

MAINE STATE LEGISLATURE

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1 (New Draft of H.P. 1571, L.D. 2081)

2 SECOND REGULAR SESSION
3

4 ONE HUNDRED AND ELEVENTH LEGISLATURE
5

6 Legislative Document

No. 2389

7
8 H.P. 1807

House of Representatives, April 2, 1984

9 Reported by Representative Gwadosky from the Committee on State
10 Government and printed under Joint Rule 2.

11 EDWIN H. PERT, Clerk

12
13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-FOUR
17

18 AN ACT to Establish Standards and a
19 Policy for the Compensation of Members of
20 Boards, Commissions and Similar Organizations.
21

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

24 Sec. 1. 1 MRSA §1002, sub-§§1 and 4, as enacted
25 by PL 1975, c. 621, §1, are amended to read:

26 1. Membership. The Commission on Governmental
27 Ethics and Election Practices, ~~hereinafter~~ estab-
28 lished by Title 5, section 12004, subsection 8,
29 called the "commission," shall consist of 7 members
30 to be appointed as follows:

31 A. The President of the Senate and the floor
32 leaders of the 2 major parties in the Senate
33 shall each appoint one member, with the concur-
34 rence of 2/3 vote of the Senate. Each such member

1 of the unexpired term. The membership shall be di-
2 vided among attorneys, real estate brokers and citi-
3 zens.

4 The board shall annually elect a chairman and secre-
5 tary. The secretary need not be chosen from the mem-
6 bers of the board.

7 Sec. 269. 36 MRSA §486, sub-§8, as enacted by PL
8 1973, c. 620, §10, is amended to read:

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

14 Sec. 270. 36 MRSA §584, as amended by PL 1975,
15 c. 771, §§400 and 401, is further amended to read:

16 §584. Advisory Council

17 There is established a The Forest Land Valuation
18 Advisory Council, as established by Title 5, section
19 12004, subsection 10, and hereinafter called the "Ad-
20 visory Council", which shall consist of the State Di-
21 rector of the Bureau of Forestry ex officio and 3
22 members, serving staggered 4-year terms, to be ap-
23 pointed by the Governor. One of these members shall
24 be a municipal officer; one shall be a forest land-
25 owner and one shall be a member of the general public
26 who shall have a background in economics. The initial
27 appointment of a municipal officer shall be for a
28 2-year period; the initial appointment of a forest
29 landowner shall be for a 3-year period; the initial
30 appointment of a member of the general public shall
31 be for a 4-year period. Thereafter, said appointees
32 shall be appointed to serve 4-year terms and, in the
33 event of the death or resignation of such an appoin-
34 tee, the Governor shall make an appointment to the
35 Advisory Council for the unexpired term. The members
36 of the Advisory Council shall receive no compensation
37 for their services, but said Advisory Council shall
38 be allowed actual expenses not to exceed \$2,000 for
39 each fiscal year. The Advisory Council shall render
40 to the State Tax Assessor information and advice con-
41 cerning the administration of the Maine Tree Growth

1 Tax Law. The Advisory Council shall hold a regular
2 meeting with the State Tax Assessor or his deputy in
3 February of each year, and special meetings at such
4 other times and places within the State as would seem
5 advisable. At the meeting held in February of each
6 year, the Advisory Council may elect one of its mem-
7 bers as chairman and one as vice-chairman.

8 Sec. 271. 36 MRSA §841-B, as amended by PL 1983,
9 c. 556, §17, is further amended to read:

10 §841-B. Land Classification Appeals Board; purpose,
11 composition

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

40 Sec. 272. 36 MRSA §4312-B, sub-§§1 and 5, as en-
41 acted by PL 1979, c. 731, §19, are amended to read:

42 1. Established. ~~There shall be established a The~~

1	Environmental Protection, Administration	
2	Personal Services	<u>(\$3,125)</u>
3	Reduces funds for per diem mem-	
4	ber of the Board of Environmen-	
5	tal Protection.	
6	Total	(\$3,125)
7	<u>FINANCE AUTHORITY OF MAINE</u>	
8	Natural Resource Finance and Marketing Agency	
9	Personal Services	<u>(\$ 480)</u>
10	Reduces funds for per diem for	
11	members of the Natural Resources	
12	Finance and Marketing Board.	
13	Total	(\$ 480)
14	<u>SECRETARY OF STATE, DEPARTMENT OF</u>	
15	Secretary of State, Administration	
16	All Other	\$ 800
17	Capital Expenditures	<u>350</u>
18	Provides funds for gathering and	
19	compiling information required	
20	by this Act.	
21	Total	\$1,150
22	TOTAL ALLOCATIONS	(\$9,585)

23 FISCAL NOTE

24 This new draft reduces expenses for per diem com-
25 pensation in various dedicated funds not allocated by
26 the Legislature.

27 STATEMENT OF FACT

28 This new draft revises the original bill by:

- 29 1. Redefining the term, "board," and excluding
30 specific types of boards such as boards established

1 exclusively by executive order or established exclu-
2 sively pursuant to federal law;

3 2. Redefining the term, "expenses," and the pur-
4 poses for which expenses may be paid.

5 A. Members of boards authorized to receive ex-
6 penses will be entitled to a rate not to exceed
7 the rate normally paid to state employees in the
8 performance of work for the board;

9 3. Redefining the purposes for which per diem
10 may be paid to include attendance at hearings, meet-
11 ings of the board and meetings with advisory groups;
12 activities necessary to achieve the statutory objec-
13 tives of the board; and for mandatory training;

14 4. Establishing a new classification of boards
15 which are independent organizations established to
16 evaluate a department, department or agency policies
17 and to report findings to the Executive Department
18 and the Legislature;

19 5. Revising the policy of per diem payment for
20 advisory boards to allow a rate of payment not to ex-
21 ceed \$25 per day; and

22 6. Removing the requirement that a synopsis of
23 the minutes of each board meeting be included in each
24 board's annual report to the Secretary of State.

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