#### COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES



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# Maine Ethics STATEMENT OF SOURCES OF INCOME FOR LEGISLATORS

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

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FILING DEADL	
Please file this statement with the Clerk of the House or Secretary of t	he Senate by 5:00 p.m., Thursday, February 15, 2018.

#### 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. DO NOT USE RED INK
- 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!

## INSTRUCTIONS: Part 1. Income from Employment by Another

If you were a full or part time employee of any public or private organization (including the Legislature) and received compensation during the reporting year of \$2,000 or more, list your job title, and the name, address, and principal type of economic or business activity of the employer. Do not include information about self-employment or the practice of law in this section.

**EXAMPLE:** Jane is currently serving as a State Senator. She is also employed by Pine Tree Counseling Services as a counselor and earns more than \$2,000 per year.

Name of Employer	Address	Principal Type of Economic or Business Activity of Employer	Job Title
Pine Tree Counseling Services	201 Main Street, Pine Tree City, ME	Counseling Services	Counselar
Maine State Legislature	3 State House Station, Augusta, ME	Government	State Senator

## INSTRUCTIONS: Part 2. Income from Self-Employment

If you sold goods or provided services to others during the reporting year, list the name, address, and principal type of economic activity of your business. If your business does not have a name, list the name under which you provide goods and/or services. If the amount you received from any client or customer was more than \$2,000 or more than 10% of your gross income from self-employment during the year, whichever is greater, list the name, address, and principal type of economic or business activity of the client or customer. If this type of disclosure is prohibited by law, rule, or an established code of professional ethics, specify only the principal type of economic or business activity of the client or customer.

**EXAMPLE:** Jane has a business that supplies rough cut timber. Last year the business grossed \$30,000. Robert Thompson bought four orders of lumber at \$1,000 per order—\$4,000 in total. Joan Hill bought \$2,000 worth of lumber. Because her business made \$30,000 during the reporting period, she must only report those clients who represent more than 10% or \$3,000, of her income from self-employment.

Name of Your Business/Trade name	Address of Business	Principal Type of Economic or Business Activity
Smith's Lumber Co.	123 Main Street, Pine Tree City, Maine	Rough Cut Timber Milling
Name of Customer or Client, if required (see instructions).	Address	Principal Type of Economic or Business Activity of Client
Robert Thompson	456 Main Street, Pine Tree City, Maine	Carpenter

### INSTRUCTIONS: Part 3. Business Entities

List the name, address and principal economic or business activity of any corporation, partnership, limited liability company or other business entity in which you or the members of your immediate family, own or control, directly or indirectly, more than 5% of the outstanding equity, individually or in the aggregate, if the business had revenue of \$2,000 or more during the calendar year.

**EXAMPLE:** Jane's spouse is the sole member of a limited liability company which receives revenue of more than \$2,000 each year by leasing office suites in an office building it owns.

Name of Business		Principal Type of Economic or Business Activity
123 Broad Street LLC	456 Elm Street, Pine Tree City, Maine	Leasing of office space

#### INSTRUCTIONS: Part 4. Income from the Practice of Law

List the name, address, and major areas of practice for all sources of income of \$2,000 or more derived from the practice of law. If you are a member of a firm, partnership, or limited liability company, list the major areas of practice for that entity. In addition, state whether you are a sole practitioner, partner, associate, or shareholder.

**EXAMPLE:** Last year, Jane was a sole practitioner. Her labor law practice earned more than \$2,000.

Name of Firm or Practice	Address	Your Major Areas of Practice	Firm's Major Areas of Practice	Position: Partner, Associate, Sole Practitioner
The Law Office of Jane Smith	789 Elm Street, Pine Tree City, Maine	Labor Law	N/A	Sole Practitioner

Part 1. Income from Emp	loyment b	y Anoth	ier				
□ None. Check this box	if you did r	ot have i	income froi	m employme	nt by another.		
Name of Employer	State House Augusta, ME			Principal Type of Economic or Business Activity of Employer  Government			Job Title
Maine State Legislature						Leg	Legislator
Part 2. Income from Self		James (S. C. Carlos Cherry)	in o o o o fro	m polf ompla	wood		
√ None. Check this box	ır you ala r T	ot nave	income iro	m seir-emplu	yment.	A Commence of the Commence of	
Name of Your Business/Trade	Name		Add	ress			I Type of Economic usiness Activity
		**************************************					
Name of Client or Customer, if (see instructions)	required		Add	ress		Principa or Busin	al Type of Economic ess Activity of Client
Part 3. Business Entities				1 2 3 3 4 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5		And the second s	
		your imn	nediate far	nily did not o	wn or control	more tha	an 5% of any business.
Name of Business			Add	ress			al Type of Economic Business Activity
						·····	
Part 4. Income from the	Practice o	of Law					
None. Check this box			income fro	m the practi	ce of law.		
Name of Practice or Firm	Address			ajor Areas ractice	Firm's Major of Pract		Position: Partner, Associate, Sole Practitioner
	HOPA			10-10-00-10-00-10-00-10-00-10-00-10-00-10-00-10-00-10-00-10-00-10-00-10-00-10-00-10-00-10-00-10-00-10-00-10-00			

# INSTRUCTIONS: Part 5. Income from Any Other Source

Include in this section any source of income of \$2,000 or more not listed in Parts 1, 2, or 3 which you received during the reporting year, such as investments, sales of property, or retirement benefits. Please see the glossary for examples of income that must be reported. Include income received "in-kind" as well as regular income.

Income *does not* include alimony, child support or similar support payments, campaign contributions, gifts or honoraria. Income also does not include funds or other property held in trust for another such as fees that are paid in advance or money to be spent on behalf of a client for a licensing or filing fee.

Do not include income received by immediate family members. Report immediate family members' income in Parts 6-A & 6-B.

**EXAMPLE:** Jane has investments in a mutual fund with Global Investment, LLC. The mutual fund paid quarterly dividends to Jane that added up to more than \$2,000 over the course of the reporting year. In addition, Jane receives a monthly pension payment from her prior job as a school teacher.

Name of Source	Address	Description of Income
Global Investment, LLC	One Copley Plaza, Boston, MA	Mutual fund
Maine Public Employees Retirement System	46 State House Station, Augusta, Maine	Pension

# INSTRUCTIONS: Part 6-A. Compensation Income of Immediate Family Members

List the name, address, and principal type of economic or business activity for each entity representing income of \$2,000 or more *derived through employment or compensation* by any member of your immediate family. Include all income received through employment by another, self-employment, or the practice of law.

Include the job title **and** name of the **spouse or domestic partner** receiving income. Include the job title of the dependent child receiving income, but **do not** include the dependent child's name. Instead write "dependent" in the section for name.

**EXAMPLE:** Jane's spouse is an attorney with Smith & Jones. He earned more than \$2,000 in the previous year practicing law. Jane's dependent daughter worked as a lifeguard during the summer of the previous year, earning more than \$2,000.

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
John Smith, Attorney	Smith & Jones, L.L.P. 28 Hollywood Drive, Raymond, Maine	Worker's Comp., Personal Injury, Probate/ Wills
Dependent, Lifeguard	Pine Tree YMCA 202 Main Street, Pine Tree City, Maine	Fitness

#### INSTRUCTIONS: Part 6-B. Other Source of Income of Immediate Family Members

List the name, address, and type of income for each source of income not listed in Part 5-A which represents \$2,000 or more received by any member of your immediate family. Include the name of the spouse or domestic partner receiving income. **Do not** include the name of a dependent child receiving income. Instead, write "dependent" in the section for name.

**EXAMPLE:** Jane's oldest daughter was given money to be held in trust until her 16th birthday. Now that she has turned 16, the trust is issuing payments to her. Over the course of the year, the payments add up to more than \$2,000. Jane's spouse lost his job and is receiving unemployment benefits. Last year, he received more than \$2,000 in benefits.

Name of Spouse or Partner (do not list name of dependent child)	Source's Name and Address	Type of Income
Dependent	Union Life Insurance Co., One Copley Plaza, Boston, MA	Trust distribution
John Smith	Maine Dept. of Labor	Unemployment Benefits

Part 5. Income from Any Other So	ırce	
$\square$ None. Check this box if you did i	not have income from any other source.	
Name of Source	Address	Description of Income
Vacation Boutal	36 Harbornen Dr. Hencock, ME 04645	Rental Income
Investment Aect	Charles Schwalotto P.o. Box 620290 Orlando, Fla 53862 Various Companies	Dividends
Various Oil Royalties	Various Companies in Texas,	Oil loyalties
Part 6-A. Compensation Income of	f Immediate Family Members	
None. Check this box if no mem employment or compensation.	bers of your immediate family received	income of \$2,000 or more from
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 Incom	e of Immediate Family Members	
<ul> <li>None. Check this box if no mem other source.</li> </ul>	bers of your immediate family received	income of \$2,000 or more from any
Name of Spouse or Partner (do not list name of dependent child	Source of Income  Name and Address	Type of Income
Larry Extel	Social Securits Administration	Soul Security

### INSTRUCTIONS: Part 7. Loans and Liabilities

If you received any loan of \$3,000 or more during the reporting year that was not secured by collateral (e.g., mortgage, car loan), list the name, address, and principal type of economic or business activity of the lender. For more information concerning what loans and liabilities must be reported, please see the definition of reportable liability in the glossary.

**EXAMPLE:** Jane borrowed \$5,000 from Carl Smith, a friend, to pay for an addition of a deck to her house.

Lender's Name	Lender's Address	Principal Type of Economic or Business Activity of Lender
Carl Smith	201 Main Street, Pine Tree City, Maine	Accountant

# INSTRUCTIONS: Part 8. Gifts, Including Travel and Accommodations

List each source from which you received a gift or gifts with a total value of more than \$300 during the reporting year. If a person or organization has spent more than \$300 in the year to finance your travel, meals, or accommodations, their payments are considered a gift which must be reported. See the glossary for goods and services which are **not** considered a gift.

**EXAMPLE:** Jane was invited to speak at a conference on utilities regulation held by the U.S. New Energy Association. The association paid her travel and hotel expenses, which were \$800. Because the cost of travel and lodging was more than \$300, it is a gift and must be disclosed.

Source of Gift	Source of Gift
1. U.S. New Energy Association	2.

#### INSTRUCTIONS: Part 9. Honoraria

List all sources of honoraria of \$2,000 or more you received during the reporting year. "Honoraria" means a payment of money or anything with resale value received for an appearance or speech by you in your official capacity. See the glossary for more information concerning honoraria.

**EXAMPLE:** Jane was paid to speak at the national conference on proposed corporate tax legislation in Maine.

Source of Honoraria	Source of Honoraria
National Federation of Independent Businesses	2.

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

List the name of each political action committee, ballot question committee, or political party committee for which you or a member of your immediate family were the treasurer, a principal officer, fundraiser or decision-maker.

**EXAMPLE:** Jane Smith was a principal officer in a ballot question committee that is active in a bond referendum. Her husband was the treasurer of the Falmouth Republican Committee.

Name of Committee	Name of Official or Family Member	Title
Improve Maine's Economy PAC	Jane Smith	Principal Officer
2. Falmouth Republican Committee	John Smith	Treasurer

Part∕7. Loans			
None. Check this box if you did not have reportable liabilities.			
Lender's Name	Lende	er's Address	Principal Type of Economic or Business Activity of Lender
Part 8. Gifts, Including Travel and	d 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 Honorar	ia	\$	Source of Honoraria
1.	2.		
3.	4.		
Part 10. Positions in Political Activ	on, Ballot Question or I	Party Committee	Section 1. The control of the contro
☐ None. Check this box if you and or fundraiser of a PAC, BQC, or l		ere not a treasur	er, or principal officer, decision-maker
Name of Committee	Name of Official or Far	nily Member	Title
1. Seawart Dhomounts	Lydia Blu	ime	Executive Pirector
2.			
3.			

## INSTRUCTIONS: Part 11. Conducting Business with State Agencies

List each State agency, board or commission to which you or an immediate family member or an associated organization rented, leased or sold goods or services for more than \$10,000 during the reporting period. Include the name of the individual or organization conducting business with the agency and a description of the goods or services.

**EXAMPLE:** Jane's spouse is the vice-president for operations of a large software developer. Last year, the company received \$250,000 from the Department of Environmental Protection for developing custom software.

Name of Agency	Name of Individual/Organization Selling Goods or Services	Description of Goods or Services
Dept. of Environmental Protection	Acme Technology, Inc.	Custom software application

## INSTRUCTIONS: Part 12. Representing Others before State Agencies

If you, or a member of your immediate family, appeared for, represented, or assisted any person or client before a State agency for compensation, list the State agency and the person receiving the compensation for the representation or assistance.

**EXAMPLE:** Jane's spouse, an attorney, received \$5,000 for representing a client before the Department of Health and Human Services in an appeal of a disability determination.

Name of Agency	Name of Individual Receiving Compensation
Department of Health and Human Services	John Smith

# INSTRUCTIONS: Part 13. Positions in For-Profit and Non-Profit Organizations

List any for-profit or non-profit corporation, firm, association, limited liability company, partnership or business in which you or a member of your immediate family held any office, trusteeship, directorship, or position of any nature in the reporting year, and indicate whether the position was compensated or uncompensated.

Reportable positions include, but are not limited to:

- Director
- Partner
- Trustee
- · Officer of any type
- · Member of imited liability company

- President
- · Chair of board
- Treasurer
- Secretary
- · Board member

A clerk of a corporation or a registered agent authorized to receive service of any process, notice or other demand for a business entity is <u>not</u> considered a position with the corporation or business entity.

#### **EXAMPLE:**

Organization/Business and Address	Title	Name of Position Holder	Relationship to Legislator	Compensated Yes/No
Kennebec Historical Society 107 Winthrop Street Augusta, Maine 04330	Director	Jane Smith	□ Self □ Spouse □ Dependent	No
Community Ventures, LLC 2941 Fairview Park Drive Pine Tree City, Maine, 232042	Member	John Smith	□ Self □ Spouse □ Dependent	Yes

Part 11. Conducting Business wit	h State Agencles			
None. Check this box if neither y	ou nor your imme	diate family did busine	ess with any State a	agency.
Name of Agency	Name of Individual/Organization Selling Goods or Services		Description of Good or Services	
	Selling God	ods or Services		
No.				
Part 12. Representing Others Bef	│ ore State Agencie	es		
None. Check this box if neither			ted another before a	a State agency.
Name of Agency		Name of Ind	ividual Receiving C	ompensation
			- Stader	
	AMMARY TV			
Part 13. Positions in For-Profit an				
None. Check this box if you and non-profit organizations.	members your im	mediate family did no	t hold positions in a	ny for-profit or
Organization/Business and Address	Title	Name of Position Holder	Relationship to Legislator	Compensated Yes/No
	Committee (Committee of the Committee of		□ Self	Management (1997)
			□ Spouse □ Dependent	
			□ Self	
			□ Spouse	
			□ Dependent	
			□ Self □ Spouse	
			□ Dependent	
	And the state of t	NATURE		
I CERTIFY THAT I HAVE EXAMINED CORRECT, AND COMPLETE.	THIS REPORT A	AND TO THE BEST C	F MY KNOWLEDG	SE IT IS TRUE,
Ander College			- /14E	//8
Signature			- 2/17 D	ate

THE INTENTIONAL FILING OF A FALSE STATEMENT IS A CLASS E CRIME (1 M.R.S.A. § 1016-G(3)(B))

## Glossary

<u>Associated organization</u> means any organization in which an 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.

<u>Gift</u> means anything of value, including forgiveness of an obligation or debt, given to a person without that person providing equal or greater consideration to the giver. "Gift" does not include:

- A. Gifts received from a single source during the reporting period with an aggregate value of \$300 or less;
- B. A bequest or other form of inheritance;
- C. A gift received from a relative or from an individual on the basis of a personal friendship as long as that individual is not a registered lobbyist or lobbyist associate under Title 3, section 313, unless the Legislator has reason to believe that the gift was provided because of the Legislator's official position and not because of a personal friendship;
- D. A subscription to a newspaper, news magazine or other news publication;
- E. Legal services provided in a matter of legislative ethics;
- F. A meal, if the meal is a prayer breakfast or a meal served during a meeting to establish a prayer breakfast; or
- G. A meal, if the meal is provided by industry or special interest organizations as part of the informational program presented to a group of public servants.

<u>Honorarium</u> means a payment of money or anything with a monetary resale value to a person for an appearance or a speech by the person. Honorarium does not include reimbursement for actual and necessary travel expenses for an appearance or speech. Honorarium does not include a payment for an appearance or speech that is unrelated to the person's official capacity or duties.

Immediate family includes your spouse or domestic partner and dependent children.

<u>Income</u> means economic gain to a person from any source, including, but not limited to, compensation for services, including fees, commissions and payments in-kind; gross income derived from business; gross income derived from dealings in property, rents and royalties; gross income from investments including interest, capital gains and dividends; annuities; income from life insurance and endowment contracts; pensions; income from discharge of indebtedness; distributions from a partnership or limited liability company; gross income from an interest in an estate or trust; prizes; and grants, but does not include gifts or honoraria. Income received in-kind includes, but is not limited to, the transfer of property and options to buy or lease and stock certificates. Income does not include alimony and separate maintenance payments, child support payments or campaign contributions accepted for state or federal office or funds or other property held in trust for another, including but not limited to fees paid in advance or money to be spent on behalf of a client for payment of a licensing or filing fee.

<u>Managerial employee</u> 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. For the purposes of this subsection, financial management does not include tasks that are considered clerical in nature.

<u>Relative</u> means an individual who is related to you or your spouse as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother or half sister, and includes your fiancé or fiancée.

Reportable liability means any unsecured loan, except a loan made as a campaign contribution recorded as required by law, of \$3,000 or more received from a person not a relative. Reportable liabilities do not include:

- (1) A credit card liability;
- (2) An educational loan made or guaranteed by a governmental entity, educational institution, or nonprofit organization; or
- (3) A loan made from a state or federally regulated financial institution for business purposes.

<u>Self-employment</u> means that the person qualifies as an independent contractor under Title 39-A, section 102, subsection 13, which states in part, "independent contractor means a person who performs services for another under contract, but who is not under the essential control or superintendence of the person while performing those services."

ADDITIONAL INFORMATION	

Please provide providing. Use	any additional information in the space below. I additional pages if necessary.	ndicate the part number for the information you are
Part Number		
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