

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1136

H.P. 829

House of Representatives, March 7, 2007

An Act To Amend the Commission on Governmental Ethics and Election Practices' Appointment Process

Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CANAVAN of Waterville.
Cosponsored by President EDMONDS of Cumberland and
Representatives: ADAMS of Portland, CONOVER of Oakland, CROCKETT of Augusta,
FLETCHER of Winslow, HOTHAM of Dixfield, McKANE of Newcastle, PATRICK of
Rumford, Senator: SNOWE-MELLO of Androscoggin.

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

2 **Sec. 1. 1 MRSA §1002, sub-§1-A, ¶F,** as amended by PL 2005, c. 295, §1, is
3 further amended to read:

4 F. Upon a vacancy during an unexpired term, the term must be filled as provided in
5 this paragraph for the unexpired portion of the term only. The nominee must be
6 appointed by the Governor from a list of 3 qualified candidates provided by the
7 leader of the party from the body of the Legislature that suggested the appointee who
8 created the vacancy. If the vacancy during an unexpired term was created by the
9 commission member who was appointed from the list of candidates presented to the
10 Governor by the leaders of each party of each body of the Legislature jointly, the
11 nominee must be appointed from a list of 3 qualified candidates provided jointly by
12 the leaders of each party of each body of the Legislature. If the list of 3 qualified
13 candidates required by this paragraph is not produced within 60 days after the
14 vacancy is created, then the Governor shall appoint a candidate as the Governor
15 determines within the subsequent 30 days. Nominees appointed pursuant to this
16 paragraph are subject to review by the joint standing committee of the Legislature
17 having jurisdiction over election practices and legislative ethics and to confirmation
18 by the Legislature.

19 **Sec. 2. 1 MRSA §1002, sub-§1-A, ¶G,** as amended by PL 2005, c. 295, §1, is
20 further amended to read:

21 G. Upon a vacancy created by an expired term, the vacancy must be filled as
22 provided in this paragraph. The nominee must be appointed by the Governor from a
23 list of 3 qualified candidates provided by the leader of the party from the body of the
24 Legislature that suggested the appointee whose term expired. When a vacancy is
25 created by an expired term of the commission member who was appointed from the
26 list of candidates presented to the Governor by the leaders of each party of each body
27 of the Legislature jointly, the nominee must be appointed from a list of 3 qualified
28 candidates provided jointly by the leaders of each party of each body of the
29 Legislature. If the list of 3 qualified candidates required by this paragraph is not
30 produced within 60 days after the vacancy is created, then the Governor shall appoint
31 a candidate as the Governor determines within the subsequent 30 days. Nominees
32 appointed pursuant to this paragraph are subject to review by the joint standing
33 committee of the Legislature having jurisdiction over election practices and
34 legislative ethics and to confirmation by the Legislature.

35 **SUMMARY**

36 This bill requires the parties to submit a list of nominees for a vacancy on the
37 Commission on Governmental Ethics and Election Practices within 60 days of the
38 vacancy or the Governor has the power within 30 days after to appoint a nominee as the
39 Governor determines.