

# MAINE STATE LEGISLATURE

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M  
A. & S.

L.D. 1809

2 DATE: June 19, 2001

(Filing No. S-370)

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10 STATE OF MAINE  
SENATE  
12 120TH LEGISLATURE  
FIRST REGULAR SESSION

14  
16 SENATE AMENDMENT "C" to COMMITTEE AMENDMENT "A" to H.P.  
1352, L.D. 1809, Bill, "An Act Concerning the Penalties for Late  
18 Filing of Accelerated Campaign Reporting Under the Maine Clean  
Election Act"

20 Amend the amendment by striking out all of section 1 and  
inserting in its place the following:

22 'Sec. 1. 1 MRSA §1002, sub-§1, ¶F is enacted to read:

24 F. This subsection is repealed January 1, 2002.

26 **Sec. 2. 1 MRSA §1002, sub-§1-A** is enacted to read:

28  
30 1-A. Membership. The Commission on Governmental Ethics and  
Election Practices, established by Title 5, section 12004-G,  
32 subsection 33 and referred to in this chapter as the  
"commission," consists of 5 members appointed as follows.

34 A. By December 1, 2001 and as needed after that date, the  
appointed leader from each political party in the Senate and  
36 the appointed leader from each political party in the House  
of Representatives jointly shall establish and advertise a  
38 30-day period to allow members of the public and groups and  
organizations to propose qualified individuals to be  
40 nominated for appointment to the commission.

42 B. By January 1, 2002 and as needed after that date, the  
appointed leader from each political party in the Senate and  
44 the appointed leader from each political party in the House

2 of Representatives each shall present a list of 3 qualified  
3 individuals to the Governor for appointment of 4 members to  
4 the commission. The appointed leadership from each party in  
5 both bodies of the Legislature jointly shall present a list  
6 of 3 qualified individuals to the Governor for appointment  
7 of a 5th member to the commission.

8 C. By March 15, 2002, the Governor shall appoint the  
9 members of the commission selecting one member from each of  
10 the lists of nominees presented in accordance with paragraph  
11 A. These nominees are subject to review by the joint  
12 standing committee of the Legislature having jurisdiction  
13 over legal affairs and confirmation by the Legislature. No  
14 more than 2 commission members may be enrolled in the same  
15 party.

16 D. Two initial appointees are appointed for one-year terms,  
17 2 are appointed for 2-year terms and one is appointed for a  
18 3-year term, according to a random lot drawing under the  
19 supervision of the Secretary of State. Subsequent  
20 appointees are appointed to serve 3-year terms. A person  
21 may not serve more than 2 terms.

22 E. The commission members shall elect one member to serve  
23 as chair for at least a 2-year term.

24 F. Upon a vacancy during an unexpired term, the term must  
25 be filled as provided in this paragraph for the unexpired  
26 portion of the term only. The nominee must be appointed by  
27 the Governor from a list of 3 qualified candidates provided  
28 by the leader of the party from the body of the Legislature  
29 that suggested the appointee who created the vacancy. If  
30 the vacancy during an unexpired term was created by the  
31 commission member who was appointed from the list of  
32 candidates presented to the Governor by the leaders of each  
33 party of each body of the Legislature jointly, the nominee  
34 must be appointed from a list of 3 qualified candidates  
35 provided jointly by the leaders of each party of each body  
36 of the Legislature.

37 G. Upon a vacancy created by an expired term, the vacancy  
38 must be filled as provided in this paragraph. The nominee  
39 must be appointed by the Governor from a list of 3 qualified  
40 candidates provided by the leader of the party from the body  
41 of the Legislature that suggested the appointee whose term  
42 expired. When a vacancy is created by an expired term of  
43 the commission member who was appointed from the list of  
44 candidates presented to the Governor by the leaders of each  
45 party of each body of the Legislature jointly, the nominee  
46 must be appointed from a list of 3 qualified candidates  
47 provided jointly by the leaders of each party of each body  
48 of the Legislature.

2 provided jointly by the leaders of each party of each body  
3 of the Legislature.

4 H. For the purposes of this subsection, "political party"  
5 has the same meaning as "party" as defined by Title 21-A,  
6 section 1, subsection 28.'

8 Further amend the amendment by inserting after section 7 the  
9 following:

10 **'Sec. 8. Commission on Governmental Ethics and Election Practices;**  
11 **terms beginning prior to January 1, 2002.** The term of any member of  
12 the Commission on Governmental Ethics and Election Practices  
13 appointed prior to January 1, 2002 ends upon the confirmation by  
14 the Legislature of nominees to the Commission on Governmental  
15 Ethics and Election Practices made after January 1, 2002  
16 according to the Maine Revised Statutes, Title 1, section 1002,  
17 subsection 1-A.'

18  
19 Further amend the amendment by relettering or renumbering  
20 any nonconsecutive Part letter or section number to read  
21 consecutively.

#### 24 FISCAL NOTE

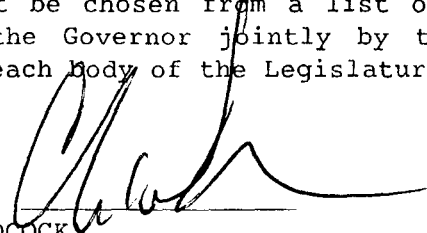
25 The Legislature will incur some minor additional costs to  
26 advertise for a 30-day period to allow members of the public and  
27 groups and organizations to propose qualified individuals to be  
28 nominated for appointment to the Commission on Governmental  
29 Ethics and Election Practices. These costs can be absorbed  
30 within the Legislature's existing budgeted resources.

#### 34 SUMMARY

35 This amendment amends the committee amendment regarding  
36 appointments to the Commission on Governmental Ethics and  
37 Election Practices. The term of any member of the commission  
38 appointed prior to January 1, 2002 ends upon the confirmation of  
39 nominees to the commission nominated according to the changes  
40 made by this amendment. Under this amendment, the Governor shall  
41 appoint 4 commission members from a list of qualified  
42 candidates. The public is given 30 days to suggest nominees for

SENATE AMENDMENT 'C' to COMMITTEE AMENDMENT "A" to H.P. 1352,  
L.D. 1809

2 appointment to the commission. Each of the appointed leaders of  
each party in each body of the Legislature shall contribute 3  
4 qualified candidates to that list. A 5th member of the  
commission must be chosen from a list of 3 qualified candidates  
6 presented to the Governor jointly by the appointed leaders of  
each party of each body of the Legislature.

8  
10 SPONSORED BY:   
(Senator WOODCOCK)

12 COUNTY: Franklin  
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