

## §12002-B. Compensation of board members

Members of boards shall be paid a legislative per diem, another specified daily rate of compensation, a salary, expenses only or no compensation, as established for each board in sections 12004-A to 12004-L. Any board for which a legislative per diem, another specified daily rate of compensation or a salary is specified shall also be authorized to receive expenses as provided in section 12002-A. If the rate of compensation specifies expenses only, the member shall receive expenses as provided in section 12002-A. If the rate of compensation specifies "not authorized," the member shall receive no compensation or expenses. [PL 1989, c. 503, Pt. B, §26 (AMD).]

**1. Payment of compensation.** The legislative per diem or any other specified daily rate of compensation or annual rate of compensation, as specified in sections 12004-A to 12004-K, may be paid only for a member's:

A. Actual attendance at meetings of the board within the State called by the chair or by a majority of the members of the board; [PL 1989, c. 503, Pt. B, §27 (AMD).]

B. Actual attendance at public hearings held by the board within the State to fulfill the duties and responsibilities of the board; [PL 1983, c. 812, §39 (NEW).]

C. Actual attendance at meetings within the State of groups advisory to the board; or [PL 1983, c. 812, §39 (NEW).]

D. Participation in official business of the board required by law or by rule of the board or a procedure which is necessary to fulfill the statutory responsibilities of the board, but shall not include any of the prohibited activities as defined in subsection 2. [PL 1985, c. 295, §7 (RPR).] [PL 1989, c. 503, Pt. B, §27 (AMD).]

**1-A. Payments of compensation for written decisions.** A daily rate of compensation may be paid to the following persons for the preparation of a written decision of the board:

A. The chair of any board who is required by law to prepare and issue a written decision of the board; and [RR 2023, c. 2, Pt. B, §88 (COR).]

B. A member of the board who has been assigned to serve as a hearing examiner in an adjudicatory proceeding. [PL 1985, c. 295, §8 (NEW).]

The payment of compensation as provided in this subsection shall be provided only in the event that a statutorily required written decision cannot be prepared at a meeting or hearing of the board and shall not exceed the payment of 5 days of compensation for the preparation and issue of a written decision. [RR 2023, c. 2, Pt. B, §88 (COR).]

**2. Prohibition of payment of compensation.** No daily, hourly or annual rate of compensation may be paid to any board member for any of the following:

A. Preparation or review of materials for any meetings or hearings of any board, unless the member is preparing or reviewing materials in the member's capacity as the assigned hearing examiner in an adjudicatory proceeding; [RR 2023, c. 2, Pt. B, §89 (COR).]

B. Completion of work, except as provided in subsection 1-A, following meetings or hearings of the board; [PL 1985, c. 295, §9 (NEW).]

C. Lobbying activities; [PL 1985, c. 295, §9 (NEW).]

D. Attendance at meetings or conferences held out of state, unless attendance is mandatory for training purposes or for maintaining qualifications in order to remain on the board, exclusive of a member's professional or occupational requirements and the required training is not available within the State. Compensation may be paid to any board member for attendance at meetings out of state for the purpose of securing an approval by the Federal Government or another state

government which the board is required to seek and a rate of compensation is not paid by the Federal Government or other state government to the board member for attendance at these meetings; and [PL 1985, c. 295, §9 (NEW).]

E. Any activity for which approval has not been granted by the chair, a person authorized by statute to give approval or a majority of the board members. [RR 2023, c. 2, Pt. B, §90 (COR).]  
[RR 2023, c. 2, Pt. B, §§89, 90 (COR).]

#### SECTION HISTORY

PL 1983, c. 812, §39 (NEW). PL 1985, c. 295, §§7-9 (AMD). PL 1989, c. 503, §§B26,B27 (AMD). RR 2023, c. 2, Pt. B, §§88-90 (COR).

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