

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

---

---

# ONE HUNDRED AND SEVENTH LEGISLATURE

---

---

Legislative Document

No. 1128

H. P. 914

House of Representatives, March 19, 1975

Referred to the Committee on Natural Resources. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Carey of Waterville.

---

---

## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FIVE

---

---

**AN ACT** Relating to the Structure of the Board of Environmental Protection.

---

---

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

Sec. 1. 38 MRSA § 342, sub-§ 1, as enacted by PL 1971, c. 618, § 8, is amended to read:

1. He shall be ex officio a nonvoting member of the Board of Environmental Protection ~~and its chairman. He shall have the right to vote only in the case of a tie vote~~

Sec. 2. 38 MRSA § 361, first 3 ¶¶, as last amended by PL 1971, c. 618, § 9, are repealed and the following enacted in place thereof:

The Board of Environmental Protection, as heretofore established and hereinafter in this subchapter called the "board," shall consist of 5 full-time members appointed by the Governor with the advice and consent of the Council; a professional engineer registered in Maine; an attorney admitted to the practice of law in Maine; a member of a labor union; a member with industrial management experience; and a member from the general public. The Governor will designate a chairperson from among the 5 members. The Commissioner of Environmental Protection shall be an ex officio, nonvoting member of the board. Members shall be appointed for a term of 5 years and until their successors are appointed and duly qualified.

The members appointed by the Governor shall receive annual salaries at the same level as justices of the Maine Superior Courts with the salary of the chairperson \$2,500 higher. All members shall receive necessary traveling expenses for attending any meetings of the board or for any other travel in con-

nection with the official business of the board and under specific authority of the board which traveling expenses shall be paid out of the General Fund.

Meetings of the board shall be held at such time and place as shall be determined by the board, but not less than one meeting each week shall be held. The board shall in October of each year elect a secretary who need not be chosen from among the members of the board. Three members of the board shall constitute a quorum, except for the purpose of conducting any hearing.

#### FISCAL NOTE

An additional appropriation of \$100,000 will be necessary to compensate members of the board as provided by this Act.

#### STATEMENT OF FACT

This Act will change the composition of the Board of Environmental Protection from 10 part-time laymen to 5 full-time professional members. The great impact of decisions of the Board of Environmental Protection, the growing demands upon the board, and the complexity of many applications to the board require that professionals devote full-time to these important decisions.