



COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES
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Disclosure of Bids on State Contracts

Am I required to notify the Ethics Commission if I bid on a contract?

Yes. In 2003, the Legislature instituted a disclosure requirement for Legislators and organizations associated with Legislators that bid on contracts with State agencies. The law states that when a Legislator or an “associated organization” bids on a contract with a State agency, the Legislator or organization must file a statement with the Ethics Commission disclosing the subject of the bid, and the names of the Legislator, the organization (if appropriate), and the State agency. (1 M.R.S.A. § 1016-D)

What is an associated organization?

“Associated organization” means any organization in which a Legislator or a member of the Legislator’s immediate family is a managerial employee, director, officer or trustee, or owns or controls, directly or indirectly, and severally or in the aggregate, at least 10% of the outstanding equity.

What is a managerial employee?

“Managerial employee” means an employee of an organization whose position requires substantial control over the organization’s decision making, business operations, financial management or contracting and procurement activities. Financial management does not include tasks that are considered clerical in nature.

What is the deadline for filing the disclosure statement?

The statement must be filed no later than 5:00 p.m. on the day that the bid is submitted.

What does the Ethics Commission do with the disclosure statement?

The statement is posted on the Commission’s website for the public to access.

How do I obtain a blank copy of the disclosure statement?

Please telephone the Commission staff at 287-4179, or go to the Commission’s website at www.maine.gov/ethics/legislators.

Did the Legislative Ethics law impose any other restrictions or requirements?

Yes. It is a violation of legislative ethics for a Legislator or an associated organization to enter into any contract with a state agency that is to be paid in whole or in part out of government 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.A. § 1014(4))

Who do I call if I have more questions?

Please telephone the Commission’s Executive Director, Jonathan Wayne, at 287-4179.