

MAINE STATE LEGISLATURE

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1 (EMERGENCY)
2 FIRST REGULAR SESSION
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE
5

6 Legislative Document

No. 973

8 H.P. 687 , House of Representatives, March 8, 1985

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

11 EDWIN H. PERT, Clerk

Presented by Representative Gwadosky of Fairfield.

12 Cosponsored by Representative Boutilier of Lewiston and Representative
Descoteaux of Biddeford.

13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-FIVE
17

18 AN ACT to Clarify and Make Technical Changes
19 in the Law Governing Boards and
20 Commissions.
21

22 Emergency preamble. Whereas, Acts of the Legis-
23 lature do not become effective until 90 days after
24 adjournment unless enacted as emergencies; and

25 Whereas, there are a number of boards and commis-
26 sions omitted from the Maine Revised Statutes, Title
27 5, chapter 379, which authorizes compensation for
28 boards and commissions; and

29 Whereas, these boards are currently operating and
30 providing an important service to the State; and

31 Whereas, it is in the best interest of the State
32 to authorize compensation for the members of these
33 boards as soon as possible; and

1 Whereas, in the judgment of the Legislature,
2 these facts create an emergency within the meaning of
3 the Constitution of Maine and require the following
4 legislation as immediately necessary for the preser-
5 vation of the public peace, health and safety; now,
6 therefore,

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

9 Sec. 1. 5 MRSA §8-I, as enacted by PL 1979, c.
10 427, is amended by adding at the end a new paragraph
11 to read:

12 This section does not apply to the compensation
13 of state employees appointed to boards and commis-
14 sions in this State. State employees and other mem-
15 bers of state boards and commissions shall be gov-
16 erned by chapter 379.

17 Sec. 2. 5 MRSA §285, sub-§2, as amended by PL
18 1979, c. 653, is further amended to read:

19 2. Coverage. Each state employee to whom this
20 section applies shall be eligible for group accident
21 and sickness or health insurance as provided in Title
22 24-A, sections 2802 to 2812, including major medical
23 benefits. The provisions of such group insurance
24 policy or policies shall be determined, insofar as
25 such provisions are not inconsistent with terms and
26 conditions contained in collective bargaining agree-
27 ments negotiated pursuant to Title 26, chapter 9-B,
28 by a board of trustees consisting of 5 members, 2 of
29 whom shall be appointed by the employee organization
30 certified to represent the majority of employees; one
31 of whom shall be a retired state employee selected by
32 a majority vote of the Presidents of the Chapters of
33 the Retired State Employees Association; and 2 state
34 employees who shall be appointed by the Governor. The
35 board of trustees, as authorized by chapter 379,
36 shall hold office for 3 years, with initial appoint-
37 ments to be made as follows: One member appointed by
38 the Governor for 3 years and one member appointed by
39 the Governor for 2 years; one member appointed by the
40 Maine State Employees Association for 3 years and one
41 member appointed by the Maine State Employees Associ-
42 ation for 2 years; and one member, appointed by the

1 Maine State Retirees, for one year. The master policy
2 for such group insurance shall be held by the Commis-
3 sioner of Finance and Administration who shall be ex
4 officio a member of the board of trustees. Said group
5 insurance shall be administered by the board of
6 trustees herein provided.

7 Sec. 3. 5 MRSA §12002, sub-§1, as amended by PL
8 1983, c. 862, §16, is further amended to read:

9 1. Board. "Board" means any authority, board,
10 commission, committee, council and similar organiza-
11 tion, including independent organizations, estab-
12 lished or authorized by the Legislature to fulfill
13 specific functions ~~and which does not serve as a~~
14 ~~full-time state agency the members of which do not~~
15 serve full time. "Board" does not include:

16 A. Any informal advisory organization estab-
17 lished exclusively by a state agency to advise
18 the commissioner or director of that agency on an
19 informal basis;

20 B. Any authority, board, commission, committee,
21 council and similar organization organized or ap-
22 pointed exclusively by a political subdivision of
23 the State to include regional, county and local
24 planning boards, economic development boards or
25 district, or educational, cultural or recreation-
26 al boards;

27 C. Any authority, board, commission, committee,
28 council and similar organization organized exclu-
29 sively pursuant to federal law and which does not
30 require authorization by the State;

31 D. Any authority, board, commission, committee,
32 council and similar organization organized or au-
33 thorized exclusively by Executive Order; ~~and~~

34 E. Special study organizations as defined in
35 subsection 4- ; and

36 F. A joint standing committee of the Legislature
37 or any joint select committee, composed exclu-
38 sively of Representatives and Senators.

1 Sec. 4. 5 MRSA §12002, sub-§2, as enacted by PL
2 1983, c. 812, §39, is amended to read:

3 2. Expenses. "Expenses" means travel, meals or
4 lodging costs or other necessary costs incurred by a
5 member of a board in the performance of his duties as
6 a member of that board. Noonday meal expenses in-
7 curring while in attendance at a board meeting or
8 hearing shall be deemed a reimbursable expense, but
9 shall not exceed \$5 per meal.

10 Sec. 5. 5 MRSA §12002-A, ¶E, as enacted by PL
11 1983, c. 812, §39, is repealed and the following en-
12 acted in its place:

13 E. Participation in official business of the
14 board required by law or by rule of the board and
15 which is necessary to fulfill the statutory re-
16 sponsibilities of the board, but shall not in-
17 clude any of the prohibited activities as defined
18 in section 12002-B, subsection 2. Members of oc-
19 cupational and professional licensing boards, as
20 defined in section 12004, subsection 1, may re-
21 ceive expenses for meetings relating to the occu-
22 pations and professions regulated by each board
23 and which meetings are held out-of-state.

24 Sec. 6. 5 MRSA §12002-B, sub-§1, ¶D, as enacted
25 by PL 1983, c. 812, §39, is repealed and the follow-
26 ing enacted in its place:

27 D. Participation in official business of the
28 board required by law or by rule of the board and
29 which is necessary to fulfill the statutory re-
30 sponsibilities of the board, but shall not in-
31 clude any of the prohibited activities as defined
32 in subsection 2.

33 Sec. 7. 5 MRSA §12002-B, sub-§1-A is enacted to
34 read:

35 1-A. Payments of compensation to chairmen for
36 written decisions. A daily rate of compenstaion may
37 be paid to the chairmen of any board who is required
38 by law to prepare and issue a written decision of the
39 board. The rate of compensation shall not exceed one
40 day's authorized per diem compensation for that board

1 member. The payment of compensation, as provided in
2 this subsection, shall be provided only in the event
3 that a statutorily required written decision cannot
4 be prepared at a meeting or hearing of the board.

5 Sec. 8. 5 MRSA §12002-B, sub-§2, as enacted by
6 PL 1983, c. 812, §39, is repealed and the following
7 enacted in its place:

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

11 A. Preparation or review of materials for any
12 meetings or hearings of any board;

13 B. Completion of work, except as provided in
14 subsection 1-A, following meetings or hearings of
15 the board;

16 C. Lobbying activities;

17 D. Attendance at meetings or conferences held
18 out-of-state, unless attendance is mandatory for
19 training purposes, in order to be qualified as a
20 board member and training is not available within
21 the State; and

22 E. Any activity for which approval has not been
23 granted by the chairman or by a majority of the
24 board members.

25 Sec. 9. 5 MRSA §12002-C is enacted to read:

26 §12002-C. Per diem and expense vouchers

27 In order to receive per diem compensation or re-
28 imbursement for expenses as authorized by this chap-
29 ter, a board member shall complete a voucher form to
30 the satisfaction of the Commissioner of Finance and
31 Administration. Every board member shall certify in
32 writing on the voucher form whether the per diem or
33 expenses incurred for each item is an official meet-
34 ing or hearing that has been called by the chairman
35 of the board. In the event that the requested per
36 diem or expense reimbursement is not the result of an
37 official meeting or hearing of the board, the board

1 member shall explain on the voucher the reason for
2 the claim.

3 Sec. 10. 5 MRSA §12003, as enacted by PL 1983,
4 c. 812, §39, is repealed.

5 Sec. 11. 5 MRSA §12003-A is enacted to read:

6 §12003-A. Standards

7 Boards established by this chapter shall comply
8 with the following standards.

9 1. Compensation of substantive boards. Compensation
10 provided to members of boards that are not clas-
11 sified as advisory boards in section 12004 shall not
12 exceed the legislative per diem rate defined in sec-
13 tion 12002 for the purposes defined in section
14 12002-B.

15 A. The only exception to this policy applies to
16 boards which require members with special exper-
17 tise for which there is an extremely limited sup-
18 ply and which require members to undertake very
19 difficult tasks and render decisions that have a
20 significant impact upon the State.

21 2. Compensation of advisory boards. Compensation
22 provided to members of boards, defined in section
23 12004, subsection 10 as advisory boards or boards
24 with minimal authority, shall not exceed \$25 per day
25 and payment of expenses.

26 A. Advisory and other boards, as defined in sec-
27 tion 12004, subsection 10, which are not autho-
28 rized by law to be reimbursed for expenses shall
29 not be eligible for this reimbursement.

30 3. Compensation as provided in section
31 12004. Compensation to members of boards shall be in
32 accordance with the rate established for each board
33 in section 12004. The defined rate of compensation
34 for each board in section 12004 shall be in compli-
35 ance with this section.

36 4. Compensation of state employee members of
37 boards. State employee members of boards may receive

1 their regular wages or salaries or the authorized per
2 diem compensation, but not both, as defined by this
3 subsection.

4 A. Any state employee, classified or unclassi-
5 fied, who is a member of a board by virtue of the
6 position held by that state employee or who has
7 been designated by the commissioner or director
8 of a state agency to represent the commissioner,
9 director or agency shall not be paid a per diem
10 compensation, salary or any other remuneration
11 for attendance at board meetings, hearings or
12 other board activities.

13 B. Any state employee, classified or unclassi-
14 fied, who is a member of a board, who has been
15 appointed at the request of the state employee or
16 because of the personal interest of the state em-
17 ployee in the board's activities and who is not
18 an ex officio member or a representative of a
19 commissioner, director or state agency, shall not
20 be paid his regular wages or salary for attend-
21 ance at meetings or hearings of the board or for
22 work performed for the board during the normal
23 working hours of the state employee.

24 5. Records of boards. Records and minutes of
25 all boards shall be open and readily available in a
26 convenient place to the public.

27 6. Meetings of boards. Meetings of boards shall
28 be held in public places and whenever possible in a
29 public building.

30 Sec. 12. 5 MRSA §12004, 3rd ¶, as enacted by PL
31 1983, c. 812, §39, is repealed.

32 Sec. 13. 5 MRSA §12004, sub-§1, ¶A, sub-¶¶(24-A)
33 to (39), as amended, are repealed and the following
34 enacted in their place:

35	<u>(25) Board of Occupa-</u>	<u>Expenses</u>	<u>32 MRSA §2273</u>
36	<u>tional Therapy</u>	<u>Only</u>	
37	<u>Practice</u>		
38	<u>(26) Oil and Solid Fuel</u>	<u>\$30/Day</u>	<u>32 MRSA §2351</u>
39	<u>Board</u>		

1	(27)	<u>State Board of</u>	<u>\$25/Day</u>	<u>32 MRSA \$2415</u>
2		<u>Optometry</u>		
3	(28)	<u>Board of Osteopathic</u>	<u>Legislative</u>	<u>32 MRSA \$2561</u>
4		<u>Examination and</u>	<u>Per Diem</u>	
5		<u>Registration</u>		
6	(29)	<u>Board of Commis-</u>	<u>\$25/Day</u>	<u>32 MRSA \$2851</u>
7		<u>sioners of the Pro-</u>		
8		<u>fession of Pharmacy</u>		
9	(30)	<u>Board of Examiners</u>	<u>\$25/Day</u>	<u>32 MRSA \$3112</u>
10		<u>in Physical Therapy</u>		
11	(31)	<u>Plumbers' Examining</u>	<u>\$35/Day</u>	<u>32 MRSA \$3401</u>
12		<u>Board</u>		
13	(32)	<u>Board of Examiners</u>	<u>\$25/Day</u>	<u>32 MRSA \$3601</u>
14		<u>of Podiatrists</u>		
15	(33)	<u>State Board</u>	<u>\$35/Day</u>	<u>32 MRSA \$3821</u>
16		<u>of Examiners of</u>		
17		<u>Psychologists</u>		
18	(34)	<u>Radiologic</u>	<u>Expenses</u>	<u>32 MRSA \$9853</u>
19		<u>Technology Board</u>	<u>Only</u>	
20		<u>of Examiners</u>		
21	(35)	<u>Real Estate</u>	<u>\$35/Day</u>	<u>32 MRSA \$4051-A</u>
22		<u>Commission</u>		
23	(36)	<u>State Board of</u>	<u>Expenses</u>	<u>32 MRSA \$7026</u>
24		<u>Social Worker</u>	<u>Only</u>	
25		<u>Registration</u>		
26	(37)	<u>Board of Examiners</u>	<u>\$25/Day</u>	<u>32 MRSA \$6010</u>
27		<u>on Speech Pathology</u>		
28		<u>and Audiology</u>		
29	(38)	<u>Board of Registration</u>	<u>Not</u>	<u>32 MRSA \$6201</u>
30		<u>of Substance Abuse</u>	<u>Authorized</u>	
31		<u>Counselors</u>		
32	(39)	<u>State Board of</u>	<u>Legislative</u>	<u>32 MRSA \$4854</u>
33		<u>Veterinary Medicine</u>	<u>Per Diem</u>	
34	(40)	<u>Board for Licensure</u>	<u>Expenses</u>	<u>22 MRSA \$2624</u>

- (Water Treatment Plant Operators) Only
- (41) Penobscot Bay and River Pilotage Commission Not Authorized 38 MRSA §89
- (42) Maine Athletic Commission 8 MRSA §141

(a) The total per diem compensation for each member shall not exceed \$1,000 per year.

Sec. 14. 5 MRSA §12004, sub-§7, ¶A, sub-¶(8), as amended by PL 1983, c. 863, Pt. B, §§42 and 45, is repealed and the following enacted in its place:

- (8) Board of Trustees, Accident and Sickness or Health Insurance Program Not Authorized 5 MRSA §285

Sec. 15. 5 MRSA §12004, sub-§8, ¶A, as amended by PL 1983, c. 862, §§20 and 21, is repealed and the following enacted in its place:

A. This classification includes the following boards:

<u>FIELD</u>	<u>NAME OF ORGANIZATION</u>	<u>RATE OF COMPENSATION</u>	<u>STATUTORY REFERENCE</u>
(1) <u>Agriculture</u>	<u>Animal Welfare Board</u>	<u>Legislative Per Diem</u>	<u>17 MRSA §1051-A</u>
(2) <u>Corrections</u>	<u>State Parole Board</u>	<u>Legislative Per Diem</u>	<u>34-A MRSA §5201</u>
(3) <u>Education</u>	<u>State Board of Education</u>	<u>Expenses Only</u>	<u>20-A MRSA §401</u>
(4) <u>Education</u>	<u>Board of Trustees - University of Maine</u>	<u>Expenses Only</u>	<u>P&SL 1865 c. 532</u>
(5) <u>Education</u>	<u>Maine Criminal Justice Academy - Board of</u>	<u>Expenses Only</u>	<u>25 MRSA §2802</u>

Trustees

(6)	<u>Education</u>	<u>Maine State Museum Commission</u>	<u>Expenses Only</u>	<u>27 MRSA §82</u>
(7)	<u>Environment/ Natural Resources</u>	<u>Baxter State Park Authority</u>	<u>Not Authorized</u>	<u>12 MRSA §901</u>
(8)	<u>Environment/ Natural Resources</u>	<u>(General) River Corridor Commission</u>	<u>Not Authorized</u>	<u>30 MRSA §1961</u>
(9)	<u>Environment/ Natural Resources</u>	<u>Saco River Corridor Commission</u>	<u>Expenses Only</u>	<u>38 MRSA §954</u>
(10)	<u>Finance</u>	<u>State Lottery Commission</u>	<u>Legislative Per Diem</u>	<u>8 MRSA §351</u>
			<u>(a) The chairman shall receive no more than \$5,000 per year to include per diem and expenses.</u>	
			<u>(b) The other board members shall each receive no more than \$3,500 per year to include per diem and expenses.</u>	
(11)	<u>Finance</u>	<u>Board of Emergency Municipal Finance</u>	<u>Expenses Only</u>	<u>30 MRSA §5301</u>
(12)	<u>Human Services: Human Rights</u>	<u>Human Rights Commission</u>	<u>\$25/Day \$1,000 Max/Yr</u>	<u>5 MRSA §4561</u>
(13)	<u>Human Services/ Health Facilities</u>	<u>Maine Medical Laboratory Commission</u>	<u>Expenses Only</u>	<u>22 MRSA §2026</u>
(14)	<u>Human Services/ Drug Therapy</u>	<u>Participation Review Board</u>	<u>\$40/Day</u>	<u>22 MRSA §2415</u>

(15)	<u>Inland Fisheries and Wildlife</u>	<u>Advisory Council (to the Department of Inland Fisheries and Wildlife)</u>	<u>\$25/Day</u>	<u>12 MRSA \$7033</u>
(16)	<u>Judiciary: Law</u>	<u>State Court Library Committee</u>	<u>Expenses Only</u>	<u>4 MRSA \$191</u>
(17)	<u>Labor</u>	<u>Board of Occupational Safety and Health</u>	<u>Expenses Only</u>	<u>26 MRSA \$564</u>
(18)	<u>Labor</u>	<u>State Apprenticeship Council</u>	<u>Expenses Only</u>	<u>26 MRSA \$1002</u>
(19)	<u>Labor</u>	<u>Minimum Wage Rate on Construction Projects Board</u>	<u>Not Authorized</u>	<u>26 MRSA \$1307</u>
(20)	<u>Marine Resources</u>	<u>Advisory Council (to the Department of Marine Resources)</u>	<u>\$25/Day</u>	<u>12 MRSA \$6024</u>
(21)	<u>Natural Resources</u>	<u>Soil and Water Conservation Commission</u>	<u>Expenses Only</u>	<u>12 MRSA \$51</u>
(22)	<u>Sport and Entertainment</u>	<u>State Harness Racing Commission</u>	<u>Legislative Per Diem</u>	<u>8 MRSA \$261</u>
(23)	<u>State Government</u>	<u>Commission on Governmental Ethics and Election Practices</u>	<u>Expenses Only</u>	<u>1 MRSA \$1002</u>
(24)	<u>Taxation</u>	<u>Board of Trustees - Mining Excise Tax Trust Fund</u>	<u>Not Authorized</u>	<u>5 MRSA \$453</u>
(25)	<u>Veterans'</u>	<u>Board of Trust-</u>	<u>Expenses</u>	<u>37-B MRSA \$603</u>

Affairs ees - Maine Only
 Veterans' Home

Sec. 16. 5 MRSA §12004, sub-§9, ¶A, sub-¶¶(14) and (15) are enacted to read:

- (14) Maine Marketing Advisory Board Expenses Only 7 MRSA §1008-B
- (15) University of Maine Blueberry Advisory Committee Expenses Only 36 MRSA §4312

Sec. 17. 5 MRSA §12004, sub-§10, ¶A, as amended by PL 1983, c. 862, §§22 to 25, is repealed and the following enacted in its place:

A. This classification includes the following:

<u>FIELD</u>	<u>NAME OF ORGANIZATION</u>	<u>RATE OF COMPENSATION</u>	<u>STATUTORY REFERENCE</u>
(1) <u>Agriculture</u>	<u>Eastern States Exposition Advisory Board</u>	<u>Not Authorized</u>	<u>7 MRSA §403</u>
(2) <u>Civil Emergency</u>	<u>Citizens' Civil Emergency Commission</u>	<u>Expenses Only</u>	<u>37-A MRSA §56-A</u>
(3) <u>Community Services</u>	<u>Community Services Advisory Board</u>	<u>Expenses Only</u>	<u>5 MRSA §3517</u>
(4) <u>Corrections</u>	<u>Maine Correctional Advisory Commission</u>	<u>\$25/Day</u>	<u>34-A MRSA §1204</u>
(5) <u>Education</u>	<u>Advisory Committee on Medical Education</u>	<u>Not Authorized</u>	<u>20-A MRSA §11807</u>
(6) <u>Education</u>	<u>Archives Advisory Board</u>	<u>Expenses Only</u>	<u>5 MRSA §96</u>
(7) <u>Education</u>	<u>Committee for the Training of</u>	<u>Expenses Only</u>	<u>20-A MRSA §9002</u>

Firemen

(8)	<u>Education</u>	<u>Indian Scholar- ship Committee</u>	<u>Not Authorized</u>	<u>20-A MRSA §12403</u>
(9)	<u>Education</u>	<u>Maine Education Council</u>	<u>Not Authorized</u>	<u>20-A MRSA §651</u>
(10)	<u>Education</u>	<u>Educational Leave Advisory Board</u>	<u>Not Authorized</u>	<u>5 MRSA §723</u>
(11)	<u>Education</u>	<u>Maine Historic Preservation Commission</u>	<u>Expenses Only</u>	<u>27 MRSA §501</u>
(12)	<u>Education</u>	<u>Maine Library Commission</u>	<u>Expenses Only</u>	<u>27 MRSA §111</u>
(13)	<u>Education</u>	<u>Maine State Commission on the Arts and the Humanities</u>	<u>Expenses Only</u>	<u>27 MRSA §401</u>
(14)	<u>Education: Governor Bax- ter School</u>	<u>Policy Review Board</u>	<u>Expenses Only</u>	<u>20-A MRSA §7503</u>
(15)	<u>Education: Student Assessment</u>	<u>Advisory Com- mittee on Stu- dent Assessment</u>	<u>\$25/Day</u>	<u>20-A MRSA §6203</u>
(16)	<u>Education: Elementary</u>	<u>Advisory Com- mittee on Early Elementary Education</u>	<u>\$25/Day</u>	<u>20-A MRSA §260</u>
(17)	<u>Education: Reform</u>	<u>Special Commis- sion to Study the Implementa- tion of Educa- tional Reform</u>	<u>Legislative Per Diem Legislators Only. Ex- penses Only for non-Legislators</u>	<u>20-A MRSA §13510</u>
(18)	<u>Energy</u>	<u>Advisory Counc- il on Energy</u>	<u>Expenses Only</u>	<u>10 MRSA §1414</u>

	<u>Efficiency Building Performance Standards</u>		
<u>(19) Energy</u>	<u>State Energy Resources Advisory Board</u>	<u>Not Authorized</u>	<u>5 MRSA §5007</u>
<u>(20) Environment</u>	<u>Low-level Waste Siting Commission</u>	<u>Expenses Only</u>	<u>38 MRSA §1476</u>
<u>(21) Environment: Natural Resources</u>	<u>Ground Water Protection Commission</u>	<u>Expenses Only</u>	<u>P&SL 1979, c. 43</u>
<u>(22) Finance</u>	<u>Advisory Council on Deferred Compensation Plans</u>	<u>Expenses Only</u>	<u>5 MRSA §884</u>
<u>(23) Finance</u>	<u>Natural Resource Financing and Marketing Board</u>	<u>\$25/Day</u>	<u>10 MRSA §985</u>
<u>(24) Finance</u>	<u>Standardization Committee</u>	<u>\$25/Day; Public Member</u>	<u>5 MRSA §1814</u>
<u>(25) Finance</u>	<u>Maine Veterans' Small Business Loan Board</u>	<u>Expenses Only</u>	<u>10 MRSA §1100-A</u>
<u>(26) Finance</u>	<u>Council of Advisors on Consumer Credit</u>	<u>Expenses Only</u>	<u>9-A MRSA §6-301</u>
<u>(27) Housing</u>	<u>Advisory Board to the Maine State Housing Authority</u>	<u>Expenses Only</u>	<u>30 MRSA §4602</u>
<u>(28) Housing</u>	<u>Passamaquoddy Indian Housing Authority - In-</u>	<u>Not Authorized</u>	<u>22 MRSA §4733</u>

	<u>dian Township</u>		
<u>(29) Housing</u>	<u>Passamaquoddy Indian Housing Authority - Pleasant Point</u>	<u>Not Authorized</u>	<u>22 MRSA §4733</u>
<u>(30) Housing</u>	<u>Penobscot Tribal Reservation Housing Authority</u>	<u>Not Authorized</u>	<u>22 MRSA §4733</u>
<u>(31) Human Services</u>	<u>Maine Aid to Families With Dependent Children Coordinating Committee</u>	<u>Not Authorized</u>	<u>22 MRSA §3773</u>
<u>(32) Human Services</u>	<u>Advisory Council to Maine Aid to Families With Dependent Children Coordinating Committee</u>	<u>Not Authorized</u>	<u>22 MRSA §3774</u>
<u>(33) Human Services: Health Facilities</u>	<u>Certificate of Need Advisory Committee</u>	<u>\$25/Day</u>	<u>22 MRSA §307</u>
<u>(34) Human Services</u>	<u>Maine Council on Alcohol and Drug Abuse Prevention and Treatment</u>	<u>Expenses Only</u>	<u>22 MRSA §7107</u>
<u>(35) Human Services</u>	<u>Maine Dental Health Council</u>	<u>Expenses Only</u>	<u>22 MRSA §2096</u>
<u>(36) Human Services: Public Health</u>	<u>Environmental Health Advisory Committee</u>	<u>Expenses Only</u>	<u>22 MRSA §1693</u>
<u>(37) Human Services: Environmental Health</u>	<u>Scientific Advisory Panel</u>	<u>Expenses Only</u>	<u>22 MRSA §1693-A</u>

(38)	<u>Human Services: Hospitals</u>	<u>Hospital Advisory Committee</u>	<u>Not Authorized</u>	<u>22 MRSA §396-P</u>
(39)	<u>Human Services: Health Finance</u>	<u>Payor Advisory Committee</u>	<u>Not Authorized</u>	<u>22 MRSA §396-P</u>
(40)	<u>Human Services</u>	<u>Professional Advisory Committee</u>	<u>Not Authorized</u>	<u>22 MRSA §396-P</u>
(41)	<u>Human Services: Public Health</u>	<u>Radiological Emergency Preparedness Committee</u>	<u>Expenses Only</u>	<u>37-B MRSA §954</u>
(42)	<u>Judiciary</u>	<u>Judicial Council</u>	<u>Expenses Only</u>	<u>4 MRSA §451</u>
(43)	<u>Judiciary: Criminal Law</u>	<u>Criminal Law Advisory Commission</u>	<u>Expenses Only</u>	<u>17-A MRSA §1351</u>
(44)	<u>Judiciary: Law</u>	<u>Probate Law Revision Commission</u>	<u>Expenses Only</u>	<u>P&SL 1975, c. 14, §1</u>
(45)	<u>Labor</u>	<u>State Advisory Council</u>	<u>\$25/Day</u>	<u>26 MRSA §1082</u>
(46)	<u>Labor</u>	<u>Displaced Homemakers Advisory Council</u>	<u>Not Authorized</u>	<u>26 MRSA §1604</u>
(47)	<u>Local and County Government</u>	<u>County Records Board</u>	<u>Not Authorized</u>	<u>30 MRSA §347</u>
(48)	<u>Local and County Government</u>	<u>Municipal Records Board</u>	<u>Not Authorized</u>	<u>30 MRSA §2214</u>
(49)	<u>Local and County Government</u>	<u>Regional Council of Governments</u>	<u>Paid by Member Governments</u>	<u>30 MRSA §1981</u>

(50)	<u>Marine Resources: Industry</u>	<u>Lobster Advisory Council</u>	<u>Expenses Only</u>	<u>12 MRSA \$6462</u>
				<u>(a) Total expenses for the council shall not exceed \$2,000 per year.</u>
(51)	<u>Marine Resources</u>	<u>Atlantic Sea Run Salmon Commission</u>	<u>Expenses Only</u>	<u>12 MRSA \$6251</u>
(52)	<u>Marine Resources</u>	<u>Maine Marine Resources Commission</u>	<u>Expenses Only</u>	<u>Senate Paper 64, 1973</u>
(53)	<u>Mental Health and Retardation</u>	<u>Board of Visitors (for each state institution under the department)</u>	<u>Expenses Only</u>	<u>34-B MRSA \$1403</u>
(54)	<u>Mental Health and Retardation</u>	<u>Maine Committee on the Problems of the Mentally Retarded</u>	<u>Expenses Only</u>	<u>34-B MRSA \$1210</u>
(55)	<u>Mental Health and Retardation</u>	<u>Mental Health Advisory Council</u>	<u>Expenses Only</u>	<u>34-B MRSA \$1209</u>
(56)	<u>Mental Health and Retardation</u>	<u>State Planning and Advisory Council on Developmental Disabilities</u>	<u>Expenses Only</u>	<u>34-B MRSA \$1211</u>
(57)	<u>Mental Health and Retardation</u>	<u>Sterilization Procedures Review Committee</u>	<u>Not Authorized</u>	<u>34-B MRSA \$7017</u>
(58)	<u>Natural Resources: Forests</u>	<u>Forest Fire Advisory Council</u>	<u>Expenses Only</u>	<u>12 MRSA \$9621</u>
(59)	<u>Natural Resources: Pro-</u>	<u>Keep Maine Scenic Committee</u>	<u>Expenses Only</u>	<u>12 MRSA \$633</u>

tection and
Promotion

(60)	<u>Natural Re- sources: Recreation</u>	<u>Maine Trails System Advisory Committee</u>	<u>Not Authorized</u>	<u>12 MRSA §602</u>
(61)	<u>Natural Re- sources: Recreation</u>	<u>White Water Ad- visory Committee</u>	<u>\$25/Day</u>	<u>12 MRSA §7369-A</u>
(62)	<u>Natural Re- sources: Recreation</u>	<u>White Water Safety Committee</u>	<u>\$25/Day</u>	<u>12 MRSA §7367</u>
(63)	<u>Occupations: Auctioneers</u>	<u>Auctioneers Ad- visory Board</u>	<u>Expenses Only</u>	<u>32 MRSA §271</u>
(64)	<u>Occupations: Ambulance Services</u>	<u>Emergency Medi- cal Services Advisory Board</u>	<u>\$20/Day</u>	<u>32 MRSA §88</u>
(65)	<u>Occupations: Computers</u>	<u>Computer Ser- vices Advisory Board</u>	<u>\$25/Day</u>	<u>5 MRSA §1855</u>
(66)	<u>Occupations: Insurance</u>	<u>General Lines Agent Examina- tion Advisory Board</u>	<u>Expenses Only</u>	<u>24-A MRSA §1525</u>
(67)	<u>Occupations: Insurance</u>	<u>Life Agent Ex- amination Ad- visory Board</u>	<u>Expenses Only</u>	<u>24-A MRSA §1525</u>
(68)	<u>Occupations: Real Estate</u>	<u>Continuing Edu- cation Committee</u>	<u>Not Authorized</u>	<u>32 MRSA §4115-B</u>
(69)	<u>Occupations: Medicine</u>	<u>Professional Malpractice Ad- visory Panel</u>	<u>Not Authorized</u>	<u>24 MRSA §2802</u>
(70)	<u>Public Advo- cate Office</u>	<u>Advisory Com- mittee to the Public Advocate</u>	<u>Expenses Only</u>	<u>Resolves 1983 c. 48</u>

(71)	<u>State Government</u>	<u>Capitol Planning Commission</u>	<u>Expenses Only</u>	<u>5 MRSA \$298</u>
(72)	<u>State Government</u>	<u>State Compensation Commission</u>	<u>Expenses Only</u>	<u>3 MRSA \$2-A</u>
(73)	<u>State Government</u>	<u>State Government Internship Program Advisory Committee</u>	<u>Expenses Only</u>	<u>5 MRSA \$293</u>
(74)	<u>State Planning</u>	<u>Maine Critical Areas Advisory Board</u>	<u>Expenses Only</u>	<u>5 MRSA \$3313</u>
(75)	<u>Transportation: Motor Vehicles</u>	<u>Maine Aeronautical Advisory Board</u>	<u>Not Authorized</u>	<u>6 MRSA \$302</u>
(76)	<u>Transportation: Ferry Service</u>	<u>Maine State Ferry Advisory Board</u>	<u>Not Authorized</u>	<u>23 MRSA \$4301</u>
(77)	<u>Transportation: Highway</u>	<u>Maine Highway Safety Committee</u>	<u>Not Authorized</u>	<u>25 MRSA \$2902</u>
(78)	<u>Transportation: Motor Vehicles</u>	<u>Advisory and Review Board on Driver Licensing and Vehicle Registration</u>	<u>Expenses Only</u>	<u>29 MRSA \$2246</u>
(79)	<u>Transportation: Motor Vehicles</u>	<u>Medical Advisory Board (Licensing of Drivers)</u>	<u>Not Authorized</u>	<u>29 MRSA \$547</u>
(80)	<u>Transportation: Public Transportation</u>	<u>Public Transportation Advisory Committee</u>	<u>Not Authorized</u>	<u>23 MRSA \$4209</u>
(81)	<u>Tourism</u>	<u>Travel Information Advisory Council</u>	<u>\$25/Day</u>	<u>23 MRSA \$1904</u>

(82)	<u>Tourism</u>	<u>Maine Vacation - Travel Commission</u>	<u>Expenses Only</u>	<u>5 MRSA §7005</u>
(83)	<u>Tele- communications</u>	<u>Advisory Com- mittee on State Telecommunications</u>	<u>Not Authorized</u>	<u>5 MRSA §350</u>
(84)	<u>Tele- communications</u>	<u>Advisory Com- mittee on Maine Public Broadcasting</u>	<u>Expenses Only</u>	<u>20-A MRSA §801</u>

Sec. 18. 5 MRSA §12004, sub-§11, ¶A, sub-¶ (4) is enacted to read:

(4)	<u>Employment: Disabled</u>	<u>Governor's Committee on Employment of the Handicapped</u>	<u>Expenses Only</u>	<u>26 MRSA §801</u>
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20 Sec. 19. 5 MRSA §12004, sub-§13 is enacted to
21 read:

22 13. Interagency organizations. The primary re-
23 sponsibilities of interagency organizations include
24 the development or implementation of programs; coor-
25 dination of programs; review of information, data and
26 systems; planning; making recommendations; proposing
27 legislation; holding hearings, entering into agree-
28 ments; and receiving and administering funds. Those
29 organizations are usually composed of commissioners,
30 or their designees, or directors from different state
31 executive agencies.

32 A. This classification includes the following
33 boards:

34	<u>NAME OF</u>	<u>RATE OF</u>	<u>STATUTORY</u>
35	<u>ORGANIZATION</u>	<u>COMPENSATION</u>	<u>REFERENCE</u>
36	<u>(1) Alcohol and Drug</u>	<u>Not</u>	<u>22 MRSA §7131</u>

1		<u>Abuse</u>		
2		<u>Planning Committee</u>	<u>Authorized</u>	
3	(2)	<u>Employee Suggestion</u>	<u>Not</u>	<u>5 MRSA §642</u>
4		<u>System Board</u>	<u>Authorized</u>	
5	(3)	<u>Maine Occupational</u>	<u>Not</u>	<u>26 MRSA §1452</u>
6		<u>Information Coor-</u>	<u>Authorized</u>	
7		<u>minating Committee</u>		
8	(4)	<u>Maine Vocational</u>	<u>Expenses</u>	<u>26 MRSA §1263</u>
9		<u>Development</u>	<u>Only</u>	
10		<u>Commission</u>		

11 Sec. 20. 5 MRSA §12006, as enacted by PL 1983,
12 c. 812, §39, is amended to read:

13 §12006. Penalty for failure to report

14 Members of any board which fail to report to the
15 Secretary of State, as required by section 12005,
16 shall not be eligible to receive any daily rate or
17 annual rate of compensation or any money for expenses
18 incurred in the work of the board until the report to
19 the Secretary of State is complete to the satisfac-
20 tion of the Secretary of State. The Commissioner of
21 Finance and Administration, the Secretary of State or
22 the authorized person to pay compensation or expenses
23 to members of the boards, shall not pay any rate of
24 compensation or expenses to any member of a board
25 which has failed to report to the Secretary of State.

26 Sec. 21. 5 MRSA §12012, first ¶, as enacted by
27 PL 1983, c. 814, is amended to read:

28 Persons who serve in any branch of State Govern-
29 ment may serve on a board that is solely advisory in
30 authority. A person who serves in a branch of State
31 Government may ~~not~~ serve on a board of another branch
32 of State Government as a nonvoting member in an ad-
33 visory capacity only if that board is not solely ad-
34 visory in authority. A person who serves in a branch
35 of State Government may serve on any board that is
36 solely advisory in authority, unless specifically
37 prohibited by another provision of law.

38 Sec. 22. 7 MRSA §1008-B, sub-§1, as amended by

1 PL 1983, c. 829, §5, is further amended to read:

2 1. Board membership. ~~There shall be created an~~
3 An advisory board, as authorized by Title 5, chapter
4 379, is created to advise the commissioner on potato
5 marketing issues as provided for in this Article.
6 This board shall be known as the Maine Marketing Ad-
7 visory Board and shall consist of 5 members appointed
8 by the commissioner, of whom 3 shall be first han-
9 dlers, who are not licensed dealers, and 2 shall be
10 licensed dealers. Members shall each fill a 2-year
11 term, which shall begin on July 1st, except that
12 within 30 days of the effective date of this Article
13 the commissioner shall appoint one first handler and
14 one licensed dealer who shall serve until June 30,
15 1984, and he shall appoint 2 first handlers and one
16 licensed dealer who shall serve until June 30, 1985.

17 Sec. 23. 7 MRSA §1008-B, sub-§7, as amended by
18 PL 1983, c. 829, §6, is further amended to read:

19 7. Expenses and compensation. ~~No board member~~
20 ~~may receive a salary, but each may be entitled to his~~
21 ~~actual expenses incurred while engaged in performing~~
22 ~~his authorized duties. Board members shall be compen-~~
23 ~~sated as provided in Title 5, chapter 379.~~ The com-
24 missioner may employ necessary personnel, including
25 an assistant for potato marketing, fix their compen-
26 sation and terms of employment and authorize them to
27 incur such expenses, as the commissioner may deem
28 necessary and proper to enable the board properly to
29 perform its duties as are authorized in this Article.

30 Sec. 24. 9-A MRSA §6-301, sub-§1, as enacted by
31 PL 1973, c. 762, §1, is amended to read:

32 1. ~~There is created the~~ The Council of Advisors
33 on Consumer Credit ~~consisting~~, as authorized by Ti-
34 tle 5, chapter 379, shall consist of 12 members, who
35 shall be appointed by the Governor. One of the advi-
36 sors shall be designated by the Governor as chairman.
37 In appointing members of the council, the Governor
38 shall seek to achieve a fair representation from the
39 various segments of the consumer credit industry and
40 the public.

41 Sec. 25. 9-A MRSA §6-301, sub-§3, as enacted by

1 PL 1973, c. 762, §1, is repealed and the following
2 enacted in its place:

3 3. Members of the council shall be compensated
4 according to the provisions of Title 5, chapter 379.

5 Sec. 26. 20-A MRSA §260, sub-§2, ¶D, as enacted
6 by PL 1983, c. 859, Pt. K, §2, is amended to read:

7 D. ~~Appoint~~ As authorized by Title 5, chapter
8 379, appoint the Advisory Committee on Early Ele-
9 mentary Education of not more than 8 persons
10 qualified and experienced in early elementary ed-
11 ucation to advise and assist the department in
12 designing and implementing the program. Members
13 shall be compensated according to the provisions
14 of Title 5, chapter 379.

15 Sec. 27. 20-A MRSA §6203, sub-§4, as enacted by
16 PL 1983, c. 859, Pt. D, §3, is amended to read:

17 4. Advisory Committee on Student Assessment. To
18 As authorized by Title 5, chapter 379, to select a
19 committee, including teachers, curriculum supervisors
20 and content specialists from higher education, in the
21 areas of reading, writing, mathematics, science and
22 social studies to develop the instructional objec-
23 tives to be assessed; review and select questions to
24 be included on the tests; and to interpret the as-
25 essment results, with specific recommendations to
26 the commissioner on needed improvements.

27 Committee members shall be compensated according to
28 the provisions of Title 5, chapter 379.

29 Sec. 28. 20-A MRSA §7503, sub-§8, as enacted by
30 PL 1983, c. 316, §2, is amended to read:

31 8. Policy Review Board. The Governor shall ap-
32 point a 7-member Policy Review Board as authorized by
33 Title 5, chapter 379.

34 A. The term of office shall be 3 years.

35 B. The initial appointments shall be as follows:

36 (1) Three members for 3 years;

1 (2) Two members for 2 years; and

2 (3) Two members for one year.

3 C. Replacements for board members who do not
4 complete their term of office shall be for the
5 remainder of the unexpired term.

6 D. No member of the Legislature may serve on the
7 board.

8 E. The board members shall be representative of
9 a broad range of professionals, parents and citi-
10 zens interested in the education of deaf and
11 hearing impaired students. They may include:

12 (1) Professionals not employed by the Gov-
13 ernor Baxter School for the Deaf who serve
14 deaf and hearing impaired students;

15 (2) Parents of deaf and hearing impaired
16 students at the Governor Baxter School for
17 the Deaf and in school administrative unit
18 programs;

19 (3) Representatives of handicap advocacy
20 groups;

21 (4) School administrative unit administra-
22 tors or special education directors;

23 (5) Members of the deaf and hearing im-
24 paired community; and

25 (6) Interested citizens.

26 F. The board shall have access to the school,
27 but may not participate in the administration of
28 the day-to-day operations of the school.

29 G. The duties of the board shall include, but
30 not be limited to:

31 (1) Making annual recommendations to the
32 commissioner, with copies being sent to the
33 members of the joint standing committee of
34 the Legislature having jurisdiction over ed-

- 1 ucation;
- 2 (2) Making policy recommendations to the
3 superintendent and the commissioner;
- 4 (3) Reviewing policy development by the su-
5 perintendent and commissioner;
- 6 (4) Reviewing the implementation of policy;
- 7 (5) Reviewing staff recruitment, retention,
8 promotion and evaluation policies and proce-
9 dures;
- 10 (6) Holding hearings for staff, parents,
11 students, alumni, special education direc-
12 tors and general public and otherwise solici-
13 ting the opinions of individuals in those
14 groups concerning the operation and role of
15 the school; and
- 16 (7) Conducting exit interviews with the
17 staff members terminating employment with
18 the school.

19 H. ~~The board shall serve without pay, other than~~
20 ~~their actual expenses while carrying out the~~
21 ~~functions of the board be compensated as provided~~
22 ~~by Title 5, chapter 379.~~

23 Sec. 29. 20-A MRSA §13510, sub-§1, as amended by
24 PL 1983, c. 860, §2, is further amended to read:

25 1. Commission established. ~~There As authorized~~
26 ~~by Title 5, chapter 379, there is created the Special~~
27 Commission to Study the Implementation of Educational
28 Reform. The commission shall consist of 12 members.
29 Eight members shall be legislators of whom 5 shall be
30 members of the Joint Standing Committee on Education
31 and 3 of whom shall be members of the Joint Standing
32 Committee on Appropriations and Financial Affairs.
33 The President of the Senate shall appoint 3 of the
34 legislator members; and the Speaker of the House
35 shall appoint 5 of the legislator members. Legisla-
36 tive members shall represent a bipartisan point of
37 view. The remaining 4 members shall be appointed by
38 the Governor and shall be persons familiar with edu-

1 cation and education finance, 2 of whom shall be the
2 Commissioner of Educational and Cultural Services, or
3 his designee, and the Commissioner of Finance and Ad-
4 ministration, or his designee. Members shall serve
5 until accomplishment of the tasks specified in this
6 chapter. Legislative members shall not be disquali-
7 fied for discontinuance of legislative service. Va-
8 cancies may be filled with qualified appointees by
9 the appointing authority.

10 A. Legislative and nonlegislative members shall
11 be compensated according to the provisions of Ti-
12 tle 5, chapter 379.

13 Sec. 30. 22 MRSA §2415, first and last ¶¶, as
14 enacted by PL 1983, c. 423, is amended to read:

15 The commissioner shall appoint a Participation
16 Review Board, as authorized by Title 5, chapter 379,
17 to review practitioners for participation in the pro-
18 gram. The board shall serve at the commissioner's
19 pleasure and shall consist of:

20 Members of the board may be reimbursed for their
21 attendance at meetings at the rate of \$40 per day
22 shall be compensated as provided in Title 5, chapter
23 379.

24 Sec. 31. 22 MRSA §2624, first ¶, as amended by
25 PL 1983, c. 819, Pt. A, §55, is further amended to
26 read:

27 The Governor shall appoint a Board of Licensure,
28 as authorized by Title 5, chapter 379, which shall be
29 composed of 6 persons as follows: Two operators who
30 shall be licensed under this chapter, with one of
31 these holding a license of the highest classification
32 issued by the board; one person who shall be from the
33 Department of Human Services, as the commissioner may
34 recommend; one person who shall be a water utility
35 management representative; one person who shall be an
36 educator whose field of interest is related to water
37 supply; and one member of the general public.

38 Sec. 32. 22 MRSA §2624, 5th ¶, as enacted by PL
39 1975, c. 751, §4, is repealed and the following en-
40 acted in its place:

1 Members of the board shall be compensated accord-
2 ing to the provisions of Title 5, chapter 379.

3 Sec. 33. 22 MRSA §7131, sub-§1, as enacted by PL
4 1983, c. 464, §19, is amended to read:

5 1. Committee established. The As authorized by
6 Title 5, chapter 379, the Alcohol and Drug Abuse
7 Planning Committee is established within the Depart-
8 ment of Human Services.

9 Sec. 34. 26 MRSA §799, as enacted by PL 1983, c.
10 176, Pt. A, §9, is amended to read:

11 §799. Committee

12 The As authorized by Title 5, chapter 379, the
13 Governor's Committee on Employment of the Handicapped
14 is created and shall consist of 18 members appointed
15 by the Governor.

16 Sec. 35. 26 MRSA §802, last ¶, as enacted by PL
17 1983, c. 176, Pt. A, §9, is amended to read:

18 ~~Members of the committee shall receive no compen-~~
19 ~~sation for services on the committee, but shall be~~
20 ~~entitled to reimbursement for necessary expenses,~~
21 ~~such as mileage from travel in personally-owned auto-~~
22 ~~mobiles and meals, incurred in order to attend com-~~
23 ~~mittee meetings called by the chairman. Members of~~
24 ~~the committee shall be compensated according to the~~
25 ~~provisions of Title 5, chapter 379. Reimbursement~~
26 ~~shall be based on existing state law for reimburse-~~
27 ~~ment for travel by state employees.~~

28 Sec. 36. 26 MRSA §1263, as amended by PL 1981,
29 c. 168, §18, is further amended to read:

30 §1263. Commission

31 There is established the Maine Vocational Devel-
32 opment Commission ~~to~~, as authorized by Title 5, chap-
33 ter 379, shall consist of the Commissioner of Educa-
34 tional and Cultural Services, the Commissioner of La-
35 bor and the Director of the State Development Office,
36 or their authorized representatives, or their succes-
37 sors under any governmental reorganization. The mem-

1 bers of the commission shall serve without pay, other
2 than their actual expenses while carrying out the du-
3 ties of the commission be compensated according to
4 the provisions of Title 5, chapter 379.

5 Sec. 37. 26 MRSA §1452, as amended by PL 1983,
6 c. 469, §3, is further amended to read:

7 §1452. Maine Occupational Information Coordinating
8 Committee

9 The Maine Occupational Information Coordinating
10 Committee, as authorized by Title 5, chapter 379, is
11 established to support the development, maintenance
12 and operation of a Comprehensive Career, Occupational
13 and Economic Data-based System and to foster communi-
14 cation and coordination of education, employment and
15 training programs through the use of the system. The
16 committee shall consist of the Commissioner of Labor,
17 Commissioner of Human Services, Commissioner of Edu-
18 cational and Cultural Services and the Director of
19 the State Development Office. The Commissioner of
20 Labor shall be the chairman of the committee with the
21 Department of Labor serving as the fiscal agent for
22 the committee.

23 Sec. 38. 32 MRSA §9853, first ¶, as enacted by
24 PL 1983, c. 524, is amended to read:

25 The Radiologic Technology Board of Examiners, as
26 ~~established in this chapter~~ authorized by Title 5,
27 chapter 379, shall administer this chapter. The
28 board shall consist of 12 members appointed by the
29 Governor.

30 Sec. 39. 32 MRSA §9853, sub-§4, as enacted by PL
31 1983, c. 524, is repealed and the following enacted
32 in its place:

33 4. Compensation. Members of the board shall be
34 compensated according to the provisions of Title 5,
35 chapter 379.

36 Sec. 40. 34-B MRSA §7017, as enacted by PL 1983,
37 c. 459, §7, is amended to read:

38 §7017. Sterilization procedures review committee

1 A As authorized by Title 5, chapter 379, a com-
2 mittee shall be established whose purpose shall be to
3 review annually the authorization of sterilizations
4 under this chapter for the purpose of assessing the
5 need for any changes in the procedures or standards
6 set forth in this chapter. The committee shall con-
7 sist of not less than 6 members, including represen-
8 tatives of the Maine court system, the medical commu-
9 nity, a designee from the Department of Mental Health
10 and Mental Retardation, a designee from the Depart-
11 ment of Human Services, a member of the joint stand-
12 ing committee of the Legislature having jurisdiction
13 over health and institutional services, and a member
14 of the joint standing committee of the Legislature
15 having jurisdiction over the judiciary. The repre-
16 sentatives of the 2 joint standing legislative com-
17 mittees shall be appointed by the chairmen of those
18 legislative committees. Other members of the review
19 committee shall be appointed annually by the Governor
20 who shall also designate the chairman of the commit-
21 tee.

22 Sec. 41. 36 MRSA §4312, first ¶ as repealed and
23 replaced by PL 1983, c. 836, §9, is amended to read:

24 A University of Maine Blueberry Advisory Commit-
25 tee, as authorized by Title 5, chapter 379, shall be
26 appointed by the Maine Blueberry Commission. The
27 committee shall consist of 7 members who are active
28 in and representative of the blueberry industry. The
29 duty of the committee will be to advise and work with
30 the University of Maine to develop and approve a plan
31 of work and budgets for research and extension pro-
32 grams related to the production and marketing of
33 blueberries.

34 Sec. 42. Savings clause. Nothing in this Act
35 shall be construed as terminating the existence of
36 any board listed in the Maine Revised Statutes, Title
37 5, section 12004. Except as specifically provided by
38 Title 5, sections 12002-A, 12002-B, 12003-A and
39 12005, nothing in this Act may be construed as modi-
40 fying the powers, privileges, rights or liabilities
41 of any board as in effect immediately prior to the
42 effective date of this Act. Each board is declared
43 to continue in existence, and all rules, licenses,
44 contracts, resolutions and the official actions in

1 effect or outstanding immediately prior to the effec-
2 tive date of this Act shall be unaffected by this
3 Act.

4 Emergency clause. In view of the emergency cited
5 in the preamble, this Act shall take effect when ap-
6 proved.

7 STATEMENT OF FACT

8 One major purpose of this bill is to include in
9 the Maine Revised Statutes, Title 5, chapter 379,
10 boards and commissions created by the 111th Legisla-
11 ture and previous Legislatures that were inadvertent-
12 ly omitted. Neither the powers, duties or responsi-
13 bilities of the boards nor the rate of compensation
14 of the boards have been changed. These boards in-
15 clude the following:

16 1. The Radiologic Technology Board of Examiners;

17 2. Board for Licensure (Water Treatment Plant
18 Operators);

19 3. Board of Trustees, Accident and Sickness or
20 Health Insurance Program;

21 4. Participation Review Board (marijuana treat-
22 ment for cancer);

23 5. Maine Marketing Advisory Board;

24 6. University of Maine Blueberry Advisory Com-
25 mittee;

26 7. Policy Review Board (Governor Baxter School);

27 8. Sterilization Procedures Review Committee;

28 9. Governor's Committee on Employment of the
29 Handicapped;

30 10. The Alcohol and Drug Abuse Planning Commit-
31 tee;

32 11. The Employee Suggestion System Board;

1 12. The Maine Occupational Information Coordinating Committee;

3 13. The Maine Vocational Development Commission;

4 and

5 14. The Special Commission to Study the Implementation of Educational Reform.

7 This bill clarifies the law relating to boards and commissions as follows.

9 1. Noonday meal expenditures are clearly defined as a reimbursable expense for board members.

11 2. Joint standing committees of the Legislature are excluded from the definition of a board.

13 3. Expenses and per diem compensation are authorized for statutory authorized activities of boards but are not authorized for review and preparation of materials for board meetings or for the completion of work of boards and meetings.

18 4. The distinction is more clearly made between state employees designated to represent a department or required to set on a board and state employees who are appointed to boards for personal interests. In either case, the state employee may not receive both a per diem and his regular wage.

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