

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
108TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "B " to S.P. 672, L.D. 2076, Bill,
"AN ACT to Facilitate Recruitment and Retention of Outstanding
Persons for Policy-making Positions in State Service.

Amend the Bill by striking out everything after the title
and inserting in its place the following:

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

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Sec. 1. 2 MRSA §6, as last amended by/1977, c. 553, §1,
is ————— → repealed and the following enacted in its
place:

§6. Salaries

Notwithstanding any other provisions of law, the Governor
is authorized to adjust the salaries of the following state
officials within the salary ranges indicated herein. The
adjustment may be at the time of appointment of the official,
and subsequently as provided by law. The salary ranges shall
be as provided by law. No other state salary shall be paid to
these officials.

1. Range 93. The salaries of the following state
officials and employees shall be within salary range 93:

A. Chairman, Public Utilities Commission;

B. Commissioner of Business Regulation;

- C. Commissioner of Conservation;
- D. Commissioner of Educational and Cultural Services;
- E. Commissioner of Environmental Protection;
- F. Commissioner of Finance and Administration;
- G. Commissioner of Human Services;
- H. Commissioner of Manpower Affairs;
- I. Commissioner of Mental Health and Corrections;
- J. Commissioner of Personnel;
- K. Commissioner of Public Safety; and
- L. Commissioner of Transportation.

2. Range 91. The salaries of the following state officials and employees shall be within salary range 91:

- A. State Budget Officer; and
- B. State Tax Assessor.

3. Range 90. The salaries of the following state officials and employees shall be within salary range 90:

- A. Bank Superintendent; and
- B. Bureau of Consumer Protection Superintendent.

4. Range 89. The salaries of the following state officials and employees shall be within salary range 89:

- A. Chief of the State Police;
- B. Commissioner of Agriculture;
- C. Commissioner of Inland Fisheries and Wildlife;
- D. Commissioner of Marine Resources;

E. Director of the Bureau of Forestry;

↑
F. Insurance Superintendent;

G. Public Utilities members, other than chairman;

↑
H. State Controller; and

I. State Director of Public Improvements.

5. Range 88. The salaries of the following state officials and employees shall be within salary range 88:

A. Director, Arts and Humanities Bureau;

B. Director of Public Lands;

C. Director of the Bureau of Parks and Recreation;

D. Director, State Museum Bureau;

E. Executive Director, Retirement System;

F. State Director of Alcoholic Beverages; and

G. State Purchasing Agent.

6. Range 86. The salaries of the following state officials and employees shall be within salary range 86:

A. Adjutant General;

B. Deputy Chief of the State Police;

C. Director of Finance of the Public Utilities Commission;

D. Director of Geology;

E. Director of Labor;

F. Director of State Lotteries;

G. Director of Transportation of the Public Utilities Commission;

H. Executive Director, Land Use Regulation Commission;

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- I. General Counsel of the Public Utilities Commission; and
- J. State Archivist.

7. Range 85. The salaries of the following state officials and employees shall be within salary range 85:

- A. Director of Civil Emergency Preparedness;
- B. Director of Veterans Services; and
- C. State Librarian.

8. Range 83. The salaries of the following state officials and employees shall be within salary range 83:

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- A. Commissioner of Indian Affairs; and
- B. Deputy Adjutant General.

9. Range 81. The salaries of the following state officials and employees shall be within salary range 81:

- A. Assistant Adjutant General; and
- B. Executive Director, Historic Preservation Commission.

Sec. 2. 2 MRSA §7, as last repealed and replaced by / 1975, Pt. c. 147, C, §4, is repealed and the following enacted in its place:

§7. Constitutional officers and regulatory boards

- 1. Constitutional officers. Notwithstanding section 6 or

any other provision of law, the respective salaries of the Attorney General, Secretary of State, State Auditor and Treasurer of State shall be as follows:

- A. Attorney General.....\$25,500;
- B. Secretary of State..... 20,000;
- C. State Auditor..... 20,000;
- D. Treasurer of State..... 17,500.

2. Regulatory boards. Notwithstanding section 6 or any other provision of law, the salaries of the listed chairmen and of members of the following regulatory boards shall be:

- A. Employment Security Commission
 - (1) Members other than chairman.....\$20,475;
- B. Industrial Accident Commission
 - (1) Chairman..... 20,475;
 - (2) Members other than chairman..... 18,900.

Sec. 3. Appropriation. The following funds shall be appropriated from the General Fund to carry out the purposes of this Act:

	<u>1978-79</u>
<u>DEPARTMENT OF AUDIT</u>	
State Auditor	
Personal Services	\$1,500
<u>PUBLIC UTILITIES COMMISSION</u>	
Personal Services	6,825
<u>TREASURY DEPARTMENT</u>	
Treasurer of State	
Personal Services	1,500

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Sec. 4. Effective date. This Act shall become effective on January 8, 1979.'

Statement of Fact

The bill seeks to solve a major personnel problem in State Government: The salary that may be offered to many top state officials is very often too low to attract and retain a high caliber/^{of} individual. This is not to say that the State does not attract very capable individuals; quite obviously, it does, but salary is a serious issue for these individuals. There are numerous recent cases of highly qualified individuals not accepting offers of state employment or seriously considering leaving state employment. As a further indication of the generally low salary level of members of the Governor's cabinet, several of them have subordinates who are paid a higher salary.

A related problem is the potential confusion as to what are the salary limits for the highest state officials, nearly all of whose salaries are purported to be listed in Title 2, section 6, ←→ In fact, their salaries may be amounts not greater than the amounts listed in that section or greater amounts as authorized by Private and Special Laws of 1975, chapter 147, Part D, section 7. This bill treats both problems.

First, the bill provides that the only salary that shall be paid to officials listed in Title 2, section 6, ←→ shall be a salary within the salary range number listed. This number is taken from the same salary range schedule that is used for most

other state employees. The specific salary amounts for each of these salary ranges shall be determined by the appropriation process as is now done by the other ranges. This approach has several advantages over the current system.

1. It keeps salaries for Title 2 officials current with other salaries to reflect cost of living and other allowances.
2. It narrows the range within which these salaries may be paid and reduces the confusion by using one salary schedule rather than 2. At the same time, it permits the Governor to set salaries for each official within the range, giving him the flexibility to use salary to attract and retain qualified individuals.

Second, it raises the salary range for the following state officials to facilitate recruitment and retention of the following:

- Commissioner of Transportation;
- Commissioner of Conservation;
- Commissioner of Finance and Administration;
- Commissioner of Educational and Cultural Services;
- Commissioner of Environmental Protection;
- Commissioner of Human Services;
- Commissioner of Mental Health & Corrections;
- Commissioner of Public Safety;
- Commissioner of Business Regulation;
- Commissioner of Manpower Affairs;
- Commissioner of Personnel;
- Commissioner of Marine Resources;

Commissioner of Agriculture;
Commissioner of Inland Fisheries and Wildlife;
and members,
Chairman /Public Utilities Commission;
State Budget Officer;
State Tax Assessor;
State Auditor ; and
State Treasurer

In addition, the bill deletes from Title 2 salary determinations for the following positions.

1. Three positions which are staff appointments within the Executive Department, The Commissioner of Commerce and Industry. (Director of the State Development Office), Director of the State Planning Office and Director of the Office of Energy Resources.

2. Several positions which are more appropriately handled as regular unclassified positions, including Secretary of Public Utilities Commission, Chief Boiler Inspector and Supervising Elevator Inspector and Dispute Resolution Specialist.

An appropriation is included for the 3 state agencies which will need additional funds to implement the bill for 1/2 year. The bill takes effect in January, 1979.

Reported by the Committee on State Government.

Reproduced and distributed pursuant to Senate Rule 11-A.

March 13, 1978

(Filing No. S-543)