

**§205. Powers and duties of commissioner**

The commissioner has all of the powers and duties necessary to carry out the mission and responsibilities of the department. The commissioner has the power to distribute the functions and duties given to the commissioner under this Title, Title 5, Title 19-A, Title 22 and Title 34-B among the various offices of the department so as to integrate the work properly and to promote the most economical and efficient administration of the department. Wherever in this Title, Title 5, Title 19-A, Title 22 or Title 34-B powers and duties are given to the commissioner or the department, these must be assumed and carried out by the offices that the commissioner designates, and these powers and duties may in turn be delegated to subordinates by those office directors with the approval of the commissioner. [PL 2007, c. 539, Pt. N, §43 (AMD).]

**1. Administration.** The commissioner shall administer the department in accordance with the requirements of this Title and shall fulfill the duties prescribed to the commissioner by state and federal law.

[PL 2003, c. 689, Pt. A, §1 (NEW).]

**2. Rulemaking.** The commissioner shall adopt rules to implement this Title. Rules adopted pursuant to this subsection are routine technical rules, as defined in Title 5, chapter 375, subchapter 2-A, unless otherwise specified.

[PL 2003, c. 689, Pt. A, §1 (NEW).]

**3. Employees.** The commissioner may employ personnel as necessary to carry out the work of the department. All personnel of the department are under the immediate supervision, direction and control of the commissioner. Department personnel must be employed subject to the Civil Service Law, except for positions subject to appointment by the commissioner under subsection 4.

[PL 2005, c. 412, §6 (AMD).]

**4. Appointments.** All deputy commissioners, all office directors, the director of the division of licensing and certification, the Maine Health Insurance Marketplace executive director, the regional systems integration directors and the superintendents of any state institutions are appointed by the commissioner and serve at the pleasure of the commissioner.

- A. [PL 2007, c. 539, Pt. N, §44 (RP).]
- B. [PL 2007, c. 539, Pt. N, §44 (RP).]
- C. [PL 2007, c. 539, Pt. N, §44 (RP).]
- D. [PL 2007, c. 539, Pt. N, §44 (RP).]
- E. [PL 2007, c. 539, Pt. N, §44 (RP).]
- F. [PL 2007, c. 539, Pt. N, §44 (RP).]
- G. [PL 2007, c. 539, Pt. N, §44 (RP).]
- H. [PL 2007, c. 539, Pt. N, §44 (RP).]
- I. [PL 2007, c. 539, Pt. N, §44 (RP).]
- J. [PL 2007, c. 539, Pt. N, §44 (RP).]
- K. [PL 2007, c. 539, Pt. N, §44 (RP).]
- L. [PL 2007, c. 539, Pt. N, §44 (RP).]
- M. [PL 2007, c. 539, Pt. N, §44 (RP).]
- N. [PL 2007, c. 539, Pt. N, §44 (RP).]
- O. [PL 2007, c. 539, Pt. N, §44 (RP).]

Deputy commissioners and office directors appointed pursuant to this subsection must have educational qualifications and professional experience directly related to the functions of and services provided by the relevant unit or office.

[PL 2023, c. 412, Pt. WW, §1 (AMD); PL 2023, c. 412, Pt. XX, §1 (AMD).]

#### SECTION HISTORY

PL 2003, c. 689, §A1 (NEW). PL 2005, c. 236, §3 (REV). PL 2005, c. 412, §6 (AMD). PL 2007, c. 539, Pt. N, §§43, 44 (AMD). PL 2023, c. 412, Pt. WW, §1 (AMD). PL 2023, c. 412, Pt. XX, §1 (AMD).

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