

MAINE STATE LEGISLATURE

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March 9, 1976

Richard W. Tripp

Educational Leave Advisory Bd.

Robert J. Stolt, Assistant

Attorney General

Educational Leave Advisory Board Expenses

This will respond to your memorandum of January 30, 1976, in which you ask:

"1. What agency/individual is responsible for 'administration' costs incurred by the Educational Leave Advisory Board in the performance of its statutory function; and,

"2. What agency-individual is responsible for personal expenses incurred in conjunction with the Board's activities, e.g., travel expenses of Board members to attend meetings in Augusta?"

I understand all Board meetings are held in the office of the Director of the Department of Personnel. The only current Board member who must travel to Augusta to attend those meetings is the State employee member. As you know, the Maine Educational Leave Act, 5 M.R.S.A. § 721, provides that "members of the Board shall receive no compensation for their services." 5 M.R.S.A. § 723. Accordingly the Maine Educational Leave Advisory Board may not pay or authorize payment of the personal expenses of Board members incurred as a result of attendance at Board meetings. Therefore, I conclude that expenses of Board members incurred in performance of their Board duties should be submitted to their employing agency or department for payment in the same manner as such agency or department pays the expenses of all other employees whose employment requires them to incur expenses in the performance of their job assignment.

Further, the department, acting as host for Educational Leave Advisory Board meetings, should assume all reasonable administrative costs incurred by the Board in performance of its statutory function.

Finally, any other expenses incurred by the Board may be paid only from "donations or contributions" received by the Board. 5 M.R.S.A. § 725.

ROBERT J. STOLT
Assistant Attorney General

RJS/ec