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

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

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

There is established the State Compensation Com-
mission, to be established by Title 5, section 12004,
subsection 10, shall consist of 5 members appointed
as follows: Two members shall be appointed by the
President of the Senate; 2 members shall be appointed
by the Speaker of the House; and one member shall be
appointed by a majority of the preceding 4 commis-
sioners, and shall serve as chairman of the commis-
sion. The 5 members shall be residents of the State,
appointed from the public. No one may be appointed
who is a Legislator at the time of his appointment.
All council expenses shall be paid from the fund established by section 1919.

Sec. 133. 23 MRSA §1965, sub-$1, as amended by PL 1983, c. 337, §1, is further amended to read:

1. Powers. The Maine Turnpike Authority, as created by Private and Special Law 1941, chapter 69 and as continued in existence by this chapter authorized by Title 5, section 12004, subsection 7, is and shall continue to be a body both corporate and politic in the State and may:

A. Sue and be sued;

B. Have a seal and alter the seal at pleasure;

C. Adopt from time to time and amend bylaws covering its procedure and rules governing use of the turnpike and any of the other services made available in connection with the turnpike; develop and adopt, in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, rules governing the use of the turnpike and other services; publish those bylaws, rules as publication is necessary or advisable and cause records of its proceedings to be kept;

D. Construct, maintain, reconstruct and operate a toll turnpike from a point at or near York in York County to a point at or near Augusta in Kennebec County, except that the traveled way shall not be widened or expanded without the express approval of the Legislature;

E. Acquire, hold and dispose of personal property for its purposes;

F. Acquire in the name of the authority by purchase, eminent domain, lease or otherwise, real property and rights or easements therein deemed by it necessary or desirable for its purposes, and use that property;

G. Acquire any such real property by the exercise of the power of eminent domain in the manner provided by section 1967;
H. Charge and collect fees, fares and tolls for the use of the turnpike and other services made available in connection with the turnpike and use the proceeds of such fees, fares and tolls for the purposes provided in this chapter, both as subject to and in accordance with such agreement with bondholders as may be made as provided in this chapter;

I. Make contracts with the United States or any instrumentality or agency of the United States, this State or any of its agencies or instrumentalities, municipalities, public corporations, or bodies existing therein, private corporations, partnerships, associations and individuals;

J. Accept grants and the cooperation of the United States or any agency thereof in the construction, maintenance, reconstruction, operation and financing of the turnpike and do any and all things necessary in order to avail itself of that aid and cooperation and repay any such grant or portion thereof;

K. Employ such assistants, agents and servants, engineering, traffic, architectural and construction experts and inspectors and attorneys and such other employees as it deems necessary or desirable for its purposes;

L. Exercise any of its powers in the public domain of the United States, unless the exercise of those powers is not permitted by the laws of the United States;

M. Borrow money, make, issue and sell at public or private sale negotiable notes, bonds and other evidences of indebtedness or obligations of the authority for the purposes set forth in this chapter and secure the payment of that obligation or any part thereof by pledge of all or any part of the operating revenues of the turnpike;

N. Enter into loan or security agreements with one or more lending institutions, including, but not limited to, banks, insurance companies and pension funds, or trustees for those institutions
for purposes for which bonds may be issued and
to exercise with respect to such loan or security
agreements all of the powers delineated in this
chapter for the issuances of bonds;

O. Provide an annual amount not to exceed a max-
imum of $4,700,000 as the department shall re-
quest and the authority shall determine pursuant
to section 1974, subsection 4, after moneys have
been set aside, or adequate provision has been
made, to pay operating expenses and to meet the
requirements of any resolution authorizing bonds
of the authority, to be necessary for the use of
the department each year for the construction,
operation and maintenance of access roads and
costs related thereto;

P. Provide from revenues to or for the use of
the department funds for the maintenance, con-
struction or reconstruction of interchanges de-
determined pursuant to section 1974, subsection 3,
for which the authority has not otherwise pro-
vided;

Q. Use toll revenues to provide payment of obli-
gations, if any, as may be due to the United
States in order to continue the use of the turn-
pike as a toll type facility;

R. Issue revenue bonds in accordance with this
chapter for the purpose of payment to the Federal
Government for any funds owed by the State as the
result of maintaining tolls on the turnpike and
issue additional revenue bonds for the construc-
tion and reconstruction of interchanges and re-
lated access roads and the reconstruction of the
turnpike. The additional revenue bonds so issued
shall not exceed $20,000,000 in aggregate princi-
pal amount outstanding at any one time, excluding
bonds issued to refund outstanding bonds;

S. Prior to the issuance of any bonds, the au-
thority may issue interim certificates in such
manner and with such conditions as the authority
may determine to be exchanged for those bonds
when issued; and

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T. Take all other lawful action necessary and incidental to these powers.

Sec. 134. 23 MRSA §1965, sub-§2, ¶C, as amended by PL 1981, c. 698, §102, is further amended to read:

C. Before the issuance of any bonds under this chapter, the secretary and treasurer shall execute a security bond in the penalty of $100,000. Each security bond must be approved by the Attorney General and shall be conditioned upon the faithful performance of the duties of his office, which bond shall be filed in the office of the State Auditor. Each member of the authority shall receive $50 for each day in attendance at an official meeting and be reimbursed for necessary expenses incurred in the performance of his duties be compensated according to the provisions of Title 5, chapter 379. The Governor may remove a member from the authority only for gross misconduct.

Sec. 135. 23 MRSA §4209, sub-§7, as enacted by PL 1979, c. 505, §4, is amended to read:

7. Review. The Commissioner of Transportation shall appoint a Public Transportation Advisory Committee, established by Title 5, section 12004, subsection 10, consisting of not more than 17 members. The members shall represent individuals, organizations and agencies as described in this section. The committee shall advise the Commissioner of Transportation regarding the administration of this section.

Sec. 136. 23 MRSA §4301, as enacted by PL 1975, c. 580, §4, is amended to read:

§4301. Board established

There is established the The Maine State Ferry Advisory Board, established by Title 5, section 12004, subsection 10, and in this section called "the board," which shall be a board within the Department of Transportation.

Sec. 137. 23 MRSA §4420, as enacted by PL 1981,
Low-level Waste Siting Commission, established by Title 5, section 12004, subsection 10, shall hereafter be referred to as the "commission."

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

5. Compensation. Members, except state employees, shall receive reimbursement for the necessary actual expenses incurred in carrying out their duties be compensated according to the provisions of Title 5, chapter 379.

STATEMENT OF FACT

The purpose of this bill is to establish standards and policies for the compensation of members of boards, commissions, committees, councils, authorities and similar organizations and to establish a central statutory inventory of these organizations. This bill establishes the legislative per diem, $35/day-currently, as a ceiling per diem, except advisory boards and boards with minimal authority are eligible only for expenses. The exception to this state policy is compensation of boards for which there is a very limited supply of expertise and the boards issue substantive decisions that have a significant impact upon the State.