

MAINE STATE LEGISLATURE

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L.D. 9

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 19,
L.D. 9, Bill, "An Act Prohibiting Political Activity by Members
of the Workers' Compensation Board"

Further amend the amendment by striking out everything after
the title and inserting in its place the following:

'Further amend the bill by striking out everything after the
title and before the statement of fact and inserting in its place
the following:

'Emergency preamble. Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

Whereas, it is essential that the State establish a
comprehensive policy concerning political activity by members of
state boards and commissions; and

Whereas, this Act establishes a commission to establish such
a comprehensive policy; and

Whereas, the commission's review must be initiated before
the 90-day period expires in order that the review can be
completed and a report submitted in time for submission to the
Second Regular Session of the 116th Legislature; and

Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
safety; now, therefore,

2 Be it enacted by the People of the State of Maine as follows:

4 Sec. 1. Commission established. The Commission to Establish a
Comprehensive Policy Concerning Political Activity by Members of
6 Various Boards and Commissions, referred to in this Act as the
"commission," is established.

8
10 Sec. 2. Commission membership; chair. The commission consists
of the following 7 members: two Senators, one of whom serves on
the Joint Standing Committee on Business Legislation and one of
12 whom serves on the Joint Standing Committee on State and Local
Government, appointed by the President of the Senate; 2 members
14 of the House of Representatives, one of whom serves on the Joint
Standing Committee on Business Legislation and one of whom serves
16 on the Joint Standing Committee on State and Local Government,
appointed by the Speaker of the House of Representatives; 2
18 members of the public appointed by the Governor; and the
Commissioner of Professional and Financial Regulation or the
20 commissioner's designee. The commission shall, by majority vote,
elect a chair, who must be a legislative member.

22
24 Sec. 3. Appointments; meetings. All appointments must be made
no later than 30 days following the effective date of this Act.
The Executive Director of the Legislative Council must be
26 notified by all appointing authorities once the selections have
been made. The Chair of the Legislative Council shall call the
28 first meeting of the commission no later than 30 days after the
appointment of the members.

30
32 Sec. 4. Duties. The commission shall develop a comprehensive
policy concerning political activity by members of various boards
and commissions.

34 In developing this policy, the commission shall:

36
38 1. Review restrictions on political activities of members
of boards and commissions in other states;

40 2. Review laws of the State that currently regulate
political activities;

42 3. Conduct a survey of state boards and commissions to
determine their assessment of the need for limitations on
44 political activities; and

46 4. Examine mechanisms designed to provide a consistent
approach to regulation of political activity of members of all
48 boards and commissions established in the Maine Revised Statutes,
Title 5, chapter 379.

Sec. 5. Staff assistance. The commission may request staffing assistance from the Legislative Council.

Sec. 6. Reimbursement. Members of the commission who are not state employees may receive expenses, as defined in the Maine Revised Statutes, Title 5, section 12002, upon application to the Executive Director of the Legislative Council for those expenses.

Sec. 7. Report. The commission shall submit its report, together with any necessary implementing legislation, to the Second Regular Session of the 116th Legislature and to the Joint Standing Committee on State and Local Government no later than December 1, 1993.

Sec. 8. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1993-94

LEGISLATURE

Commission to Establish a Comprehensive Policy Concerning Political Activity by Members of Various Boards and Commissions

All Other	\$2,300
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Provides for the appropriation of funds for the travel and miscellaneous expenses of the Commission to Establish a Comprehensive Policy Concerning Political Activity by Members of Various Boards and Commissions.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

FISCAL NOTE

1993-94

APPROPRIATIONS/ALLOCATIONS

General Fund	\$2,300
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This bill provides a General Fund appropriation to the Legislature of \$2,300 in fiscal year 1993-94 for the travel and miscellaneous expenses of the Commission to Establish a

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 19, L.D. 9

Comprehensive Policy Concerning Political Activity by Members of Various Boards and Commissions. The Legislature can absorb any costs related to staffing the commission if meetings are held during the interim between sessions.' '

STATEMENT OF FACT

This amendment replaces Committee Amendment "A". The scope of the original bill and committee amendment was limited to restricting political activity of members of the Workers' Compensation Board. In order to avoid a piecemeal approach to addressing the issue of political activity by members of boards and commissions, this amendment expands the scope of legislation to create a commission charged with establishing a comprehensive policy concerning political activity of members of all state boards and commissions. This amendment adds an emergency preamble, an emergency clause and a fiscal note.

Filed by Rep. Bennett of Norway
Reproduced and distributed under the direction of the Clerk of the House
3/25/93 (Filing No. H-75)