

MAINE STATE LEGISLATURE

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D. O. R.

STATE OF MAINE
SENATE
107TH LEGISLATURE
FIRST SPECIAL SESSION

SENATE AMENDMENT " B " to H.P. 2281, L.D. 2340, Bill,
"AN ACT Relating to Campaign Reports and Finances."

Amend said Bill in section 2 by striking out all of the first paragraph of that part designated "§1421." and inserting in place thereof the following:

'The Commission on Governmental Ethics and Election Practices, established pursuant to Title 1, section 1002 and hereafter in this chapter referred to as the "commission," shall make findings of fact and opinion on the final determination of election results in primary, general and special elections for county, state or federal offices that are contested.'

Further amend said Bill by inserting after section 2 the following:

'Sec. 3. 21 MRSA §1422, as enacted by PL 1975, c. 621, §10, is repealed and the following enacted in place thereof: § 1422. Appeal to commission

If, after the recount proceeding provided under this Title, there are challenged ballots which affect the result of a primary, general or special election involving county, state or federal office, the commission shall make findings of fact and opinion on the validity of such ballots. Any candidate for such office may appeal to the commission, in writing, not more than 5 days after completion of the recount proceedings. Such written appeal shall set forth in detail the grounds for the appeal.'

Further amend said Bill in section 3 by striking out all of paragraphs A, B, C and D of subsection 3 and inserting in place thereof the following:

'A. Elections for Governor, Legislature, federal office. In cases involving elections, where the Constitution of this State or the United States Constitution provides for final determination of the election of a candidate, the commission shall transmit to the body vested with final determination powers a copy of the findings of fact and opinion.

B. County office. In cases involving general and special elections for county office, the commission shall transmit a copy of the findings of fact and opinion to the Secretary of State for preparation and delivery to the Governor, and to each candidate, and shall make available to the public its findings of fact and opinion. The Governor shall make the final determination in such cases, subject to the right of appeal provided in section 1212.


C. Other elections. In all other cases involving primary, general and special elections, the commission shall transmit a copy of the findings of fact and opinion to the Secretary of State for preparation and delivery to the Governor, and to each candidate, and shall make available to the public its

findings of fact and opinion. The Governor shall make the final determination in such other cases.'

Further amend said Bill by renumbering sections 3, 4 and 5 to be sections 4, 5 and 6.

Statement of Fact

The purpose of this amendment is to correct an error in the bill relating to the role of the Commission on Governmental Ethics and Election Practices in primary elections.

(Corson)
Name: 

County: Somerset

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April 7, 1976.

(Filing No. S-541).