

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 9

S.P. 19

In Senate, January 5, 1993

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator PEARSON of Penobscot

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-THREE

**An Act Prohibiting Political Activity by Members of the Workers'
Compensation Board.**



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

2
3 **Sec. 1. 39-A MRSA §151, sub-§1,** as enacted by PL 1991, c. 885,
4 Pt. A, §8 and affected by §§9 to 11, is amended to read:

6 **1. Board established.** Pursuant to Title 5, section 12004-G,
7 subsection 35, the Workers' Compensation Board is established as
8 an independent board composed of 8 members. The members of the
9 board must be appointed by the Governor within 30 days after a
10 new board member is authorized or a vacancy occurs, subject to
11 review by the joint standing committee of the Legislature having
12 jurisdiction over state and local government matters and
13 confirmation by the Legislature. Notwithstanding the provisions
14 of Title 3, section 151, the designated committee shall complete
15 its review of the appointments of the Governor within 15 days of
16 the Governor's written notice of appointment and the vote of the
17 Legislature must be taken no later than 7 days after the vote of
18 the designated committee.

20 Four members of the board must be representatives of management
21 and 4 members must be representatives of labor. All management
22 representatives must be appointed from a list provided by the
23 Maine Chamber of Commerce and Industry or other bona fide
24 organization or association of employers. All labor
25 representatives must be from a list provided by the Executive
26 Board of the Maine AFL-CIO or other bona fide labor organization
27 or association of employees representing at least 10% of the
28 Maine work force. Any list submitted to the Governor must have
29 at least 4 times the number of names as there are vacancies for
30 the group represented by the vacancies.

32 A member of the board is not liable in a civil action for any act
33 performed in good faith in the execution of duties as a board
34 member.

36 A member of the board may not be a lobbyist required to be
37 registered with the Secretary of State, a service provider to the
38 workers' compensation system or a representative of a service
39 provider to the workers' compensation system.

40 A member of the board may not participate in partisan political
41 activities during that member's term and for one year following
42 the expiration of that term. Partisan political activities
43 include participating in fund-raising activities or campaigning
44 for a partisan candidate or political party but does not include
45 political activities related to nonpartisan county, municipal,
46 school board or special district elections.

48 Members of the board hold office for staggered terms of 4 years,
49 except for the initial members of the board. The terms of one
50 member representing management and one member representing labor

2 expire February 1st of each year. A member may not serve for
more than 2 full terms.

4 The Governor shall initially designate one member representing
6 management and one member representing labor for terms expiring
February 1, 1994; one member representing management and one
8 member representing labor for terms expiring February 1, 1995;
one member representing management and one member representing
10 labor for terms expiring February 1, 1996; and one member
representing management and one member representing labor for
12 terms expiring February 1, 1997.

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STATEMENT OF FACT

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18 This bill prohibits a member of the Workers' Compensation
Board from participating in partisan political activities during
that member's term and for one year following the expiration of
20 that term.