

MAINE STATE LEGISLATURE

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L.D. 1960

DATE: 3/24/94

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STATE OF MAINE
SENATE
116TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "B" to S.P. 734, L.D. 1960, Bill, "An Act to Increase the Efficiency of the Appointment Process for Occupational or Professional Regulatory Boards"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 10 MRSA §8007 is enacted to read:

§8007. Board vacancies

1. Suspension of operations. A board, as defined in Title 5, section 12002, that has 25% or more of the positions that are authorized in its enabling legislation vacant for at least 8 months shall suspend operations and may not exercise any of the powers or duties authorized pursuant to its governing law until the percentage of vacant board positions is less than 25% of the board's membership. For purposes of this section, a position is deemed vacant in the interim between the official expiration of a term and appointment or reappointment of a member to fill that position and also in the interim between a vacancy occurring at a time other than the official expiration of a term and the date on which the position is filled, regardless of whether a member is serving in that position pending reappointment or appointment of a successor.

2. Notification required. A board that is subject to suspension of operations pursuant to subsection 1 shall immediately notify the Legislative Council and the Governor.

A. of S.

2 3. Condition. Nothing in this section may be construed as
terminating the existence of a board.'

4 Further amend the bill by inserting at the end before the
statement of fact the following:

6 **FISCAL NOTE**

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10 The suspension of operations for a professional licensing
board that has 25% or more of its positions as vacant for a
12 certain length of time, would reduce revenues and expenditures
for that board during the period of suspension. In addition, the
operating expenditures and revenues of the Division of Licensing
14 and Enforcement within the Department of Professional and
Financial Regulation will be adversely affected by the suspension
16 of operations of any of the boards for which it provides
services.'

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20 **STATEMENT OF FACT**

22 This amendment requires a board to suspend operations in the
event that 25% of its positions are vacant for at least 8
24 months. Operations may not be resumed until the percentage of
vacant board positions is less than 25% of the board's
26 membership. The Legislative Council and the Governor must be
notified in the event this provision is triggered.

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30 SPONSORED BY: Atty. E. Cianchette
32 (Senator CIANCHETTE)

34 COUNTY: Somerset

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