

## 1 M.R.S.A. § 1002. Commission on Governmental Ethics and Election Practices

### 1. Membership. (REPEALED)

**1-A. Membership.** The Commission on Governmental Ethics and Election Practices, established by Title 5, section 12004-G, subsection 33 and referred to in this chapter as the “commission,” consists of five members appointed as follows.

A. By December 1, 2001 and as needed after that date, the appointed leader from each political party in the Senate and the appointed leader from each political party in the House of Representatives jointly shall establish and advertise a 30-day period to allow members of the public and groups and organizations to propose qualified individuals to be nominated for appointment to the commission.

B. By January 1, 2002 and as needed after that date, the appointed leader from each political party in the Senate and the appointed leader from each political party in the House of Representatives each shall present a list of three qualified individuals to the Governor for appointment of four (4) members to the commission. The appointed leadership from each party in both bodies of the Legislature jointly shall present a list of three qualified individuals to the Governor for appointment of a fifth member to the commission.

C. By March 15, 2002, the Governor shall appoint the members of the commission selecting one member from each of the lists of nominees presented in accordance with paragraph A. These nominees are subject to review by the joint standing committee of the Legislature having jurisdiction over legal affairs and confirmation by the Legislature. No more than two (2) commission members may be enrolled in the same party.

D. Two initial appointees are appointed for one-year terms, two are appointed for two-year terms and one is appointed for a three-year term, according to a random lot drawing under the supervision of the Secretary of State. Subsequent appointees are appointed to serve three-year terms. A person may not serve more than two consecutive terms, except that if a person is initially appointed to fill the unexpired portion of a term to fill a vacancy under paragraph F and that portion is less than ~~one year~~ two years, the person may serve two consecutive full terms thereafter.

E. The commission members shall elect one member to serve as chair for at least a two-year term.

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 three (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 three (3) qualified candidates provided jointly by the leaders of each party of each body of the Legislature. If the list of three (3) qualified candidates required by this paragraph to be presented to the Governor by the leaders of each party from each body of the Legislature is not produced within 60 days after the vacancy is created, then the leaders of each party from both bodies of the Legislature shall present within the subsequent 15 days a separate list of three (3) qualified candidates to the Governor, who shall appoint a candidate from these lists

within 30 days of receiving the lists. 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.

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 three (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 three (3) qualified candidates provided jointly by the leaders of each party of each body of the Legislature. If the list of three (3) qualified candidates required by this paragraph to be presented to the Governor by the leaders of each party from each body of the Legislature is not produced within 60 days after the vacancy is created, then the leaders of each party from both bodies of the Legislature shall present within the subsequent 15 days a separate list of three (3) qualified candidates to the Governor, who shall appoint a candidate from these lists within 30 days of receiving the lists. 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.

H. For the purposes of this subsection, “political party” has the same meaning as “party” as defined by Title 21-A, section 1, subsection 28.

**2. Qualifications.** The members of the commission must be persons of recognized judgment, probity and objectivity. A person may not be appointed to this commission who is a member of the Legislature or who was a member of the previous Legislature, who was a declared candidate for an elective county, state or federal office within two years prior to the appointment or who now holds an elective county, state or federal office. A person may not serve on the commission who is an officer, director, employee or primary decision maker of a party committee, political action committee or candidate committee authorized under Title 21-A, section 1013-A, subsection 1, paragraph B.

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