

# TrueDialog.ORG

*For a more Authentic Democracy*

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**For Immediate Release**

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## **ETHICS COMMISSION CHAIR TO “JUST SIT” WITH ALLEGATIONS**

Questions about Former Chair Ginn Marvin’s Conduct & Qualifications Still Unanswered

PORTLAND, MAINE, August 9, 2007 – Newly elected Ethics Commission Chair Michael Friedman esq. has refused a request by TrueDialog.org to have a discussion of his colleague and predecessor’s conduct and qualifications, former Commission Chair Jean Ginn Marvin, placed on the agency’s agenda for a session scheduled on next Monday, August 13.

TrueDialog.org Founder Carl Lindemann made the request on Monday, August 6 by submitting a brief to Commissioners. In it, he asked that they adopt an “Above Reproach” approach to address issues surrounding the discovery that former Commission Chair Ginn Marvin had failed to disclose her Maine Heritage Policy Center board membership in her required “qualification-to-serve” form before her appointment to the Commission.

The “Above Reproach” approach offers as an alternative to the novel “It Just Sits There” doctrine proposed by Assistant Attorney General Phyllis Gardiner at the previous Commission meeting on July 16. That suggests that it is sufficient for a Commissioner to personally dismiss allegations of statutory violations of the state ethics laws regulated by the Commission:

...Any Commission member whose qualifications are challenged, or whose activities are challenged, can answer that individually as to their reasoning as to why they feel they’re able to continue serving and have not engaged in prohibited activities and then it just sits there. (emphasis added)

In contrast, the suggested “Above reproach” approach calls for the Commission to take a proactive stance to demonstrate that Commissioners are subject to the same laws they enforce. Beyond addressing concerns specific to Ginn Marvin, this includes requiring annual disclosures from Commissioners like those already mandatory for legislators.

Late Tuesday afternoon, Commission Chair Michael Friedman refused the request. Commission Executive Director Jonathan Wayne explained, "The Chair does not believe that it is the Commission's place to disqualify or dispel Commissioners." According to Wayne, Friedman promises to issue a written explanation. It is unclear whether the Ethics Commission Chair will allow public comment on his decision during the session scheduled for August 13.

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About: True Dialog.org, was recently founded in Portland, Maine with a mission “to encourage and empower citizens to demand authenticity in public life”. Visit [www.TrueDialog.org/news](http://www.TrueDialog.org/news) for the latest updates as well as additional information and documentation.