

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

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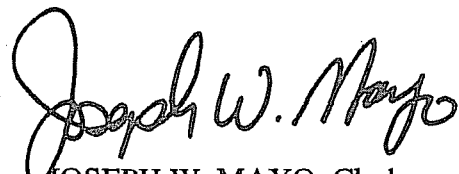
H.P. 825

House of Representatives, April 1, 1993

**Resolve, to Create the Commission to Establish Criteria and
Qualifications for Certain State Officers.**

(EMERGENCY)

Reference to the Committee on State and Local Government suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative LIBBY of Buxton.

Emergency preamble. Whereas, Acts and resolves of the
Legislature do not become effective until 90 days after
adjournment unless enacted as emergencies; and

Whereas, the review proposed by this resolve must be
initiated before the 90-day period expires in order that the
review may be completed and a report submitted in time for the
next legislative session; and

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
necessary for the preservation of the public peace, health and
safety; now, therefore, be it

Sec. 1. Commission established. Resolved: That the Commission
to Establish the Criteria and Qualifications for Certain State
Officers, referred to in this resolve as the "commission," is
established; and be it further

Sec. 2. Commission membership. Resolved: That the commission
consists of the following 13 members: the Secretary of State or a
designee; the Attorney General or a designee; the Treasurer of
State or a designee; the State Auditor or a designee; 2 Senators,
appointed by the President of the Senate; 4 members of the House
of Representatives, appointed by the Speaker of the House of
Representatives; and 3 members appointed by the Governor; and be
it further

Sec. 3. Appointments; meetings. Resolved: That all
appointments must be made no later than 30 days following the
effective date of this resolve. The Executive Director of the
Legislative Council must be notified by all appointing
authorities once the selections have been made. When the
appointment of all members has been completed, the Chair of the
Legislative Council shall call and convene the first meeting of
the commission no later than August 1, 1993. The commission
shall select a chair from among its members; and be it further

Sec. 4. Definition. Resolved: That, as used in this resolve,
"state officers" means the Secretary of State, the Attorney
General, the Treasurer of State and the State Auditor; and be it
further

Sec. 5. Duties. Resolved: That the commission shall examine
the responsibilities and duties of state officers and establish
the necessary criteria and qualifications for the individuals
holding those positions. In conducting the review, the
commission shall examine the education and experience necessary
for performing the

2 duties required of state officers. In conducting its review, the
3 commission shall hold at least one public hearing; and be it
4 further

6 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council
7 shall provide staffing assistance for the commission; and be it
8 further

10 **Sec. 7. Funding; compensation. Resolved:** That interested
11 persons and organizations may provide outside sources of funding
12 to finance the activities of the commission. The Legislative
13 Council shall administer any outside funds acquired for the
14 conduct of the review. Expenditures may not be incurred that
15 have an impact on the General Fund. Expenditures may not be
16 incurred relative to this review until the outside sources of
17 funding have been received by the Legislative Council. Members
18 of the commission are entitled to expenses from any such funding
19 upon application to the Executive Director of the Legislative
20 Council; and be it further

22 **Sec. 8. Report. Resolved:** That the commission shall submit
23 its report, together with any necessary implementing legislation,
24 to the Second Regular Session of the 116th Legislature and the
25 Joint Standing Committee on State and Local Government no later
26 than November 1, 1993.

28 **Emergency clause.** In view of the emergency cited in the
29 preamble, this resolve takes effect when approved.

30 STATEMENT OF FACT

32 This resolve creates the Commission to Establish the
33 Criteria and Qualifications for Certain State Officers. The
34 responsibilities and duties of the Secretary of State, the
35 Treasurer of State, the Attorney General and the State Auditor
36 will be reviewed for the purpose of establishing criteria and
37 qualifications for the individuals holding those positions.
38