

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

SECOND REGULAR SESSION-1992

Legislative Document

No. 2299

S.P. 894

In Senate, February 6, 1992

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.
Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator GAUVREAU of Androscoggin
Cosponsored by Representative PARADIS of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-TWO

An Act Relating to Legislative Confirmation Hearings.



Be it enacted by the People of the State of Maine as follows:

2 **Sec. 1. 3 MRSA §151, 5th ¶**, as enacted by PL 1975, c. 771,
4 §11, is amended to read:

6 The ~~Joint-Standing-Committee~~ joint standing committee shall
8 hold a public hearing on the nomination in Augusta at a time
convenient to the public. Notice of the hearing shall must be
10 published in the state paper at least 7 days before the hearing.
The notice shall must contain the time and place of the hearing,
12 the name of the nominee, the office to which such that person has
been nominated and a general description of the duties of that
14 office. At the hearing, the committee shall take written or oral
testimony which shall must be limited to relevant comments and
16 questions regarding the qualifications of the nominee to carry
out the duties of the office. The hearing must be held within 45
18 days of the Governor's written notice of the nomination to the
President of the Senate and the Speaker of the House of
Representatives.

20 **Sec. 2. 3 MRSA §151, 6th ¶**, as amended by PL 1989, c. 25, is
22 further amended to read:

24 The committee shall recommend confirmation or denial by
majority vote of committee members present and voting. The vote
26 of the committee shall--be is taken only upon an affirmative
motion to recommend confirmation of the nominee. A tie vote of
28 the committee shall--be is considered a recommendation of denial.
The vote shall must be taken no later than 30 20 days from the
30 date of the Governor's ~~written notice of the nomination to the~~
~~President--of--the--Senate--and--the--Speaker--of--the--House--of~~
32 ~~Representatives~~ hearing. The committee vote shall--be is by the
yeas and nays.

34 **Sec. 3. 3 MRSA §151, 7th ¶**, as enacted by PL 1975, c. 771,
36 §11, is amended to read:

38 The chairman of the committee shall send written notice of
the committee's recommendation to the President of the Senate.
40 The committee's recommendation shall--be is reviewed by the
Senate, which shall vote by the yeas and nays on every such
42 recommendation. Upon review and vote by the Senate, the
committee's recommendation shall--become becomes final action of
44 confirmation or denial unless the Senate by vote of 2/3 of those
members present and voting overrides the committee's
46 recommendation. The vote of the Senate shall must be taken no
later than 45 80 days from the date of the Governor's written
48 notice of the nomination to the President of the Senate and the
Speaker of the House of Representatives.

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STATEMENT OF FACT

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This bill extends the period of time available to legislative committees to schedule hearings on and vote on the confirmation or denial of a gubernatorial nominee. This bill also allows the Senate extra time in which to vote on the committee's recommendation.

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