

IS ABOUT TO OCCUR IN THE OFFICE OF THE STATE PROSECUTOR, THE COMMISSION SHALL SEEK AND REVIEW APPLICATIONS OF PROPOSED NOMINEES FOR THE POSITION.

(2) THE COMMISSION SHALL NOTIFY THE MARYLAND STATE BAR ASSOCIATION, INCORPORATED, OF THE VACANCY, AND SHALL REQUEST RECOMMENDATIONS FROM THAT ASSOCIATION.

(3) THE COMMISSION SHALL ALSO SEEK RECOMMENDATIONS FROM INTERESTED CITIZENS AND GROUPS AND FROM MEMBERS OF THE COMMISSION.

(B) NOMINATION PROCESS.

THE COMMISSION SHALL INTERVIEW AND EVALUATE EACH ELIGIBLE APPLICANT AND SHALL SELECT AND NOMINATE TO THE GOVERNOR THE NAME OF THE INDIVIDUAL OR INDIVIDUALS IT FINDS TO BE LEGALLY AND PROFESSIONALLY QUALIFIED BY A VOTE, TAKEN BY SECRET BALLOT, OF A MAJORITY OF THE ENTIRE AUTHORIZED MEMBERSHIP OF THE COMMISSION.

(C) REPORT OF NOMINATION TO GOVERNOR.

THE COMMISSION SHALL REPORT TO THE GOVERNOR, IN WRITING, THE NAME OF THE INDIVIDUAL OR INDIVIDUALS IT NOMINATES WITHIN 70 DAYS AFTER NOTIFICATION THAT A VACANCY EXISTS OR IS ABOUT TO OCCUR.

(D) REJECTION OF NOMINEE.

(1) THE GOVERNOR MAY REJECT THE NOMINEE FOR CAUSE, IN WHICH EVENT THE COMMISSION SHALL SUBMIT ANOTHER NOMINEE.

(2) IF THE GOVERNOR REJECTS THE NOMINEE, THE GOVERNOR SHALL STATE IN WRITING TO THE COMMISSION THE REASONS FOR THE REJECTION.

(3) THIS STATEMENT IS CONFIDENTIAL, SECRET, AND PRIVILEGED.

(4) THE COMMISSION MAY MAKE THE STATEMENT PUBLIC.

(5) A COPY OF THE STATEMENT SHALL BE FURNISHED TO THE NOMINEE.

(6) THE STATEMENT SHALL BE CONFIDENTIAL AND PRIVILEGED UNLESS THE PRIVILEGE IS DEEMED WAIVED BY THE NOMINATING COMMISSION BY THE ACTS OF THE NOMINEE IN PRESENTING TO THE PUBLIC THE REASON FOR REJECTION.

(E) TIMING OF APPOINTMENT OR REJECTION.

THE GOVERNOR SHALL EXERCISE THE POWER OF APPOINTMENT OR REJECTION WITHIN 30 DAYS OF RECEIPT OF THE COMMISSION'S REPORT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 10, § 33E.

In subsections (b) and (c) of this section, the phrase "individual or