

**§13120-D. Board of trustees; appointment; chair; employees**

**1. Membership.** The authority is governed by a board of trustees comprised of 7 voting members as follows:

A. Five members appointed by the Governor and subject to review by the joint standing committee of the Legislature having jurisdiction over economic development matters and to confirmation by the Senate; and [PL 2001, c. 703, §6 (NEW).]

B. Two ex officio members:

(1) The Commissioner of Economic and Community Development or the commissioner's designee; and

(2) The Chief Executive Officer of the Finance Authority of Maine or the chief executive officer's designee. [PL 2005, c. 425, §13 (AMD).]

[PL 2005, c. 425, §13 (AMD).]

**2. Terms of office.** Members appointed by the Governor are appointed for 4-year terms except that, for initial appointments, one member is appointed to a 2-year term, 2 members to 3-year terms and 2 members to 4-year terms.

A member continues to hold office until a successor is appointed and qualified, but the term of the successor is not altered from the original expiration date of the holdover member's term.

[PL 2001, c. 703, §6 (NEW).]

**3. Limitation on terms; removal.** Except for the ex officio members, a member of the authority may serve no more than 2 full consecutive terms. Any member of the board may be removed by the Governor for cause.

[PL 2001, c. 703, §6 (NEW).]

**4. Administration.** The Commissioner of Economic and Community Development shall serve as chair of the board of trustees. The board of trustees shall elect one member as vice-chair, who shall serve as secretary, one member as treasurer and such other officers as the board of trustees may from time to time consider necessary.

[PL 2003, c. 281, §2 (AMD).]

**5. Meetings; compensation.** All the powers of the authority may be exercised by the board of trustees in lawful meeting and a majority of the members is necessary for a quorum. Regular meetings of the board of trustees may be established by bylaw and no notice need be given to the members of the regular meeting. Each member is compensated according to the provisions of chapter 379.

[PL 2001, c. 703, §6 (NEW).]

**6. Limitation of liability.** A member of the board of trustees of the authority or an employee of the authority may not be subject to any personal liability for having acted within the course and scope of that person's membership or employment to carry out any power or duty under this subchapter. The authority shall indemnify any member of the authority, any member of any board of the authority and any employee of the authority against expenses actually and necessarily incurred by that person in connection with the defense of any action or proceeding in which that person is made a party by reason of past or present association with the authority.

[PL 2001, c. 703, §6 (NEW).]

**7. Employees.** The authority may employ an executive director and such other technical experts, agents and employees, permanent and temporary, that it requires and may determine their qualifications, duties and compensation. Permanent employees of the authority are eligible to elect to participate in the Maine Public Employees Retirement System, the state employee health plan under section 285, any state-deferred compensation plan or any other plan or program adopted by the

members to the extent the members may determine. For required legal services, the authority may employ or retain its own counsel and legal staff.

[PL 2003, c. 281, §3 (AMD); PL 2007, c. 58, §3 (REV).]

**8. Establishment and operating expenses.** The department shall pay the expenses that are reasonable and necessary to the establishment of the authority. Following its establishment, the operations and related expenses of the authority are subject to the availability of funding as provided in section 13120-F.

[PL 2001, c. 703, §6 (NEW).]

#### SECTION HISTORY

PL 2001, c. 703, §6 (NEW). PL 2003, c. 281, §§2,3 (AMD). PL 2005, c. 425, §13 (AMD). PL 2007, c. 58, §3 (REV).

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