

MAINE STATE LEGISLATURE

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1. of S.

L.D. 1092

(Filing No. S-281)

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STATE OF MAINE
SENATE
116TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to H.P. 806, L.D. 1092, Bill, "An Act Repealing Advisory Boards on Housing and Economic Development Matters"

Amend the amendment by striking out all of the 4th indented paragraph after the title (page 1, lines 25 and 26 in amendment) and inserting in its place the following:

'Sec. B-2. 30-A MRSA §4722, sub-§1, ¶U, as amended by PL 1991, c. 610, §2, is further amended to read:

U. Consult with the ~~Affordable Housing Alliance~~, ~~Advisory Committee and the~~ Interagency Task Force on Homelessness and Housing Opportunities, as defined in chapter 202, section 5002, with respect to the implementation of housing programs to make the best use of resources and make the greatest impact on the affordable housing crisis;'

Further amend the amendment in section D-5 by striking out all of that part designated "§973." and inserting in its place the following:

'§973. Conflicts of interest

Notwithstanding Title 5, section 18, subsection 1, paragraph B, each member of the authority, each member of the ~~Natural Resource Financing and Marketing Board~~, ~~each member of the Maine Veterans' Small Business Loan Board~~, ~~each member of the~~ Maine Education Assistance Board and each employee, contractor, agent or other representative of the authority is deemed an "executive employee" solely for purposes of Title 5, section 18, and for no other purpose, provided except that the chief executive officer shall in addition be is deemed an "executive employee" for

2 purposes of Title 5, section 19. In-addition, Title 17, section
3104, ~~shall be applicable, in accordance with its provisions, to~~
4 ~~all such~~ does not apply to any of those representatives of the
authority.'

6 Further amend the amendment by inserting after section D-5
the following:

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10 'Further amend the bill in Part E by striking out all of
section 3 and inserting in its place the following:

12 'Sec. E-3. 30-A MRSA §4723, sub-§2, ¶D, as amended by PL 1989,
14 c. 104, Pt. C, §§8 and 10, is further amended to read:

16 D. Any person ~~may serve as a member of the advisory board,~~
and ~~any person~~ who, at the time of appointment, is a
18 resident of the State, may serve as a commissioner, except
that the director need not be a resident of the State before
being appointed.

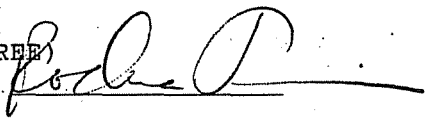
20
22 (1) Each commissioner, except for the director and the
Treasurer of State, and ~~each advisory board member~~
24 ~~shall serve~~ serves a 4-year term beginning with the
expiration of the term of ~~the~~ that person's
26 predecessor, except that a vacancy occurring in such a
position before the normal expiration of the
28 appointment ~~shall~~ must be filled as soon as practicable
by a new gubernatorial appointee who ~~shall serve~~ serves
30 for the remainder of the unexpired term. Each advisory
board ~~member and~~ commissioner ~~shall continue~~ continues
32 to hold office after the term expires until a successor
is appointed. In any instance in which more than one
34 commissioner ~~or advisory board member~~ is serving beyond
the original term, any new appointee is deemed to
36 succeed the commissioner ~~or advisory board member~~ whose
term expired first.

38 (2) The Secretary of State shall prepare a certificate
evidencing the appointment of each advisory ~~board~~
40 ~~member and~~ commissioner. An original of this
certificate ~~shall~~ must be provided to the appointee.
42 One authenticated copy ~~shall~~ must be retained by the
Maine State Housing Authority and one by the Secretary
44 of State. An authenticated certificate of appointment
is conclusive evidence of the appointment.'

STATEMENT OF FACT

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4 This amendment deletes sections of the bill and committee
6 amendment that inappropriately repeal sections of law that affect
other entities and amends those sections to remove references to
repealed boards.

8 This amendment amends the conflict-of-interest provisions of
10 the Finance Authority of Maine Act to reflect the deletion of the
12 requirement that 2 members of the Board of the Finance Authority
of Maine be members of the Natural Resource Financing and
14 Marketing Board, which is repealed by the original bill, but does
so consistent with the provisions of Legislative Document 967,
16 removing the inconsistency between the 2 bills. The amendment
also deletes references to the Maine Veterans' Small Business
Loan Board, which has been eliminated in earlier legislation.

18
20 (Senator PINGREE)
22 SPONSORED BY: 

24 COUNTY: Knox

Reproduced and Distributed Pursuant to Senate Rule 12.
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