

# MAINE STATE LEGISLATURE

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Senate Legislative Record  
One Hundred and Twenty-First Legislature  
State of Maine

Volume III

Second Special Session (Continued)  
March 22, 2004 to April 30, 2004

Second Confirmation Session  
August 25, 2004

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In accordance with the provisions of Article IX, Section 23 of the Constitution, this requires the affirmative vote of two-thirds of the entire elected Membership of the Senate, 35 Senators having voted in the affirmative and no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

**Emergency Resolve**

Resolve, Regarding Legislative Review of Portions of Chapter 1: Procedures and Portions of Chapter 3: Maine Clean Election Act and Related Provisions, Major Substantive Rules of the Commission on Governmental Ethics and Election Practices  
H.P. 1392 L.D. 1868  
(C "A" H-835)

Tabled - April 8, 2004, by Senator **TREAT** of Kennebec

Pending - **FINAL PASSAGE**, in **NON-CONCURRENCE**

(In Senate, April 5, 2004, **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.)

(In House, April 7, 2004, **FAILED FINAL PASSAGE**.)

On motion by Senator **GAGNON** of Kennebec, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-835)**, in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-503) **READ**.

**THE PRESIDENT:** The Chair recognizes the Senator from Kennebec, Senator Gagnon.

Senator **GAGNON:** Thank you, Madame President, men and women of the Senate. This amendment simply removes the emergency enactor from the bill, having failed to receive passage down at the other body. These are election laws and by removing the emergency it pushes us into the middle of an election cycle. There will be a follow up amendment from the good Senator from Sagadahoc, Senator Mayo, following this amendment, if we can get this on. Thank you.

On further motion by same Senator, Senate Amendment "A" (S-503) **ADOPTED**.

On motion by Senator **MAYO** of Sagadahoc, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-835), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-504) to Committee Amendment "A" (H-835) **READ**.

**THE PRESIDENT:** The Chair recognizes the Senator from Sagadahoc, Senator Mayo.

Senator **MAYO:** Thank you, Madame President, ladies and gentlemen of the Senate. This is a somewhat technical amendment. What it does is place the date for the adoption of these rules at January 1, 2005. The reason that this amendment is coming forward is that with the adoption of the previous amendment these rules would take effect between the upcoming election cycle. They would take effect after the primary and before the general election. It is my feeling, and the feeling of many, to change the rules of the ballgame once the ballgame has started is very unfortunate and confusing to the candidates.

Purely by happenstance, before I left Bath this morning before 7:00, I happened to open my e-mail and I had an e-mail from a treasurer of one of these people running for re-election in the House. It happened to be the candidate's wife. She was very concerned that this bill, prior to this amendment being adopted, was going to necessitate a change in how she operated in reporting expenditures. I hope that my response to her, explaining that, hopefully, this amendment would pass today, would clarify that. The rules take effect January 1, 2005, as we start a new election cycle. I would urge your adoption of this amendment. Thank you.

On further motion by same Senator, Senate Amendment "A" (S-504) to Committee Amendment "A" (H-835) **ADOPTED**.

Committee Amendment "A" (H-835) as Amended by Senate Amendment "A" (S-504) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-835) AS AMENDED BY SENATE AMENDMENT "A" (S-504) thereto, AND SENATE AMENDMENT "A" (S-503), in NON-CONCURRENCE**.

Sent down for concurrence.

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All matters thus acted upon were ordered sent down forthwith for concurrence.

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Senate at Ease.

Senate called to order by the President.

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Off Record Remarks

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