

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 1427

H.P. 1059

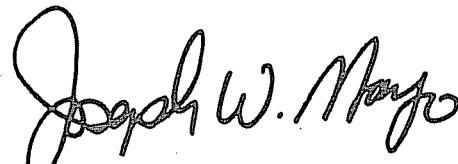
House of Representatives, May 4, 1993

**An Act to Create the Commission to Establish a Comprehensive Policy
Concerning Political Activity by Members of Various Boards and
Commissions.**

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.
Reference to the Committee on State and Local Government suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative JOSEPH of Waterville.
Cosponsored by Representative: BENNETT of Norway.

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,

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

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

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 whom serves on the Joint Standing Committee on State and Local Government, appointed by the President of the Senate; 2 members of the House of Representatives, one of whom serves on the Joint Standing Committee on Business Legislation and one of whom serves on the Joint Standing Committee on State and Local Government, appointed by the Speaker of the House of Representatives; 2 members of the public appointed by the Governor; and the Commissioner of Professional and Financial Regulation or the commissioner's designee. The commission shall, by majority vote, elect a chair, who must be a legislative member.

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 notified by all appointing authorities once the selections have been made. The Chair of the Legislative Council shall call the first meeting of the commission no later than 30 days after the appointment of the members.

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

6 In developing this policy, the commission shall:

8 1. Review restrictions on political activity of members of
10 boards and commissions in other states;

12 2. Review laws of the State that currently regulate
political activity;

14 3. Conduct a survey of state boards and commissions to
16 determine their assessment of the need for limitations on
political activity; and

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

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

26 **Sec. 6. Reimbursement.** Members of the commission who are not
28 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.

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

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

40
42 **STATEMENT OF FACT**

44 This bill creates the Commission to Establish a
Comprehensive Policy Concerning Political Activity by Members of
Various Boards and Commissions.