

Draft Green Mountain Care Board nomination and appointment language

Sec. X. 18 V.S.A. chapter 220 is amended to read:

CHAPTER 220. GREEN MOUNTAIN CARE BOARD

* * *

§ 9374. BOARD MEMBERSHIP; AUTHORITY

* * *

(b)(1) The ~~initial~~ term of each member of the Board, including the Chair, shall be seven years, and the term of the Chair shall be six years thereafter.

(2) ~~The term of each member other than the Chair shall be six years, except that of the members first appointed, one each shall serve a term of three years, four years, five years, and six years.~~ [Repealed.]

(3) ~~Subject to the nomination and appointment process, a~~ A member may serve more than one term. A member may be reappointed to an additional term subject to the requirements of section 9391 of this title.

* * *

§ 9391. NOMINATION AND APPOINTMENT PROCESS

(a) ~~Whenever~~ Candidate selection process.

(1) Unless a vacancy is filled by reappointment pursuant to subsection (c) of this section, not later than 90 days prior to a known vacancy occurs occurring on the Green Mountain Care Board, or when an incumbent does not declare that he or she will be a candidate to succeed himself or herself, the Green Mountain Care Board Nominating Committee shall commence its nomination application process. The Committee shall select for consideration by the Committee, by majority vote, and provided that a quorum

is present, from the applications for membership on the Green Mountain Care Board as many candidates as it deems qualified for the position or positions to be filled. The Committee shall base its determinations on the qualifications set forth in section 9392 of ~~this section~~ title.

(2) A Board member who is resigning from the Board prior to the expiration of the member's term shall notify the Committee Chair of the member's anticipated resignation date. Once notified, the Committee Chair shall commence the nomination application process as soon as is practicable in light of the anticipated resignation date and shall notify the Governor of the anticipated vacancy.

(b) Nomination list. The Committee shall submit to the Governor the names of the ~~persons~~ individuals it deems qualified to be appointed to fill the position or positions and the name of any incumbent member who was not reappointed pursuant to subsection (c) of this section and who declares notifies the Committee Chair that he or she the incumbent wishes to be a candidate to succeed himself or herself nominated. An incumbent shall not be required to submit an application for nomination and appointment to the Committee under subsection (a) of this section.

(c) Reappointment; notification. To be considered for reappointment to the Green Mountain Care Board, a Board member whose term is expiring shall notify the Governor, not later than 120 days prior to the member's term expiration date, that the member is seeking reappointment. If the Board member is not reappointed by the Governor on or before 30 days after notifying the Governor, the member's term shall end on the expiration date of the member's current term, unless the member is nominated as provided in subsection (b) of this section and subsequently appointed or as otherwise

provided by law. A Board member's reappointment shall be subject to the consent of the Senate.

~~(e)~~(d) The Appointment; Senate consent. Unless the Governor reappointed a Board member pursuant to subsection (c) of this section, the Governor shall make an appointment to the Green Mountain Care Board from the list of qualified candidates submitted pursuant to subsection (b) of this section not later than 45 days after receipt of the candidate list. The appointment shall be subject to the consent of the Senate. The names of candidates submitted and not selected shall remain confidential.

~~(d)~~(e) Confidentiality. All proceedings of the Committee, including the names of candidates considered by the Committee and information about any candidate submitted by any source, shall be confidential.