



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

To: Commissioners  
From: Jonathan Wayne, Executive Director  
Date: December 18, 2015  
Re: Information from Roy Lenardson

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Political consultant and former legislative employee Roy Lenardson contacted our office to raise some points for your consideration. First, he wanted you to be aware of the lack of guidance provided by the Legislature to citizens concerning testifying to the Legislature. He points out that the link for the Citizens Guide prepared by the Legislature does not work (see attached page). He also asked that I convey two questions concerning compelling and restraining speech.

1. Can a Legislature compel or mandate what any member of the public writes or speaks in their testimony, whether written or orally? I understand that you can require financial disclosures - but can the government actually make speech requirements at a public hearing, when requesting public comment. If so, does that mean that the Legislature could require other things regarding speech? The members of the Legislature can – of course – ask the question of anyone testifying. But can they require it?
2. If the commission chose to "ban a lobbyist" How is that not "prior restraint" Aren't you essentially censoring what someone can say -- at a public forum - prior to them even saying it? How can such a remedy like that even be an option for you to consider--under any circumstances.

Thank you.

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