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Date: (Filing No. S-)

VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE

SENATE

129TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT “ ” to S.P. 643, L.D. 1871, Bill, “An Act To Modify the Financial Disclosure Requirements for a Governor-elect”

Amend the bill in section 1 in §1051 in subsection 3 in paragraph E in the last line (page 2, line 14 in L.D.) by inserting after the following: "funds" the following: 'and satisfies all debts and loans'

Amend the bill in section 1 in §1051 by striking out all of subsection 9 (page 3, lines 4 to 11 in L.D.) and inserting the following:

'9. Enforcement and penalty. The commission shall administer and enforce this subchapter. A person who violates this subchapter is subject to a civil penalty not to exceed \$10,000, payable to the State and recoverable in a civil action. In assessing a civil penalty under this subsection, the commission shall consider, among other things, whether the person made a bona fide effort to comply with the requirements of this section, whether the violation occurred as the result of an error by a vendor, consultant or other party outside the control of the person and whether evidence is present that the person intended to conceal or misrepresent its financial activities.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment, which is the majority report of the committee, clarifies that a committee established to finance a Governor-elect's transition to office and inauguration must file financial disclosure statements with the Commission on Governmental Ethics and Election Practices until it not only disposes of all surplus funds but also satisfies all outstanding debts and loans.

The amendment also clarifies that, when the Commission on Governmental Ethics and Election Practices decides whether to assess a penalty for violations of the law governing transition committees, it must consider the factors established in the bill both when the violation was committed by the transition committee and the penalty will be

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT “ ” to S.P. 643, L.D. 1871

1 assessed against the committee and when the violation was committed by another person
2 and the penalty will be assessed against that person.

3

FISCAL NOTE REQUIRED

4

(See attached)