MAINE STATE LEGISLATURE

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	L.D. 428
2	DATE: 4/26/05 (Filing No. H-194)
4	
6	STATE AND LOCAL GOVERNMENT
8	Minority
10	Reproduced and distributed under the direction of the Clerk of the House.
12	CODA DOS ACATRIS
14	STATE OF MAINE HOUSE OF REPRESENTATIVES 122ND LEGISLATURE
16	FIRST SPECIAL SESSION
18	COMMITTEE AMENDMENT " $\widehat{\mathcal{A}}$ " to H.P. 313, L.D. 428, Bill, "An
20	Act To Require a Nonpartisan Legislature"
22	Amend the bill by striking out the title and substituting the following:
24	
26	'Resolve, Authorizing a Study on the Impact of a Nonpartisan Legislature'
28	Further amend the bill by striking out everything after the title and before the summary and inserting in its place the
30	following:
32	'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after
34	adjournment unless enacted as emergencies; and
36	Whereas, this resolve creates the Commission for a Nonpartisan Legislature in order to identify the potential
38	positive results of having a nonpartisan Legislature; and
40	Whereas, the study must be initiated before the 90-day period expires in order that the study may be completed and a
42	report submitted in time for submission to the next legislative session; and
44	W/homong in the information of the facility of
46	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
48	necessary for the preservation of the public peace, health and safety; now, therefore, be it
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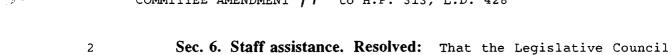
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	COMMITTEE AMENDMENT "A" to H.P. 313, L.D. 428
	Sec. 1. Commission established. Resolved: That the Commission
2	for a Nonpartisan Legislature, referred to in this resolve as "the commission," is established; and be it further
4	the commission, is established, and be it fulther
	Sec. 2. Commission membership. Resolved: That the commission
6	consists of 9 members appointed as follows:
8	1. Two members of the Senate, appointed by the President of the Senate, each of whom serves on the Joint Standing Committee
10	on State and Local Government;
12	2. Three members of the House of Representatives, appointed by the Speaker of the House, each of whom serves on the
14	Joint Standing Committee on State and Local Government;
16	3. A representative of Maine municipal governments who has expertise in municipal governing practices, appointed by the
18	President of the Senate;
20	4. A representative of the Commission on Governmental Ethics and Election Practices who has expertise in campaign
22	finance, appointed by the President of the Senate;

- A representative of the Department of the Secretary of 24 State, Bureau of Corporations, Elections and Commissions who has 26 expertise in elections, appointed by the Speaker of the House; and
- 28 A representative of a minor political party unenrolled politician who has expertise in public service outside of the 2 major political parties, appointed by the Speaker of the 30 House; and be it further
- Sec. 3. Chairs. Resolved: That the first-named Senate member is the Senate chair of the commission and the first-named House 34 of Representatives member is the House chair of the commission; and be it further 36
 - Sec. 4. Appointments; convening of commission. Resolved: all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. Within 15 appointment of all members, the chairs shall call and convene the first meeting of the commission, which must be no later than June 30, 2005; and be it further
- Sec. 5. Duties. Resolved: That the commission shall examine the possibilities for developing a nonpartisan Legislature by 48 holding 4 public hearings and public work sessions; and be it 50 further

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be it further

Sec. 7. Compensation. Resolved: That the legislative members of the commission are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for travel and other necessary expenses related to their attendance at authorized meetings of the commission. Public members not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses and, upon a demonstration of financial hardship, a per diem equal to the legislative per diem for their attendance at authorized meetings of the commission; and be it further

shall provide necessary staffing services to the commission; and

Sec. 8. Report. Resolved: That, no later than October 30, 2005, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 122nd Legislature. The commission is authorized to introduce legislation related to its report to the Second Regular Session of the 122nd Legislature at the time of submission of its report; and be it further

Sec. 9. Extension. Resolved: That, if the commission requires a limited extension of time to complete its study and make its report, it may apply to the Legislative Council, which may grant an extension; and be it further

- Sec. 10. Commission budget. Resolved: That the chairs of the commission, with assistance from the commission staff, shall administer the commission's budget. Within 10 days after its first meeting, the commission shall present a work plan and proposed budget to the Legislative Council for its approval. The commission may not incur expenses that would result in the commission's exceeding its approved budget. Upon request from the commission, the Executive Director of the Legislative Council shall promptly provide the commission chairs and staff with a status report on the commission budget, expenditures incurred and paid and available funds.
- **Emergency clause.** In view of the emergency cited in the preamble, this resolve takes effect when approved.'



COMMITTEE AMENDMENT "A" to H.P. 313, L.D. 428

2	SUMMARY
4	This is the minority report of the committee. The amendment replaces the concept draft with a resolve establishing the
6	Commission for a Nonpartisan Legislature to conduct a study of the impact of a nonpartisan Legislature.
8	
10	EICCAL NOTE DEOLIDED
12	FISCAL NOTE REQUIRED (See attached)

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122nd MAINE LEGISLATURE

LD 428

LR 1519(02)

An Act to Require a Nonpartisan Legislature

Fiscal Note for Bill as Amended by Committee Amendment

Committee: State and Local Government

Fiscal Note Required: Yes

Minority Report

Fiscal Note

Current Costs - Legislative Study

Legislative Study

The projected costs to fund the general operating expenses of the Commission for a Nonpartisan Legislature are \$6,030 in fiscal year 2005-06. The Legislature's Part I budget includes \$30,000 in fiscal year 2005-06 and \$20,000 in fiscal year 2006-07 for legislative studies. Whether the amounts are sufficient to fund all studies will depend on the number of studies authorized by the Legislative Council and the Legislature.

Fiscal Detail and Notes

The additional costs associated with participating on the commission can be absorbed by the Maine Commission on Governmental Ethics and Election Practices and the Department of the Secretary of State.