

(2) NOMINATE TO THE GOVERNOR, ON A VOTE TAKEN BY SECRET BALLOT, ONE OR MORE INDIVIDUALS WHOM A MAJORITY OF THE AUTHORIZED MEMBERSHIP OF THE COMMISSION FINDS TO BE LEGALLY AND PROFESSIONALLY QUALIFIED.

(C) REPORT TO GOVERNOR.

THE COMMISSION SHALL REPORT, IN WRITING, TO THE GOVERNOR 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) (I) THE GOVERNOR MAY REJECT A NOMINEE FOR CAUSE.

(II) IF A NOMINEE IS REJECTED FOR CAUSE, THE COMMISSION SHALL SUBMIT ANOTHER NOMINEE.

(2) IF THE GOVERNOR REJECTS A NOMINEE:

(I) THE GOVERNOR SHALL SEND TO THE COMMISSION A WRITTEN STATEMENT THAT CONTAINS THE REASONS FOR THE REJECTION; AND

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

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

(4) THE COMMISSION MAY MAKE THE STATEMENT PUBLIC.

(E) TIME OF APPOINTMENT OR REJECTION.

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

REVISOR'S NOTE: This section is new language derived without substantive change from former SG § 9-1212.