

**WHO IS DOING WHAT AT THIS STEP?**

**Significant Milestones**

**Committee**

**Legislative Information Office**

***Step 1.....***

**GOVERNOR POSTS  
THE NOMINATION**

Governor simultaneously delivers notification to the President & Speaker, and to Legislative Information Office. Information packet which accompanies this notification must include background information & questionnaire that the nominee has provided to the Governor.

- The date of posting is a critical date as it establishes the beginning of the statutory time frames for both Committee action and the Senate's final vote on the Committee's recommendation.

Note: If the Governor posts a nomination within 30 days preceding the statutory adjournment date, committee may, by a 2/3 vote, request President & Speaker to delay the review.

- Office receives Posting and Information Packet from Governor's Office, and immediately contacts Chairs to schedule.
- Office establishes official file for nominee, which is subject to statutory provisions regarding confidentiality.

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**Committee**

**Legislative Information Office**

*Step 2.....*

**PRESIDING OFFICERS  
“REFER” THE  
NOMINATION**

Secretary of the Senate sends letter  
to Chairs of Committee of jurisdiction.

**WHO IS DOING WHAT AT THIS STEP?**

**Significant Milestones**

**Committee**

**Legislative Information Office**

*Step 3.....*

**PLANNING & SCHEDULING  
THE PREHEARING  
CONFERENCE**

- Prehearing Conference is optional; if held, it must be held within 21 days of the posting date.
- If the Committee decides to go into executive session, this must be done using the procedures specified in 1 MRSA §405.

- Committee Chairs decide whether to hold a Prehearing Conference.
- Committee Chairs work with Legislative Information Office to schedule Prehearing Conference.
- Committee may go into executive session if it determines this is necessary to avoid damage to the nominee’s reputation or that there are issues that should be discussed privately.
- Determine whether to ask partisan assistants to prepare additional background information.
- Notify the nominee of all actions taken and decisions made at the Prehearing Conference.

- Work with Committee Chairs to schedule Prehearing Conference.

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**Step 4.....**

**SCHEDULING  
THE PUBLIC HEARING**

The public hearing must be held within the following statutory time frames:

- 30 days for nonjudicial nominees
- 35 days for judicial officers

The hearing must be advertised in at least 2 newspapers at least 7 days prior to the date of the public hearing.

*Note: Additional time for contacting committee members and preparing notices requires at least a 10 day time period prior to hearing date.*

- Chairs contact the Legislative Information Office as soon as possible to schedule the public hearing.

- Upon contact by chairs, notify nominee of hearing date. *Interim only: Contact all committee members to confirm a quorum will be present.*
- Prepare hearing notice for advertising and internal distribution.
- Send written notice and job description to nominee.
- Send hearing notice, resume and questionnaire to all Committee members.
- Receive written comments and other materials regarding the nominee for the file.
- Prepares “script” for Committee Chairs and information file for each Committee member and Clerk.
- Session: Work with the Committee Clerk to ensure that all necessary arrangements have been made for the hearing.
- Interim: Assign a Clerk to staff the hearing.

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***Step 5.....***



The Confirmation Hearing provides an opportunity for members of the committee and of the general public to review the nominee’s qualifications.

The Presiding Chair opens the hearing, briefly states the purpose of the hearing, and then introduces a representative from the Governor’s Office, who presents the nominee. Following questions by Committee members to the Governor’s representative, the Chair introduces the nominee, who then addresses the Committee.

Following introduction of the nominee and the nominee’s own statement, the Committee will take testimony from others who are present to speak for the nominee, to oppose the nomination, or to provide information without taking a position on the specific nomination.

The Committee may take testimony under oath.

- Chairs preside at confirmation hearing.
- Introduction of nominee by representative from Governor’s Office.
- Statement by nominee.
- Public testimony.
- Committee members may ask questions of persons who testify.
- Chair closes the hearing.

The Clerk:

- Distributes files to Committee members.
- Takes attendance.
- Distributes written materials & testimony to Committee members.
- Maintains “sign-in” sheet for people who testify.
- Records the hearing.

**WHO IS DOING WHAT AT THIS STEP?**

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**Committee**

**Legislative Information Office**

***Step 6.....***



The Committee’s vote represents its recommendation regarding the nomination to the Senate.

The Committee must vote on the nomination within 35 days of the posting date (40 days for judicial officers).

Pursuant to law, the Committee must wait at least 15 minutes after the Chair closes the hearing, unless all committee members who are present agree to proceed immediately.

The law requires the vote to be a roll call vote. Committee members **must be present to vote**, and the vote may not be modified except upon a proper motion for reconsideration.

If the vote is a tie vote, the Committee’s recommendation is deemed by law to be a recommendation for denial to the Senate.

- The Chairs oversee a roll call vote by the Committee.
- The Committee votes.
- Sign the letter to the Senate President that reports the Committee’s recommendation and the results of the votes.

- Clerk will call the roll of the Committee and announce the vote.
- The Clerk records the motion and the votes.
- The Clerk promptly reports the Committee’s action to the Legislative Information Office.
- Legislative Information Office prepares the letter for the Chairs signature notifying the Senate President of the committee’s recommendation. The letter is transmitted to the Senate.

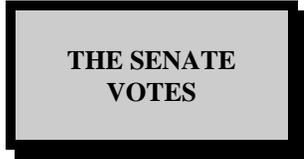
**WHO IS DOING WHAT AT THIS STEP?**

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**Committee**

**Legislative Information Office**

***Step 7.....***



The Senate must vote on the Committee's recommendation within 45 days of the posting date (50 days for judicial nominees).

When the Legislature is in regular session, the committee recommendations on gubernatorial nominations appear on the regular printed Calendar.

If the Legislature has adjourned sine die, the Senate President convenes the Senate in a Confirmation Session.

The Senate votes by a roll call vote to accept or reject the Committee's recommendation.

The Committee's recommendation becomes final unless it is overridden by 2/3 of the Senators present and voting.

- Archive the official "master file" and transmit to the Law Library.

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