

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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

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

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

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

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

G. Upon a vacancy created by an expired term, the vacancy must be filled as provided in this paragraph. The nominee must be appointed by the Governor from a list of 3 qualified 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 the commission member who was appointed from the list of candidates presented to the Governor by the leaders of each party of each body of the Legislature jointly, the nominee must be appointed from a list of 3 qualified candidates provided jointly by the leaders of each party of each body of the Legislature. If the list of 3 qualified candidates required by this paragraph is not produced within 60 days after the vacancy is created, then the Governor shall appoint a candidate as the Governor determines within the subsequent 30 days. Nominees appointed pursuant to this paragraph are subject to review by the joint standing committee of the Legislature having jurisdiction over election practices and legislative ethics and to confirmation by the Legislature.

### **SUMMARY**

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