.60
UMFK	Hallowell, Kirsten R.	KCOED	Administrative Specialist CL2	15,839.20	PR	COLT		0.50
UMFK	Hansen, Stephen E.	KBEHA	Assoc Prof Bio & Env Studies	73,229.22	FR	AFUM	AY	1.00
UMFK	Hess, Eleanor B.	KNURS	Clinical Place & Test Coord	31,787.59	FR	UMPSA		1.00
UMFK	Holzhausen, Kurt G.	KBEHA	Professor - AY	76,573.43	FR	AFUM	AY	1.00
UMFK	Jandreau, Max P.	KCOED	Community Educ Specialist	36,000.00	FR	UMPSA		1.00
UMFK	Kaphle, Krishna	KBEHA	Associate Professor - AY	63,292.38	FR	AFUM	AY	1.00
UMFK	Kastl, Christin M.	KBEHA	Assistant Professor Biology	51,351.28	FR	AFUM	AY	1.00
UMFK	Kelly, Amber J.	KOUTR	Administrative Specialist CL2	30,700.80	FR	COLT		1.00
UMFK	Kelly, Leslie E.	KINFO	Assoc Dean Infor Serv&Dist Edu	73,801.73	FR	Non-Represented Salaried		1.00
UMFK	Kelly, Timothy M.	KACAD	Reading/Writing Specialist	31,607.53	FR	UMPSA		1.00
UMFK	Kelly, Wilda A.	KPLNT	Facilities Maint Worker CL1	28,995.20	FR	Service and Maintenance		1.00
UMFK	Lallemant, Nikolas D.	KACAD	Dir Student Support Services	57,783.01	FR	Non-Represented Salaried		1.00
UMFK	Lavoie, Lisa M.	KBEHA	Asst Prof of Behavioral Scienc	51,382.50	FR	AFUM	AY	1.00
UMFK	LeClair, Jerry	KPLNT	Structural Spclst Painter CL2	36,150.40	FR	Service and Maintenance		1.00
UMFK	Levesque, Wayne J.	KPLNT	Facilities Maint Worker CL1	28,995.20	FR	Service and Maintenance		1.00
UMFK	Lugdon, Shannon L.	KDEVL	Development Officer	43,260.00	FR	UMPSA		1.00
UMFK	Martin, John L.	KPRES	Dir of CRSD	30,310.84	PR	Non-Represented Faculty	FY	0.50

Mr. Martin is now being paid \$30,310.84 as a .5 FTE (1040 hrs, or 20 hours per week). That's \$29.14 per hour.

If the math is correct, within five months, Mr. Martin received an hourly pay increase of \$13.09 or 81% increase in pay, and he gets to work only 20 hours vs. 36 hours per week?

Has anyone that you know gotten that kind of well-deserved increase in the last year? Most of Maine's workers have suffered quite a bit given the COVID lockdowns, business closures and the like, yet Mr. Martin has made out quite well from what is reported in these UMaine documents.

Are there any concerns one can grasp from what we now know about Sustainable Development and the Center for Rural Sustainable Development?

1. UMFK has some explaining to do on why Mr. Martin is on its payroll as the Director for the Center for Rural Sustainable Development. On Mr. Martin's own financial disclosure in 2019: https://www.maine.gov/ethics/sites/maine.gov.ethics/files/inline-files/Martin%2C%20John_HD151.pdf, he lists himself as an Assistant Professor of Political Science, but that's not how the UMaine system is apparently paying him. Why has he not listed his correct title?
2. Does UMFK have a vested interest in Mr. Martin's appointments on the Appropriations and Inland Wildlife and Fisheries committees in Augusta? One might assume those committees are vital to the Center for Rural Sustainable Development's mission and goals. Is this a conflict of interest or not?
3. I find it understandable that given Representative Martin's busy schedule between teaching, being a Representative, serving on at least 12 boards and directing the CRSD, some things fall through the cracks. My guess his drop from 36 hours to 20 hours per week has taken some of the pressure off of him to produce anything worthy to share about CRSD initiatives with the public.
4. Finally, as the 70's band, the WHO, said it clearly in their song, We Don't Get Fooled Again, I'm thinking it aptly applies here. A bureaucrat of 56 years, who knows the ins and outs, may think he still rules the roost and can get away with much. Martin and his supervisor (if he has one at UMFK), have some explaining to do. I'm sure Martin can describe the Agenda 21 work as really important and for our best interests, and we the voters better re-elect him or else... (lest he would really have to work to get those 20 hours per week in at UMFK)? An accounting of hours worked and production completed by UMFK may be warranted given UMFK receives taxpayer funds.
5. Is there office space dedicated to Mr. Martin's work, either as an assistant professor or as Director of CRSD, or both? Taxpayers and voters alike should have accountability for Mr. Martin's time, production, and success/failures of the CRSD given its goal to "Train a technically competent citizenry to conduct the business of sustainability".
6. It appears Mr. Martin would rather not have the public know about his role as the Director of the Center for Rural Responsibility, since he has misled the public in his own 2019 financial disclosure.

The Maine Ethics Commission is being provided a copy of this document.

Kevin Bushey, Candidate
Maine House #151

Is Rep. John Martin Making This Money for Nothing?

By: David Deschesne

A little-known office buried in the bureaucracy of the University of Maine, Fort Kent has no employees and its most meaningful website post is on biomass conversion from over ten years ago. Yet, State Representative, John Martin (D-Eagle Lake) sits in the cushy position of Director of this "Center for Rural Sustainable Development" and pulls down \$30,000 per year at this half-time position, even though there are no ongoing projects, no employees to oversee and essentially nothing to do.

The last posting of the CRSD was from 2015. So, for two years or more, Director Martin seems to have had nothing to do to earn his money - which works out to around \$30 per hour for the half time position (20 hours per week).

While sounding warm and cozy, Sustainable Development is right out of the United Nations' Agenda 21 program that was set up to "rewild" America by herding the population of people into compact cities and have them living in high-rise public housing projects stacked one on top of the other while allowing all of the rest of the U.S. to return to its original condition before humans arrived here.

While this model may have seemed wonderful for globalists at the time, the lessons learned from the recent COVID-19 pandemic is crowded, compact cities are bad places to be when confronting a new virus. As a result, many people have already moved out of those cesspools of liberalism and established new homes in the rural countryside of lesser-populated states - certainly a giant step backwards for those in the Sustainable Development crowd.

Sustainable development also creeps into other aspects of people's lives without them knowing it's actually a UN program being adopted locally and unwittingly by local councilors and selectmen who have no idea what they're implementing. Some of these measures restrict land owners from developing their land, building new structures near so-called "wetlands" and even prohibit people from clearing brush from around a pond on their property.

The CRSD at UMFK has three stated goals, one of which is: "Train a technically competent citizenry to conduct the business of sustainability." One has to wonder how an organization that has no employees, has no current data shared on its webpages, nor provides the status of its goals, whether it actually does anything at all, would conduct such training and to whom.

While the Center hasn't done anything for years, John Martin still cashes in on the \$30 per hour position for doing nothing, even in a time of economic shutdowns in Maine due to a contrived coronavirus scare. "I suspect most people have suffered quite a bit given the lockdowns, busi-

ness closures and the like, yet from 2019-2020, Mr. Martin has made out quite well from what UMaine documents show," said Kevin Bushey, from Ashland, who is running against John Martin in this year's election for the Maine House of Representatives.

Mr. Bushey points out a couple questions that need to be resolved:

1. UMFK has some explaining to do on why Mr. Martin is on its payroll as the Director for the Center for Rural Sustainable Development, yet on Mr. Martin's own financial disclosure in 2019, he lists himself as an Assistant Professor of Political Science, but that's not how the UMaine system is apparently paying him. Why not list your correct title Mr. Martin?

2. Does UMFK have a vested interest in Mr. Martin's serving on the Appropriations and Environmental Committees of our Maine State government? One might assume those committees are vital to the Center for Rural Sustainable Development's mission and goals. Is this a conflict of interest or not? Voters can decide.

"I understand that given Representative Martin's busy schedule of teaching, serving as a Representative, serving on at least 12 boards and directing the CRSD, some things fall through the cracks. Perhaps his drop from 36 hours to 20 hours per week has taken some of the pressure off him to produce anything worthy to share about CRSD initiatives with the public," said Bushey. "I think the title of the 70's song, by the band WHO, aptly applies: WE DON'T GET FOOLED AGAIN."

"A bureaucrat of 56 years who knows the ins and outs may think he still rules the roost and can get away with much by misleading the voters. Martin and his supervisor (if he has one at UMFK), have some explaining to do. I'm sure he can describe his Agenda 21 work as really important and for our best interests, thus we the voters better re-elect him."

Sustainable Development has crept into District #151. The question is, do you agree with it, or are you tired of the manipulation by progressive globalists in this state? The choice in this year's election seems to be pretty straightforward: If voters in District #151 want to allow taxpayer funds to be spent recklessly on salaries with no accountability that pay for the encroachment into their lives by globalist bureaucrats, then they should vote for John Martin. If they want honesty and integrity in Augusta, while placing a check against these globalists' dictates, then a vote for Kevin Bushey would be the right thing to do.

This writer reached out to John Martin for his commentary and clarification on the CRSD but has received no comment as of the time of this printing.



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

CORRECTED

October 29, 2020

By Email and Regular Mail

Hon. John L. Martin
P.O. Box 250
Eagle Lake, Maine 04739

Dear Rep. Martin:

The Maine Commission on Governmental Ethics and Election Practices received a complaint from Kevin Bushey, which asserts (among other things) that you did not correctly identify your job title in your 2019 Statement of Sources of Income (SOSOI).

Under 1 M.R.S. § 1016-G(1)(A), Legislators are required to disclose in their annual SOSOI the name and address of each employer that has compensated the Legislator at least \$2,000. The Legislator is also required to state the “title and position held by the Legislator.” *Id.*

Mr. Bushey has obtained two reports of “Salaries of Regular Employees” posted on the website of the University of Maine. Because the reports list you as the Director of the Center for Rural Sustainable Development, he questions why you disclosed your job title in your 2019 SOSOI as “Assistant Professor of Political Science.”

After conferring with the Commission’s Counsel, the Commission staff is scheduling this for the Commission’s meeting on Wednesday, November 18, 2020 at 9:00 a.m. The meeting will be conducted via zoom videoconference. The Commission would appreciate your participation in the meeting to answer any questions from the Commissioners as they decide whether to take action on Mr. Bushey’s complaint. If you cannot join by videoconference, it would be fine for you to participate by telephone. Mr. Bushey will also be invited to participate to speak to his concerns.

Hon. John L. Martin

October 29, 2020

Page 2

Preliminary written response requested. Please provide a preliminary written response no later than November 5, 2020 that will assist the Commission in determining whether to conduct any further investigation into Mr. Bushey's complaint. In the response, please address the following points which are related to the accuracy of your 2019 SOSOI:

- In 2019, what was your job title at the University of Maine at Fort Kent?
- Please describe your job duties.
- What is (was) the Center for Rural Sustainable Development (CRSD)?
- Please describe the last time you performed work for the university in connection with the CRSD or held a position in the CRSD.

Mr. Bushey also raises other questions relating to your employment at the university which may or may not be in the Commission's jurisdiction, such as a reduction in time listed for your position in two salary reports from 0.9 to 0.5. Please feel free to address those questions if you would like, but it unclear whether those relate to any issue involving legislative ethics within the Commission's jurisdiction.

If you have any questions about this letter, please call me at 287-4179 or email me at Jonathan.Wayne@maine.gov. Thank you.

Sincerely,



Jonathan Wayne
Executive Director

cc: Mr. Kevin Bushey



HOUSE OF REPRESENTATIVES

2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002
(207) 287-1400
TTY: (207) 287-4469

John L. Martin

P.O. Box 250
Eagle Lake, ME 04739
(207) 444-5556

Nov. 5, 2020

Jonathan Wayne
Executive Director
Commission on Governmental Ethics and Election Practices
135 State House Station
Augusta, ME 04333-0135

Dear Jonathan,

This is in response to your letter asking for further information on my employment at the University of Maine at Ft. Kent.

Since 1974 I have been an instructor or assistant professor of Political Science. This has been my primary position on campus.

When the position of director of the Center for Rural Sustainable Development became vacant, the President requested that I assume the position since the campus wanted to evaluate if it wanted to continue the Center.

In 1995, I went part time teaching political science classes. The acting President agreed to compensate me at the rate of \$34,000 per year and to assume any duties that the President wished to assign to me.

The University to this day lists me as the director of the Center for Rural Sustainable Development Advisory Council. The Center board has never met since I was appointed as director and have not done any work with the Center.

Since that date, I have assumed many assignments as requested by the President. They include Director of Admissions, Director of Athletics, Chair of the Acadian Archives Advisory Council, a member of the Development Foundation, as well as Assistant to the President. I could have indicated that I was assigned individual positions on the State of Sources of Income form, but these positions were of a temporary nature, usually awaiting the results of a search committee.

District 151 Allagash, Ashland, Eagle Lake, Fort Kent, Masardis, New Canada, Portage Lake, St. Francis, Wallagrass and Plantations of Garfield, Nashville, St. John and Winterville, plus the unorganized territory of Northwest Aroostook and Oxbow

In addition, I have been involved in raising funds for the Forestry Program at the University. I am now involved in another fundraising effort for the program and was also asked by the former President to assist in fundraising for repair funds for the Violette Camp in the Allagash Waterway.

It is accurate that the University chose to pay me using the account for the Center rather than changing every time I changed positions. The only change to the salary since that time has been the cost of living increases given by the University to non-union-represented employees.

I stand ready to respond to any other questions you might have.

Sincerely yours,

A handwritten signature in black ink, appearing to read "John L. Martin", with a long horizontal flourish extending to the right.

John L. Martin
State Representative



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

October 28, 2020

By Email and Regular Mail

Kevin Bushey
P.O. Box 121
Ashland, ME 04732

Dear Mr. Bushey:

The staff of the Commission on Governmental Ethics and Election Practices has reviewed the ethics complaint you filed against Rep. John L. Martin and conferred with the Commission's Counsel. We have scheduled the issue of whether Rep. Martin's 2019 Statement of Sources of Income was correct for the Commission's November 18 meeting.

Your complaint also contains some suggestions that Rep. Martin may have a conflict of interest due to his employment at the University of Maine at Fort Kent or has received some advantages due to his official position. This letter is to explain the extent of the Commission's ethics jurisdiction and how to file a complaint if you believe Rep. Martin violated the legislative ethics law.

The Commission is authorized by the Maine Legislature to consider complaints of "violations of legislative ethics," which are defined in 1 M.R.S. §§ 1014(1)-(4) (attached). Our only jurisdiction is over:

- conflicts of interest in influencing legislation (subsection 1),
- unduly influencing a state agency or authority (subsection 2-A),
- abusing the office or position of Legislator (subsection 3), and
- contracting with a state governmental agency without competitive bidding (subsections 3 or 4).

The Maine Legislature has required specific procedures for anyone filing a complaint alleging a violation of legislative ethics. The complaint must be filed confidentially and must identify the specific provision of law violated. If you believe Rep. Martin has violated any provisions in § 1014, please file a complaint in accordance with the attached instructions. Thank you.

Sincerely,

Jonathan Wayne
Executive Director

cc: Hon. John L. Martin

**Procedures for Filing a Complaint
Alleging a Conflict of Interest, Undue Influence,
or Abuse of Position by a Legislator
(1 M.R.S. § 1014)**

1. The complaint must be signed by the complainant under oath and notarized by a notary public or Maine-licensed attorney-at-law. Please address the complaint to William A. Lee III, Esq., Chair, Maine Ethics Commission, 135 State House Station, Augusta, Maine 04333-0135.
2. The complaint must specify the facts of the alleged violation. This should include the specific conduct or actions of the Legislator that gave rise to the allegations, the dates or time period of the conduct, the identification of any bill or legislative action (if any), and any other information that is material and relevant to the complaint. By law, the Commission may only consider complaints against Legislators in office at the time of the filing of the complaint and only complaints relating to activity that occurred or was ongoing within 2 years of the complaint.
3. The complaint must also cite the specific paragraphs(s) of the legislative ethics law (1 M.R.S. § 1014, attached) that is alleged to have been violated. For example: “Legislator John Smith violated 1 M.R.S. § 1014(1)(B) by accepting something of value from the National Association of Widget-Makers in return for submitting legislation of interest to the association,” or “Legislator John Smith violated 1 M.R.S. § 1014(3)(A) by asking the Department of Labor to grant his company a consulting contract without competitive bidding.”
4. The complainant must complete the Complaint Cover Sheet (attached) in full and agree not to disclose any information about the complaint to any person while the Commission is considering the complaint or conducting an investigation.
5. Once the written complaint is received and is determined to meet the statutory requirements as to form and content, the complaint will be delivered to the Legislator immediately. If the complaint does not conform to the statutory requirements, the complainant will be notified.
6. Until the Commission determines whether to pursue the complaint and during the investigation of the complaint, any person who knowingly breaches the confidentiality of a complaint investigation commits a Class D crime. This includes disclosing that a complaint has been filed with the Commission and the information contained within the complaint.



Cover Sheet for Complaint Alleging Violation of Legislative Ethics

Instructions: Under 1 M.R.S.A. § 1013, any person may file a complaint alleging a violation of legislative ethics. The complaint must be filed in writing, signed under oath before a notary public, and must specify the facts of the alleged violation and the provisions of Sections 1014 and 1015 (attached) that are alleged to have been violated. A complaint that does not meet these criteria will be returned to the complainant. The complaint may be in the form of a letter or memorandum addressed to the Commission. Please attach your sworn complaint to this cover sheet and submit it to the attention of the Commission's executive director. The Commission may consider only complaints against Legislators in office at the time of the filing of the complaint and which relate to activity that occurred or was ongoing within 2 years of the complaint.

Party making the complaint: _____

Contact person: _____

Contact's mailing address: _____

Contact's e-mail address: _____

Contact's telephone number(s): _____

Legislators named in complaint: _____

Brief summary of violation:
(include dates of activity) _____

Specific provisions of 1 M.R.S.A.
§§ 1014 or 1015 allegedly violated: _____

Confidentiality Agreement

I agree not to disclose any information about the complaint during the time the Commission is determining whether to pursue the complaint and during the investigation of the complaint.

I understand that any person who knowingly breaches this confidentiality restriction has committed a Class D crime under 1 M.R.S.A. § 1013(3-A).

Signature of person making the complaint

Date

Unsworn falsification is a Class D crime. 17-A M.R.S.A. § 453.

The original written complaint which has been signed under oath must be submitted with this cover sheet.

Title 1 Maine Revised Statutes

Current with the Second Regular Session of the 129th Maine Legislature.

§ 1014. Violations of legislative ethics

1. Situations Involving Conflict of Interest. A Legislator engages in a violation of legislative ethics if that Legislator votes on a question in connection with a conflict of interest in committee or in either body of the Legislature or attempts to influence the outcome of that question unless a presiding officer in accordance with the Joint Rules of the Legislature requires a Legislator to vote or advises the Legislator that there is no conflict in accordance with section 1013, subsection 2, paragraph K. A conflict of interest includes:

- A.** When a Legislator or a member of the Legislator's immediate family has or acquires a direct substantial personal financial interest, distinct from that of the general public, in an enterprise that would be financially benefited by proposed legislation, or derives a direct substantial personal financial benefit from close economic association with a person known by the Legislator to have a direct financial interest in an enterprise affected by proposed legislation;
- B.** When a Legislator or a member of the Legislator's immediate family accepts gifts, other than campaign contributions duly recorded as required by law, from persons affected by legislation or who have an interest in an entity affected by proposed legislation and the Legislator knows or reasonably should know that the purpose of the donor in making the gift is to influence the Legislator in the performance of the Legislator's official duties or vote or is intended as a reward for action on the Legislator's part;
- C.** Receiving compensation or reimbursement not authorized by law for services, advice or assistance as a Legislator;
- D.** Appearing for, representing or advocating on behalf of another before the Legislature, unless without compensation and for the benefit of a citizen;
- E.** When a Legislator or a member of the Legislator's immediate family accepts or engages in employment that could impair the Legislator's judgment, or when the Legislator knows that there is a substantial possibility that an opportunity for employment is being afforded the Legislator or a member of the Legislator's immediate family with intent to influence the performance of the Legislator's official duties, or when the Legislator or a member of his immediate family stands to derive a personal private gain or loss from employment, because of legislative action, distinct from the gain or losses of other employees or the general community; and
- F.** When a Legislator or a member of the Legislator's immediate family has an interest in legislation relating to a profession, trade, business or employment in which the Legislator or a member of the Legislator's immediate family is engaged and the benefit derived by the Legislator or a member of the Legislator's immediate family is unique and distinct from that of the general public or persons engaged in similar professions, trades, businesses or employment.

2. Repealed. Laws 2009, c. 258, § 2.

2-A. Undue Influence. It is a violation of legislative ethics for a Legislator to engage in conduct that constitutes the exertion of undue influence, including, but not limited to:

A. Appearing for, representing or advocating for another person in a matter before a state agency or authority, for compensation other than compensation as a Legislator, if the Legislator makes reference to that Legislator's legislative capacity, communicates with the agency or authority on legislative stationery or makes threats or implications relating to legislative action;

B. Appearing for, representing or advocating for another person in a matter before a state agency or authority if the Legislator oversees the policies of the agency or authority as a result of the Legislator's committee responsibilities, unless:

- 1) The appearance, representation or advocacy is provided without compensation and for the benefit of a constituent;
- 2) The Legislator is engaged in the conduct of the Legislator's profession and is in good standing with a licensing board, if any, that oversees the Legislator's profession;
- 3) The appearance, representation or advocacy is provided before a court or office of the judicial branch; or
- 4) The representation consists of filing records or reports or performing other routine tasks that do not involve the exercise of discretion on the part of the agency or authority; and

C. Representing or assisting another person in the sale of goods or services to the State, a state agency or a state authority, unless the transaction occurs after public notice and competitive bidding.

3. Abuse of Office or Position. It is a violation of legislative ethics for a Legislator to engage in conduct that constitutes an abuse of office or position, including but not limited to:

A. When a Legislator or a member of the Legislator's immediate family has a direct financial interest or an interest through a close economic associate in a contract for goods or services with the State, a state agency or state authority, unless the contract is awarded through competitive bidding or is exempt from competitive bidding pursuant to state purchasing laws or the payment provisions are based on uniform rates established by the State, a state agency, a state authority or other governmental entity;

B. Granting or obtaining special privilege, exemption or preferential treatment to or for oneself or another, which privilege, exemption or treatment is not readily available to members of the general community or class to which the beneficiary belongs; and

C. Use or disclosure of confidential information obtained because of office or position for the benefit of self or another.

4. Contract with State Governmental Agency. It is a violation of legislative ethics for a Legislator or an associated organization to enter with a state agency into any contract that is to be paid in whole or in part out of governmental funds unless the contract has been awarded through a process of public notice and competitive bidding or is exempt from competitive bidding pursuant to state purchasing laws.

1 M.R.S. § 1016-G. Disclosure of specific sources of income, interests and reportable liabilities

Each Legislator shall annually file with the commission a statement identifying the sources of income received, positions held and reportable liabilities incurred during the preceding calendar year by the Legislator or members of the Legislator's immediate family. A Legislator who has completed service in the Legislature shall file the statement within 45 days of the Legislator's last day of service to disclose the sources of income in the Legislator's final calendar year of service.

1. Content of statement. The name and, where applicable, the job title of the individual earning or receiving the income must be disclosed, unless otherwise noted. Each source of income must be identified by name, address and principal type of economic or business activity. If disclosure of this type is prohibited by statute, rule or an established code of professional ethics, it is sufficient for the Legislator to specify the principal type of economic or business activity from which the income is derived.

The statement must identify:

- A. If the Legislator is an employee of another person, firm, corporation, association or organization that has provided the Legislator with compensation of \$2,000 or more, the name and address of the employer. The Legislator shall identify the title and position held by the Legislator;
- B. If the Legislator is self-employed, the name and address of the Legislator's business and each source of income derived from self-employment that represents more than 10% of the Legislator's gross income from self-employment or \$2,000, whichever is greater;
- C. The name, address and principal economic or business activity of any corporation, partnership, limited liability company or other business in which the Legislator or members of the Legislator's immediate family own or control, directly or indirectly, more than 5% of the outstanding equity, whether individually or in the aggregate, that has received revenue of \$2,000 or more;
- D. Each source of income of \$2,000 or more the Legislator derived from providing services as an attorney, the major areas of law practiced by the Legislator and, if associated with a law firm, the major areas of practice of the firm;
- E. Each source of income of \$2,000 or more received by the Legislator and a description of the nature of the income, such as rental income, dividend income and capital gains;
- F. The specific source of each gift received by the Legislator;
- G. Each source of income of \$2,000 or more received by any member of the immediate family of the Legislator, except that the Legislator is not required to identify the names of dependent children. If the member of the Legislator's immediate family received income of \$2,000 or more in compensation, the Legislator shall identify the source of the compensation, the type of the economic activity and the title of the position held by the immediate family member;
- H. Each source of honoraria of \$2,000 or more that the Legislator accepted;
- I. Each executive branch agency before which the Legislator or any immediate family member has represented or assisted others for compensation;
- J. Each state governmental agency, board or commission to which the Legislator, a member of the Legislator's immediate family or an associated organization has sold, rented or leased goods or services with a value of \$10,000 or more during the preceding calendar year and a description of the goods or services sold, rented or leased;
- K. Each party as defined in Title 21-A, section 1, subsection 28, including a party committee, and each organization that is required under Title 21-A, chapter 13 to register with the commission as a political action committee or ballot question committee for which the Legislator or a member of



the Legislator's immediate family is a treasurer, principal officer or principal fund-raiser or decision maker;

L. Any offices, trusteeships, directorships or positions of any nature, whether compensated or uncompensated, held by the Legislator or a member of the Legislator's immediate family with any for-profit or nonprofit firm, corporation, association, limited liability company, partnership or business. For the purposes of this paragraph, service as a clerk of a corporation or as a registered agent authorized to receive service of any process, notice or other demand for a business entity is not considered a position with the corporation or business entity; and

M. All reportable liabilities incurred by the Legislator or a member of the Legislator's immediate family during the reporting period.

2. Time for filing. The following provisions govern the time for filing statements.

A. Each Legislator shall file with the commission by 5:00 p.m. on February 15th of each year on the form provided by the commission a statement of the sources of income, interests and reportable liabilities for the preceding calendar year required by subsection 1. Prior to the end of the first week in January of each year, the commission shall deliver a form to each Senator and member of the House of Representatives.

B. A Legislator shall file an updated statement concerning the current calendar year if the income, reportable liabilities or positions of the Legislator or an immediate family member, except for dependent children, substantially change from those disclosed in the Legislator's most recent statement. Substantial changes include, but are not limited to, a new employer that has paid the Legislator or a member of the Legislator's immediate family \$2,000 or more during the current year, another source that has provided the Legislator or a member of the Legislator's immediate family, excluding dependent children, with income that totals \$2,000 or more during the current year or the acceptance of a new position with a for-profit or nonprofit firm that is reportable under subsection 1, paragraph L. The Legislator shall file the updated statement within 30 days of the substantial change in income, reportable liabilities or positions.

3. Penalties. Penalties for violations of this section are as follows.

A. Failing to file a statement within 15 days of having been notified by the commission is a civil violation for which a fine of not more than \$100 may be adjudged. A statement is not considered filed unless it substantially conforms to the requirements of this subchapter and is properly signed. The commission shall determine whether a statement substantially conforms to the requirements of this subchapter.

B. The intentional filing of a false statement is a Class E crime. If the commission concludes that it appears that a Legislator has willfully filed a false statement, it shall refer its findings of fact to the Attorney General. If the commission determines that a Legislator has willfully failed to file a statement required by this subchapter or has willfully filed a false statement, the Legislator is presumed to have a conflict of interest on every question.

4. Rules, procedures and forms. The commission may adopt or amend rules to specify the reportable categories or types and the procedures and forms for reporting and to administer this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

5. Public record. Statements filed under this section are public records. The commission shall provide a means for Legislators to file statements in an electronic format that must immediately place the statements on a publicly accessible website. 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.