

§8002. Duties and authority of commissioner

The Commissioner of Professional and Financial Regulation, referred to in this chapter as the "commissioner," is the chief administrative officer of the department and is responsible for supervising the administration of the department. The commissioner is appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over banking and insurance matters, and to confirmation by the Legislature. The commissioner serves at the pleasure of the Governor. Except as provided in subsection 13 or unless otherwise provided in law, the commissioner may not exercise or interfere with the exercise of discretionary regulatory authority granted by statute to the bureaus, offices, boards or commissions within and affiliated with the department. As chief administrative officer of the department, the commissioner has the following duties and authority to: [PL 2023, c. 625, §3 (AMD).]

1. Budget. Prepare the budget for the department;
[PL 1975, c. 767, §9 (RPR).]

2. Personnel. Except as otherwise specified, appoint and remove, subject to the Civil Service Law, all personnel considered necessary to fulfill the duties and functions of the department; appoint a deputy commissioner to serve at the commissioner's pleasure; and transfer personnel within the department to ensure efficient utilization of department personnel;
[PL 2023, c. 625, §4 (AMD).]

3. Purchases. Coordinate the purchase and use of all equipment and supplies within the department;
[PL 1995, c. 502, Pt. H, §9 (AMD).]

4. Review. Review the organization, functions and operation of bureaus, offices, boards and commissions within and affiliated with the department to ensure that overlapping functions and operations are eliminated and that each complies fully with its statutory and public service responsibilities;
[PL 1995, c. 502, Pt. H, §9 (AMD).]

5. Liaison. Act as a liaison among the bureaus, offices, boards and commissions within and affiliated with the department and act as liaison between them and the Governor;
[PL 1995, c. 502, Pt. H, §9 (AMD).]

6. Recommendations. Recommend to the Governor and Legislature those changes in the laws relating to the organization, functions, services or procedures of the bureaus, offices, boards and commissions of the department as the commissioner determines desirable;
[PL 1995, c. 502, Pt. H, §9 (NEW).]

7. Delegate authority. Authorize the heads of bureaus, offices, boards and commissions within the department to carry out the commissioner's duties and authority;
[PL 1997, c. 727, Pt. A, §4 (AMD).]

8. Adequate resources. Ensure that each bureau, office, board and commission has adequate resources to carry out regulatory functions and that the department's expenditures are equitably apportioned;
[PL 1999, c. 184, §12 (AMD).]

9. Licensing. Coordinate all administrative processes related to licensing functions of bureaus, offices, boards and commissions within the department, including but not limited to the frequency and form of applications and licenses;
[PL 2007, c. 466, Pt. C, §3 (AMD).]

10. Confidentiality of shared information. Keep confidential any information provided by or to the commissioner that has been designated confidential by the agency, bureau, board or commission

within or affiliated with the department that furnished the information and that is the property of the agency, bureau, board or commission that furnished the information. Any information provided pursuant to this subsection may not be disclosed by the recipient of the information unless disclosure has been authorized by the agency, bureau, board or commission that furnished the information; [PL 2011, c. 603, §1 (AMD).]

11. Report on fees. By December 1st of each even-numbered year, conduct a review of the fees assessed by the department and provide a written report to the State Budget Officer and the joint standing committees of the Legislature having jurisdiction over appropriations and financial affairs, insurance and financial services matters and business, research and economic development matters identifying any fee changes the commissioner recommends for the next biennium; [PL 2023, c. 625, §5 (AMD).]

12. Recommend measures. Recommend legislation or other measures to the Governor and the Legislature for the purpose of assisting current and former members of the United States Armed Forces in obtaining any professional license within the provisions of the department related to their relevant training and experience from their military service; and [PL 2023, c. 625, §6 (AMD).]

13. Emergency authority. When a state of emergency is declared pursuant to state or federal law, temporarily modify or suspend any continuing education requirements, license expiration dates, examination requirements, license fees or other licensing requirements as necessitated by the declared emergency. The temporary modification or suspension may extend no more than one year beyond the date the state of emergency is declared. [PL 2023, c. 625, §7 (NEW).]

SECTION HISTORY

PL 1973, c. 585, §4 (RPR). PL 1975, c. 134, §5 (AMD). PL 1975, c. 579, §2 (AMD). PL 1975, c. 767, §9 (RPR). PL 1975, c. 770, §59 (AMD). PL 1977, c. 78, §37 (AMD). PL 1977, c. 564, §49 (AMD). PL 1983, c. 489, §7 (AMD). PL 1983, c. 553, §12 (AMD). PL 1985, c. 748, §§16,17 (AMD). PL 1993, c. 659, §B1 (AMD). PL 1995, c. 502, §H9 (AMD). PL 1997, c. 727, §§A3-5 (AMD). PL 1999, c. 184, §§12-14 (AMD). PL 1999, c. 687, §§C2-4 (AMD). PL 2007, c. 466, Pt. C, §§3-5 (AMD). PL 2007, c. 539, Pt. T, §1 (AMD). PL 2011, c. 1, Pt. AA, §1 (AMD). PL 2011, c. 603, §§1-3 (AMD). PL 2023, c. 625, §§3-7 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Legislature and is current through October 15, 2024. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.