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An Act To Make Changes to Boards and Commissions Concerning Membership, Appointments and Terms

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

Sec. 1. 5 MRSA §12006, sub-§2, as amended by PL 2009, c. 369, Pt. A, §11, is further amended to read:

2. Legislative repeal of inactive boards. The Secretary of State shall submit suggested legislation to the joint standing committee of the Legislature having jurisdiction over state government matters on or before January 30th in the first regular session of each biennium to repeal those boards that have not reported on their activities to the Secretary of State under this section or section 12005A during either of the prior 2 calendar years or have been inactive during the preceding 24 months. The suggested legislation also must include provisions to repeal any board that has had vacancies in 2/3 or more of its membership for more than one year. The joint standing committee of the Legislature having jurisdiction over state government matters may submit legislation to the first regular session of each biennium to repeal those boards.

Sec. 2. 5 MRSA §12016 is enacted to read:

§ 12016. Vacancies

Notwithstanding any other provision of law, if the term of an appointed member of a board has expired and a replacement has not been appointed, that member may serve no more than an additional 12 months as a board member unless the member is reappointed.

Sec. 3. 5 MRSA §12017 is enacted to read:

§ 12017. Term limits

Notwithstanding any other provision of law, a member of a board may serve a maximum of 4 terms as a member of that board or the maximum number of terms as provided by the law governing that board, whichever is less.

Sec. 4. 5 MRSA §12018 is enacted to read:

§ 12018. Posting of vacancies

The clerk of a board shall notify the Secretary of State as soon as a vacancy on the board occurs. The Secretary of State shall maintain a publicly accessible website to post all vacancies on all boards. A posting of a vacancy must include brief information about the board, qualifications required for the member, the length of the member's term and contact information for the appointing authority.

SUMMARY

This bill makes the following changes to boards and commissions established by the Legislature.

1. The suggested legislation currently required by law to be submitted by the Secretary of State to the joint standing committee of the Legislature having jurisdiction over state government matters must include provisions to repeal any board that has had vacancies in 2/3 or more of its membership for more than one year. The number of vacancies and the length of those vacancies are already included in the annual report from each board to the Secretary of State.

2. A member whose appointed term has expired and for whom no replacement member has been appointed may serve no more than an additional 12 months without formal reappointment.

3. A member of a board may serve no more than 4 terms on that board or the number of terms as provided by the statute governing the board, whichever is less.

4. The clerk of a board shall notify the Secretary of State of vacancies. The Secretary of State shall post all vacancies on a publicly accessible website. The posting must include brief information about the board, the requirements for the member, the length of the member's term and contact information for the appointing authority.