

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST SPECIAL SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 740, L.D. 1004, Bill, "An Act to Provide Equal Political Rights for Classified State Employees"

Amend the amendment by inserting after the first indented paragraph after the title the following:

'Further amend the bill by inserting after section 1 the following:

'Sec. 2. 5 MRSA §7032, sub-§6-A is enacted to read:

6-A. Employee from the executive branch in the unclassified service. "Employee from the executive branch in the unclassified service" means all executive branch employees listed in section 931, but does not include any elective or constitutional officers listed in that section or their direct appointees.'

Further amend the amendment in the 2nd indented paragraph after the title in the last line (page 1, line 31 in amendment) by inserting after the following: "service" the following: 'as defined in section 7032'

Further amend the amendment by striking out all of the 4th indented paragraph after the title (page 1, lines 39 to 43 in amendment) and inserting in its place the following:

'Further amend the bill in section 5 in that part designated "§7056-A." in subsection 1 in paragraph A in the first line (page 1, line 40 in L.D.) by striking out the following: "an election" and inserting in its place the following: 'a partisan election'

HOUSE AMENDMENT

2 Further amend the bill in section 5 in that part designated
3 "~~§7056-A.~~" in subsection 1 in paragraph A in the 2nd line (page
4 1, line 41 in L.D.) by inserting before the following: "office"
the following: 'elective'

6 Further amend the bill in section 5 in that part designated
7 "~~§7056-A.~~" in subsection 1 in paragraph B in the last line (page
8 1, line 46 in L.D.) by inserting after the following: "activity"
the following: 'as defined in this section'

10 Further amend the bill in section 5 in that part designated
11 "~~§7056-A.~~" in subsection 1 by striking out all of the last
12 blocked paragraph (page 2, lines 6 to 8 in L.D.)

14 Further amend the bill in section 5 in that part designated
15 "~~§7056-A.~~" by striking out all of subsection 2.

17 Further amend the bill in section 5 by renumbering the
18 subsections to read consecutively.'

20 Further amend the amendment on page 2 by inserting after the
21 5th indented paragraph the following:

23 'Further amend the bill in section 5 in that part designated
24 "~~§7056-A.~~" by inserting at the end of subsection 4 the following
25 new blocked paragraph:

27 'As used in this subsection, political activity means to advocate
28 expressly for the election or defeat of any candidate for a
29 federal office, a constitutional office or any candidate for
30 partisan elective municipal, county or state office, including
31 leadership positions in the Senate and the House of
32 Representatives or to solicit contributions reportable under
33 Title 21-A, chapter 13.'

35 Further amend the amendment by inserting before the summary
36 the following:

37 '8. Exemption of official duties. This section may not be
38 construed to apply to any actions taken in order to carry out the
39 duties and responsibilities of an officer's or employee's
40 position, including but not limited to advocacy on policy issues
41 or legislation.

43 Further amend the bill by relettering or renumbering any
44 nonconsecutive Part letter or section number to read
45 consecutively.'

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SUMMARY

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This amendment clarifies the nature of prohibited political
6 activity and makes needed technical changes in the original bill.

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SPONSORED BY: *Patricia L. Hatch*
12 (Representative HATCH)

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TOWN: Skowhegan

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