

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)



# 131st MAINE LEGISLATURE

## SECOND REGULAR SESSION-2024

---

Legislative Document

No. 2265

---

H.P. 1454

House of Representatives, March 13, 2024

**An Act to Implement Recommendations Resulting from the State  
Government Evaluation Act Review of the Department of  
Professional and Financial Regulation**

---

Reported by Representative ROBERTS of South Berwick for the Joint Standing Committee on Innovation, Development, Economic Advancement and Business pursuant to the Maine Revised Statutes, Title 3, section 955, subsection 4.

Reference to the Committee on Innovation, Development, Economic Advancement and Business suggested and ordered printed pursuant to Joint Rule 218.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT

Clerk

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 2 MRSA §6, sub-§2**, as amended by PL 2019, c. 343, Pt. XXX, §1, is further  
3 amended to read:

4 **2. Range 90.** The salaries of the following state officials and employees are within  
5 salary range 90:

6 Superintendent of Financial Institutions;

7 Superintendent of Consumer Credit Protection;

8 State Tax Assessor;

9 Associate Commissioner for Tax Policy, Department of Administrative and Financial  
10 Services;

11 Superintendent of Insurance;

12 Executive Director of the Maine Consumer Choice Health Plan;

13 Two deputy commissioners, Department of Administrative and Financial Services;

14 Deputy Commissioner, Department of Corrections;

15 Public Advocate;

16 Two deputy commissioners, Department of Health and Human Services;

17 Chief Information Officer;

18 Associate Commissioner, Department of Corrections;

19 Chief of the State Police;

20 Securities Administrator, Office of Securities; ~~and~~

21 Director, Office of Professional and Occupational Regulation; ~~and~~

22 Deputy Commissioner, Department of Professional and Financial Regulation.

23 **Sec. 2. 5 MRSA §934, sub-§1, ¶D**, as amended by PL 2001, c. 182, §2, is further  
24 amended to read:

25 ~~D. Assistant to the~~ Deputy Commissioner; and

26 **Sec. 3. 10 MRSA §8002, first ¶**, as amended by PL 2011, c. 1, Pt. AA, §1, is further  
27 amended to read:

28 The Commissioner of Professional and Financial Regulation, referred to in this chapter  
29 as the "commissioner," is the chief administrative officer of the department and is  
30 responsible for supervising the administration of the department. The commissioner is  
31 appointed by the Governor, subject to review by the joint standing committee of the  
32 Legislature having jurisdiction over banking and insurance matters, and to confirmation by  
33 the Legislature. The commissioner serves at the pleasure of the Governor. ~~Unless~~ Except  
34 as provided in subsection 13 or unless otherwise provided in law, the commissioner may  
35 not exercise or interfere with the exercise of discretionary regulatory authority granted by  
36 statute to the bureaus, offices, boards or commissions within and affiliated with the  
37 department. As chief administrative officer of the department, the commissioner has the  
38 following duties and authority to:

1           **Sec. 4. 10 MRSA §8002, sub-§2**, as amended by PL 1995, c. 502, Pt. H, §9, is  
2 further amended to read:

3           **2. Personnel.** Except as otherwise specified, appoint and remove, subject to the Civil  
4 Service Law, all personnel considered necessary to fulfill the duties and functions of the  
5 department; appoint ~~an assistant to the~~ a deputy commissioner to serve at the  
6 commissioner's pleasure; and transfer personnel within the department to ensure efficient  
7 utilization of department personnel;

8           **Sec. 5. 10 MRSA §8002, sub-§11**, as amended by PL 2011, c. 603, §2, is further  
9 amended to read:

10           **11. Report on fees.** By December 1st of each even-numbered year, conduct a review  
11 of the fees assessed by the department and provide a written report to the State Budget  
12 Officer and the joint standing committees of the Legislature having jurisdiction over  
13 appropriations and financial affairs, insurance and financial services matters and business,  
14 research and economic development matters identifying any fee changes the commissioner  
15 recommends for the next biennium; ~~and~~

16           **Sec. 6. 10 MRSA §8002, sub-§12**, as enacted by PL 2011, c. 603, §3, is amended  
17 to read:

18           **12. Recommend measures.** Recommend legislation or other measures to the  
19 Governor and the Legislature for the purpose of assisting current and former members of  
20 the United States Armed Forces in obtaining any professional license within the provisions  
21 of the department related to their relevant training and experience from their military  
22 service; and

23           **Sec. 7. 10 MRSA §8002, sub-§13** is enacted to read:

24           **13. Emergency authority.** When a state of emergency is declared pursuant to state  
25 or federal law, temporarily modify or suspend any continuing education requirements,  
26 license expiration dates, examination requirements, license fees or other licensing  
27 requirements as necessitated by the declared emergency. The temporary modification or  
28 suspension may extend no more than one year beyond the date the state of emergency is  
29 declared.

## 30           SUMMARY

31           This bill is reported out by the Joint Standing Committee on Innovation, Development,  
32 Economic Advancement and Business pursuant to the Maine Revised Statutes, Title 3,  
33 section 955, subsection 4. It implements the recommendations of the committee resulting  
34 from its review of the Department of Professional and Financial Regulation under the State  
35 Government Evaluation Act. The bill establishes the position of Deputy Commissioner  
36 within the Department of Professional and Financial Regulation and provides emergency  
37 authority to the Commissioner of Professional and Financial Regulation to take certain  
38 actions when a state of emergency is declared. The position of Deputy Commissioner  
39 replaces the position of Assistant to the Commissioner.

40           The committee has not taken a position on the substance of this bill. By reporting this  
41 bill out, the committee is not suggesting and does not intend to suggest that it agrees or  
42 disagrees with any aspect of this bill. The committee is reporting the bill out for the sole  
43 purpose of having a bill printed that can be referred to the committee for an appropriate

1 public hearing and subsequent processing in the normal course. The committee is taking  
2 this action to ensure clarity and transparency in the legislative review of the proposals  
3 contained in the bill.