

GOVERNOR PATRICK SIGNS SWEEPING ETHICS, LOBBYING AND CAMPAIGN FINANCE REFORM

Law builds on recommendations of Governor's Public Integrity Task Force, answers calls to renew confidence in government

Learn more about the Governor's reform agenda at www.mass.gov/governor/reform

BOSTON - Wednesday, July 1, 2009 - Governor Deval Patrick, joined by House Speaker Robert DeLeo and Senate President Therese Murray, today signed sweeping ethics, lobbying and campaign finance reform legislation that institutes a strong ban on gifts to public officials, increases penalties for civil and criminal violations of ethics laws and expands the investigative and enforcement powers of a number of state authorities. Coming directly on the heels of landmark changes to the state's pension and transportation systems, the law delivers on promises made by the Governor to restore public trust in government by bringing real reform to Beacon Hill.

"A series of troubling charges have shaken the confidence of our citizens in state government," said Governor Patrick. "This law demonstrates our firm commitment to governing with integrity, with openness and with the public's interest foremost."

"This legislation today reflects the essence of what our government stands for: we answer to the people. We have heard and responded to the people's call for reform," House Speaker DeLeo said. "With Governor Patrick's signing of this bill as well as strong pension and transportation bills, we have fulfilled the promise of reform I made in January."

"With the significant reforms in our ethics, lobbying and campaign finance laws, we are sending a clear message that we have heard the public's demands for change, and that violations will come with severe penalties," said Senate President Murray. "We are all proud of this accomplishment, which is part of an aggressive and shared reform agenda that includes landmark changes to our state transportation and pension systems."

Formed in November by the Governor, the 13-member bi-partisan Task Force on Public Integrity, chaired by the Governor's Chief Legal Counsel Ben Clements, examined the current regulatory structure governing ethics, lobbying and public employee conduct. The task force received input from experts and the public. In January, the task force issued a report that included recommendations for enhanced investigative and enforcement authority as well as stiffer penalties. The Governor filed legislation recommended by the task force in January; lauded strong ethics legislation approved by the House of Representatives in March; and commended the Senate for including a campaign finance reform component in its bill passed in May.

Saying he could not in good conscience ask the public to pay more for the status quo, the Governor pledged to veto a sales tax increase included in the Fiscal Year 2010 budget unless meaningful reforms

in the pension system, the transportation network and the state's ethics and lobbying rules were passed. All three bills reached the Governor's desk before the budget was signed into law on Monday.

Specifically, the ethics reform bill the Governor signed into law today will:

Strict Gift Ban

- Prohibit public officials from accepting gifts of "substantial value" for or because of their position.
- Ban lobbyists from giving gifts.

Tougher Penalties

- Increase the maximum punishment for bribery to \$100,000 and 10 years imprisonment. The current penalty is up to \$5,000 and to 3 years imprisonment.
- Increase the maximum penalties for conflict of interest law violations involving gifts and gratuities, revolving door violations and other abuses to \$10,000 and 5 years imprisonment. Currently, penalties are up to \$3,000 and two years imprisonment.
- Increase penalties for a civil violation of the conflict of interest laws from up to \$2,000 per violation to up to \$10,000 per violation. For bribery, the civil penalty would increase to \$25,000.
- Increase the civil penalty for a violation of the financial disclosure law from \$2,000 per violation to \$10,000 per violation.
- Increase the criminal penalty for violating registration-related lobbying rules to up to \$10,000 and 5 years imprisonment. Currently, offenses are a misdemeanor punishable by not less than \$100 and not more than \$5,000, with no possibility of imprisonment.

Stronger Lobbying Laws

- Define lobbying to include background work, strategizing, research and planning.
- Expand the revolving door provision to apply to members of the executive branch.
- Reduce the amount of allowable incidental lobbying from 50 hours in each 6-month reporting period to 25 hours in each 6-month reporting period.

Expanded Enforcement Authority

- Make compliance with the Ethics Commission's summons mandatory.
- Increase the amount of time the Ethics Commission can proceed on an ethics violation from 3 years to 5 years.
- Grant the Secretary of State authority to issue confidential, binding advisory opinions.

- Give the Secretary of State subpoena powers and authority to suspend or revoke lobbyist licenses for cause.
- Grant the Secretary of State authority to impose fines and to have the same civil enforcement authority over lobbying violations as the Ethics Commission has over ethics violations.
- Give the Attorney General concurrent jurisdiction with the Ethics Commission to enforce civil violations of the conflict of interest laws.
Impose penalties for a new statutory obstruction of justice offense.
- Authorize the Attorney General to convene a statewide grand jury with jurisdiction extending throughout the Commonwealth.

Enhanced Campaign Finance Laws

- Eliminates arrangements between state political parties and elected officials.
- Bar individuals from making committee checks to themselves.
- Require disclosure of expenditures and sources of funding for any anonymous third-party campaign mailings or ads that support or criticize a candidate or campaign.
- Increased penalties for late-filed campaign finance reports.