

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 464

H. P. 370

House of Representatives, January 29, 1975

Referred to Committee on State Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Farnham of Hampden.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT to Reorganize the State Personnel Board.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the State has enacted the State Employees Labor Relations Act, which establishes for all state employees the right to collectively bargain with the State and to form bargaining units; and

Whereas, one of the members of the State Personnel Board is chosen by the Maine State Employees Association; and

Whereas, representation of only one collective bargaining unit on the State Personnel Board is injurious to the rights of all other collective bargaining units that may be created under the State Employees Labor Relations Act; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 5 MRSA, § 591, as amended by PL 1967, c. 476, § 11, is repealed and the following enacted in place thereof:

§ 591. Membership; term; compensation

The State Personnel Board, as heretofore established, shall be composed of 5 members, no more than 3 of whom shall be of the same political party. Each member shall be appointed by the Governor with the advice and consent

of the Executive Council. One member of the board shall be designated by the Governor as chairperson. Each member shall be appointed for 4 years or until his successor has been appointed and qualified, except that of the 5 members first appointed under this Act, the chairperson and one other member shall be appointed for 4 years, a 3rd member shall be appointed for 3 years, a 4th member shall be appointed for 2 years and a fifth member shall be appointed for one year. Any vacancy shall be filled within 60 days by the Governor, with the advice and consent of the Executive Council, for the unexpired portion of the term.

The most important qualification for membership on the State Personnel Board shall be the appointee's expertise in personnel relations and management.

The members of the board shall receive \$50 a day for the time actually spent in the discharge of their duties, and their necessary expenses.

Within 60 days after passage of this Act, the Governor with the advice and consent of the Executive Council, shall appoint the 5 members of the board. Until these appointments are made, the present board members will continue to serve.

Sec. 2. Appropriation. There is appropriated from the General Fund the sum of \$10,608 to carry out the purposes of this Act. The breakdown shall be as follows:

	1975-76	1976-77
STATE PERSONNEL BOARD		
Personal Services	\$5,304	\$5,304

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

The purpose of this Act is to create a State Personnel Board that is unbiased, fairly paid and professional in its knowledge of personnel relations and management.