

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 1232

H.P. 852

House of Representatives, March 26, 2009

**Resolve, Establishing a Committee To Study the Legislative
Confirmation Process**

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative HASKELL of Portland.

1 **Sec. 1. Committee established. Resolved:** That the Committee To Study the
2 Legislative Confirmation Process, referred to in this resolve as "the committee," is
3 established; and be it further

4 **Sec. 2. Committee membership. Resolved:** That the committee consists of 12
5 members appointed as follows:

- 6 1. Three members of the Senate, appointed by the President of the Senate;
- 7 2. Five members of the House of Representatives, appointed by the Speaker of the
8 House;
- 9 3. Two members of the public, appointed by the President of the Senate;
- 10 4. One member of the public, appointed by the Speaker of the House; and
- 11 5. One member of the public, appointed by the Governor; and be it further

12 **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate
13 chair and the first-named House of Representatives member is the House chair of the
14 committee; and be it further

15 **Sec. 4. Appointments; convening of committee. Resolved:** That,
16 notwithstanding Joint Rule 353, section 7, all appointments must be made prior to
17 December 31, 2009. The appointing authorities shall notify the Executive Director of the
18 Legislative Council once all appointments have been made. When the appointment of all
19 members has been completed, the chairs of the committee shall call and convene the first
20 meeting of the committee by January 15, 2010; and be it further

21 **Sec. 5. Duties. Resolved:** That the committee shall thoroughly review the
22 legislative confirmation process with the goal of reporting on the best ways to streamline
23 and improve the process. In reviewing the process, the committee shall:

- 24 1. Review the final report of the Committee To Develop a Total Quality
25 Management Plan from September 1, 1992 concerning the legislative confirmation
26 process that resulted in new legislation concerning the subject. The committee shall also
27 review the reasons given for the need for improving the process and what was
28 recommended and what was implemented;
- 29 2. Identify the existing issues surrounding the nomination and confirmation process,
30 such as time constraints, the number of confirmations required, background checks and
31 dealing with negative information and confidentiality, and identify ways to improve
32 problems within the process that have been discovered; and be it further

33 **Sec. 6. Report. Resolved:** That, notwithstanding Joint Rule 353, section 7, the
34 committee shall submit a report no later than March 15, 2010 that includes its findings
35 and recommendations, including suggested legislation, to the Joint Standing Committee
36 on State and Local Government. Pursuant to Joint Rule 353, the committee is not
37 authorized to introduce legislation. Upon receipt of the report required by this section, the

1 Joint Standing Committee on State and Local Government may, pursuant to Joint Rule
2 353, introduce a bill during the Second Regular Session of the 124th Legislature to which
3 the report is submitted to implement its recommendations on matters relating to the study.

4

SUMMARY

5 This resolve establishes a committee to examine the legislative confirmation process
6 with the goal of reporting on the best ways to streamline and improve the process. The
7 committee will review the final report of the Committee To Develop a Total Quality
8 Management Plan from September 1, 1992 concerning the legislative confirmation
9 process that resulted in new legislation concerning the subject and review the reasons
10 given for the need for improving the process and what was recommended and what was
11 implemented. The committee will identify the existing issues surrounding the nomination
12 and confirmation process, such as time constraints, the number of confirmations required,
13 background checks and dealing with negative information and confidentiality, and
14 identify ways to improve problems within the process that have been discovered. The
15 committee will report to the Joint Standing Committee on State and Local Government in
16 the Second Regular Session with recommendations and suggested legislation. The joint
17 standing committee is authorized to report out a bill on this subject.