§282. Powers and duties of commissioner

The commissioner may appoint and employ deputy commissioners, bureau chiefs and the director of legislative affairs to be under the commissioner's immediate supervision, direction and control, and to serve at the commissioner's pleasure and perform such duties as the commissioner may prescribe, except as otherwise provided by law. In the absence of the commissioner, the commissioner, or the Governor if the commissioner is unable, may appoint one of the deputy commissioners to act on behalf of the commissioner. In addition, the commissioner may appoint an associate commissioner for administrative services who is not subject to the Civil Service Law and who serves at the pleasure of the commissioner. [PL 2017, c. 284, Pt. QQQQQ, §2 (AMD).]

The commissioner may employ such other deputies, division heads, assistants and employees as may be necessary, subject to the Civil Service Law. In addition, the commissioner may employ a Director of Compliance to carry out departmental responsibilities related to: Labor relations and labor contract compliance; human rights and affirmative action compliance; and audit guidelines and other 3rd-party compliance requirements. The Director of Compliance serves at the pleasure of the commissioner. In addition, the commissioner may employ an Associate Commissioner for Tax Policy to supervise and direct the tax policy analysis, guidance and communications activities of the Office of Tax Policy within the Bureau of Revenue Services. The Associate Commissioner for Tax Policy serves at the pleasure of the commissioner. In addition, the commissioner may employ a State Economist to provide economic and demographic data and analysis. The State Economist has the authority to hire staff. [PL 2021, c. 717, §2 (AMD).]

In the event of a vacancy in the office of the commissioner because of death, resignation, removal from office or other cause, the various bureau chiefs, deputies and assistants shall continue in office and perform such duties as have been prescribed or assigned to them, until said vacancy has been filled by the appointment and qualification of a new commissioner.

The commissioner shall have the duty and authority:

1. Aide to Governor. To serve as the principal fiscal aide to the Governor;
[PL 1987, c. 402, Pt. A, §12 (AMD).]

2. Financial planning. To coordinate financial planning and programming activities of departments and agencies of the State Government for review and action by the Governor;
[PL 1977, c. 78, §10 (AMD).]

3. Financial data and statistics. To prepare and report to the Governor or to the Legislature such financial data or statistics as may be required or requested by them;

4. Direct bureaus. To supervise and direct the activities of the bureaus that may by statute be designated as being under the Department of Administrative and Financial Services;
[PL 2007, c. 466, Pt. A, §5 (AMD).]

4-A. Engage in planning. To engage in short-term and long-term planning with respect to:

A. The structure and operation of the department; [PL 1985, c. 785, Pt. A, §23 (NEW).]

B. The fiscal needs of State Government; and [PL 1985, c. 785, Pt. A, §23 (NEW).]

C. The means by which the collection of revenues and payment of State Government obligations may be most efficiently realized; [PL 1985, c. 785, Pt. A, §23 (NEW).]
[RR 2009, c. 2, §2 (COR).]

4-B. Assist other departments. To meet with other departments and agencies of State Government at least 2 times a year to discuss fiscal problems and needs of each agency and department;
[PL 1985, c. 785, Pt. A, §23 (NEW).]

5. Other powers and duties. To exercise such other powers and perform such other duties as may be designated by law;
[PL 1987, c. 448, §1 (AMD).]

6. Supervise. To supervise and direct the administration of the State Claims Commission, State Board of Property Tax Review and Independent Office of Tax Appeals;
[PL 2025, c. 734, Pt. C, §1 (AMD).]

7. Value of fringe benefits. To ensure that all publications that state the salary of an employee or of a position in State Government also include a statement of the dollar value of the fringe benefit package provided. For purposes of this subsection, "fringe benefits" includes an employer's cost of an employee's health insurance, dental insurance and retirement but does not include the amount paid to cover any unfunded liability;
[PL 2009, c. 372, Pt. F, §1 (AMD).]

8. Serve as director of Clean Government Initiative. To serve as a director, along with the Commissioner of Environmental Protection, of the Clean Government Initiative established in Title 38, section 343-H;
[PL 2017, c. 284, Pt. GG, §1 (AMD).]

9. Energy infrastructure benefits fund. To establish an energy infrastructure benefits fund. Except as otherwise provided by law, including the Constitution of Maine, the fund consists of any revenues derived from the use of state-owned land and assets for energy infrastructure development. Each fiscal year, the Treasurer of State shall transfer revenues collected in the fund to the Efficiency Maine Trust for deposit by the Efficiency Maine Trust Board in program funds pursuant to Title 35-A, section 10103, subsection 4 and use by the trust in accordance with Title 35-A, section 10103, subsection 4-A. For the purposes of this subsection, "energy infrastructure" and "state-owned" have the same meanings as in Title 35-A, former section 122, subsection 1;

A. [PL 2009, c. 655, Pt. B, §1 (RP).]

B. [PL 2009, c. 655, Pt. B, §1 (RP).]

C. [PL 2009, c. 655, Pt. B, §1 (RP).]

D. [PL 2009, c. 655, Pt. B, §1 (RP).]
[PL 2023, c. 646, Pt. A, §3 (AMD).]

10. Economic projections. To prepare long-range economic projections to ensure that projected available state financial resources are commensurate with projected state expenditures needed to meet long-term state economic goals and policies; and
[PL 2017, c. 284, Pt. GG, §3 (NEW).]

11. Economic and demographic analyses. To conduct studies and continuing economic and demographic analyses of the state economy, including economic and demographic forecasting, and collect, collate and analyze all pertinent data and statistics relating to those studies and analyses to assist the Governor, the Legislature and the various state departments in formulating goals, programs and policies. The commissioner shall make these data and statistics available to the Legislature upon request. All state agencies shall cooperate with the commissioner regarding implementation of the provisions of this subsection. In implementing this subsection, the commissioner may use secondary data made available to the commissioner by other state agencies or other organizations.
[PL 2021, c. 717, §3 (AMD).]

SECTION HISTORY

PL 1967, c. 490, §2 (AMD). PL 1969, c. 504, §10 (AMD). PL 1971, c. 615, §2 (AMD). PL 1975, c. 771, §51-A (AMD). PL 1977, c. 78, §10 (AMD). PL 1977, c. 674, §3 (AMD). PL 1983, c. 477, Pt. E, Subpt. 22 (AMD). PL 1983, c. 489, §1 (AMD). PL 1983, c. 553, §1 (AMD). PL 1985,

c. 785, §§A22,23 (AMD). PL 1985, c. 785, §B14 (AMD). PL 1987, c. 395, §A17 (AMD). PL 1987, c. 402, §A12 (AMD). PL 1987, c. 448, §§1,1-A (AMD). PL 1987, c. 769, §A10 (AMD). PL 1989, c. 502, §B1 (AMD). PL 1995, c. 37, §§3,4 (AMD). PL 2001, c. 333, §§1-3 (AMD). PL 2003, c. 673, §C1 (AMD). PL 2007, c. 466, Pt. A, §5 (AMD). RR 2009, c. 2, §2 (COR). PL 2009, c. 372, Pt. F, §§1-3 (AMD). PL 2009, c. 655, Pt. B, §1 (AMD). PL 2011, c. 652, §1 (AMD). PL 2011, c. 652, §14 (AFF). PL 2011, c. 655, Pt. I, §3 (AMD). PL 2011, c. 655, Pt. I, §11 (AFF). PL 2017, c. 284, Pt. GG, §§1-3 (AMD). PL 2017, c. 284, Pt. QQQQQ, §2 (AMD). PL 2021, c. 717, §§2, 3 (AMD). PL 2023, c. 646, Pt. A, §3 (AMD). PL 2025, c. 734, Pt. C, §1 (AMD).

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