

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. H-758)

COMMITTEE AMENDMENT "A" to H.P. 1200, L.D. 1441,
Bill, "AN ACT Concerning Required Voting on Certain Boards and
Commissions with Quasi-judicial Authority."

Amend the Bill in that part designated "§421." in
(6th in L.D.)
subsection 1 in the 7th line/by striking out the underlined
words "and local"

Further amend the Bill in that part designated "§421."
in subsection 1 in the last line (same in L.D.) by inserting
after the underlined word "member" the underlined punctuation
and words ', except as provided in this section'

Further amend the Bill in that part designated "§421."
by striking out all of subsection 2 and inserting in its place
the following:

'2. Abstention. A member shall not abstain from voting
on a decision except when the member has a conflict of
interest or substantial prejudice in the matter upon which a
vote is being taken, or is a party to the proceeding upon
which the vote is being taken. If a member abstains from
voting, the reasons for abstaining shall be stated in the
record.'

Further amend the Bill in that part designated "§421."
in subsection 3 by striking out all of paragraphs E and F
and inserting in their place the following:

- 'E. Legal proceedings prevent a member's attendance;
- F. The case on which a vote is being taken was commenced
more than 4 weeks prior to the appointment of the member; or
- G. Other circumstances, when approved by a majority of

the board, commission or agency.'

Further amend the Bill in that part designated "§421." in the last paragraph by inserting at the end before the punctuation the following: ', if written objection to the unauthorized abstention or absence is received by the agency within 10 days of the absence or abstention'

Statement of Fact

This amendment removes the application of the bill to local agencies, removes improper contacts as a reason for abstention, adds "other circumstances," with board approval as a reason for absence and clarifies the language.

Reported by the Committee on State Government.

Reproduced and distributed under the direction of the Clerk of the House.

6/20/77

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