

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2005

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Legislative Document

No. 1599

S.P. 573

In Senate, April 26, 2005

### **An Act Regarding the Commission on Governmental Ethics and Election Practices**

(AFTER DEADLINE)

(EMERGENCY)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Legal and Veterans Affairs 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 GAGNON of Kennebec.  
Cosponsored by Representative PATRICK of Rumford.

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

4  
6                   **Whereas,** this legislation needs to take effect before the  
expiration of the 90-day period in order to ensure that a  
nomination to the Commission on Governmental Ethics and Election  
8 Practices to fill a vacancy created by an expired term is subject  
to review by the joint standing committee of the Legislature  
10 having jurisdiction over legal affairs and to confirmation by the  
Legislature; and

12  
14                   **Whereas,** in the judgment of the Legislature, these facts  
create an emergency within the meaning of the Constitution of  
16 Maine and require the following legislation as immediately  
necessary for the preservation of the public peace, health and  
18 safety; now, therefore,

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

22                   **Sec. 1. 1 MRSA §1002, sub-§1-A, ¶G,** as enacted by PL 2001, c.  
470, §2, is amended to read:

24                   G. Upon a vacancy created by an expired term, the vacancy  
26 must be filled as provided in this paragraph. The nominee  
must be appointed by the Governor from a list of 3 qualified  
28 candidates provided by the leader of the party from the body  
of the Legislature that suggested the appointee whose term  
expired. When a vacancy is created by an expired term of  
30 the commission member who was appointed from the list of  
candidates presented to the Governor by the leaders of each  
32 party of each body of the Legislature jointly, the nominee  
must be appointed from a list of 3 qualified candidates  
34 provided jointly by the leaders of each party of each body  
of the Legislature. Nominees appointed pursuant to this  
36 paragraph are subject to review by the joint standing  
committee of the Legislature having jurisdiction over legal  
38 affairs and to confirmation by the Legislature.

40                   **Emergency clause.** In view of the emergency cited in the  
preamble, this Act takes effect when approved.

42  
44                   **SUMMARY**

46                   This bill provides that a nominee to the Commission on  
Governmental Ethics and Election Practices appointed by the  
48 Governor to fill a vacancy created by an expired term is subject

2 to review by the joint standing committee of the Legislature  
having jurisdiction over legal affairs and to confirmation by the  
Legislature.