

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 2081

6
7 H.P. 1571

House of Representatives, February 15, 1984

8 Submitted by the Joint Standing Committee on State Government
9 pursuant to Joint Rule 19. Approved by Legislative Council on May 25, 1983.

10 Reported by Representative Gwadosky from the Committee on State
Government and printed under Joint Rule 19.

EDWIN H. PERT, Clerk

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FOUR
16

17 AN ACT to Establish Standards and a
18 Policy for the Compensation of Members of
19 Boards, Commissions and Similar Organizations.
20

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

23 Sec. 1. 3 MRSA §2-A, sub-§1, as enacted by PL
24 1981, c. 498, §1, is amended to read:

25 1. State Compensation Commission established.
26 ~~There is established the~~ The State Compensation Commission,
27 ~~to~~ established by Title 5, section 12004,
28 subsection 10, shall consist of 5 members appointed
29 as follows: Two members shall be appointed by the
30 President of the Senate; 2 members shall be appointed
31 by the Speaker of the House; and one member shall be
32 appointed by a majority of the preceding 4 commis-
33 sioners, and shall serve as chairman of the commis-
34 sion. The 5 members shall be residents of the State,
35 appointed from the public. No one may be appointed
36 who is a Legislator at the time of his appointment.

1 membership for one year, 1/3 of the membership for 2
2 years and 1/3 of the membership for 3 years. Vacan-
3 cies on the board shall be filled for the remainder
4 of the unexpired term. The membership shall be di-
5 vided among attorneys, real estate brokers and citi-
6 zens.

7 The board shall annually elect a chairman and secre-
8 tary. The secretary need not be chosen from the mem-
9 bers of the board.

10 Sec. 251. 36 MRSA §486, sub-§8, as enacted by PL
11 1973, c. 620, §10, is amended to read:

12 8. Compensation. Board members serving on an
13 abatement appeal shall be entitled to \$50 per diem
14 and necessary expenses while in actual performance of
15 their duties compensated according to the provisions
16 of Title 5, chapter 379.

17 Sec. 252. 36 MRSA §584, as amended by PL 1975,
18 c. 771, §§400 and 401, is further amended to read:

19 §584. Advisory Council

20 There is established a The Forest Land Valuation
21 Advisory Council, as established by Title 5, section
22 12004, subsection 10, and hereinafter called the "Ad-
23 visory Council", which shall consist of the State Di-
24 rector of the Bureau of Forestry ex officio and 3
25 members, serving staggered 4-year terms, to be ap-
26 pointed by the Governor. One of these members shall
27 be a municipal officer; one shall be a forest land-
28 owner and one shall be a member of the general public
29 who shall have a background in economics. The initial
30 appointment of a municipal officer shall be for a
31 2-year period; the initial appointment of a forest
32 landowner shall be for a 3-year period; the initial
33 appointment of a member of the general public shall
34 be for a 4-year period. Thereafter, said appointees
35 shall be appointed to serve 4-year terms and, in the
36 event of the death or resignation of such an appoin-
37 tee, the Governor shall make an appointment to the
38 Advisory Council for the unexpired term. The members
39 of the Advisory Council shall receive no compensation
40 for their services, but said Advisory Council shall
41 be allowed actual expenses not to exceed \$2,000 for

1 each fiscal year. The Advisory Council shall render
2 to the State Tax Assessor information and advice con-
3 cerning the administration of the Maine Tree Growth
4 Tax Law. The Advisory Council shall hold a regular
5 meeting with the State Tax Assessor or his deputy in
6 February of each year, and special meetings at such
7 other times and places within the State as would seem
8 advisable. At the meeting held in February of each
9 year, the Advisory Council may elect one of its mem-
10 bers as chairman and one as vice-chairman.

11 Sec. 253. 36 MRSA §841-B, as amended by PL 1983,
12 c. 556, §17, is further amended to read:

13 §841-B. Land Classification Appeals Board; purpose,
14 composition

15 The Land Classification Appeals Board, as estab-
16 lished by Title 5, section 12004, subsection 2, is
17 established to hear appeals from decisions of munici-
18 pal tax assessors, chief assessors and the State Tax
19 Assessor acting as assessor of the unorganized terri-
20 tory relating to the Maine Tree Growth Tax Law, the
21 Farm and Open Space Tax Law or the Forest Fire Sup-
22 pression Tax Law. The board shall be composed of 4
23 voting members: The Commissioner of Conservation or
24 his designee; the Commissioner of Agriculture, Food
25 and Rural Resources or his designee; the person who,
26 pursuant to section 584, is currently serving on the
27 Forest Land Valuation Advisory Council as the land-
28 owner member; and the person who, pursuant to section
29 584, is currently serving on the Forest Land Valua-
30 tion Advisory Council as the municipal officer. The
31 Commissioner of Finance and Administration or his
32 designee shall serve in an advisory capacity as a
33 nonvoting member and as chairman of the board. In the
34 case of a tie vote, the Commissioner of Finance and
35 Administration or his designee shall vote to break
36 the tie. The landowner member and the municipal offi-
37 cer shall be compensated by the Bureau of Taxation at
38 \$25 per day plus actual expenses according to the
39 provisions of Title 5, chapter 379. All other members
40 shall be compensated by the agency they represent for
41 actual expenses incurred in the performance of their
42 duties under this section.

43 Sec. 254. 36 MRSA §4503, first ¶, as repealed

1 Low-level Waste Siting Commission, established by Title
2 5, section 12004, subsection 10, shall hereafter
3 be referred to as the "commission."

4 Sec. 277. 38 MRSA §1476, sub-§5, as reallacated
5 by PL 1983, c. 381, §5, is amended to read:

6 5. Compensation. Members, except state employ-
7 ees, shall ~~receive reimbursement for the necessary~~
8 ~~actual expenses incurred in carrying out their duties~~
9 be compensated according to the provisions of Title
10 5, chapter 379.

11 STATEMENT OF FACT

12 The purpose of this bill is to establish stan-
13 dards and policies for the compensation of members of
14 boards, commissions, committees, councils, authori-
15 ties and similar organizations and to establish a
16 central statutory inventory of these organizations.
17 This bill establishes the legislative per diem,
18 \$35/day-currently, as a ceiling per diem, except ad-
19 visory boards and boards with minimal authority are
20 eligible only for expenses. The exception to this
21 state policy is compensation of boards for which
22 there is a very limited supply of expertise and the
23 boards issue substantive decisions that have a sig-
24 nificant impact upon the State.

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