

MAINE STATE LEGISLATURE

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(EMERGENCY)
(New Draft of H.P. 687, L.D. 973)
FIRST REGULAR SESSION

ONE HUNDRED AND TWELFTH LEGISLATURE

Legislative Document

No. 1560

H.P. 1072

House of Representatives, May 20, 1985

Reported by Representative Gwadosky from the Committee on State Government and printed under Joint Rule 2. Original bill sponsored by Representative Gwadosky of Fairfield. Cosponsored by Representative Boutilier of Lewiston and Representative Descoteaux of Biddeford.

EDWIN H. PERT, Clerk

STATE OF MAINE

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

AN ACT to Clarify and Make Technical Changes
in the Law Governing Boards and
Commissions.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, there are a number of boards and commissions omitted from the Maine Revised Statutes, Title 5, chapter 379, which authorizes compensation for boards and commissions; and

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

Whereas, it is in the best interest of the State to authorize compensation for the members of these 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 1973, 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, sub-§3-A is enacted to
11 read:

12 3-A. Personal care expenses. "Personal care ex-
13 penditures" means the cost of feeding, dressing,
14 toileting, mobility, and personal hygiene assistance
15 provided to developmentally disabled or handicapped
16 persons who are members or the children of members of
17 boards established in this chapter.

18 Sec. 6. 5 MRSA §12002-A, as enacted by PL 1983,
19 c. 812, §39, is repealed and the following enacted in
20 its place:

21 §12002-A. Payment of expenses

22 1. Activities subject to reimbursement. Members
23 of boards may be paid for expenses at a rate not to
24 exceed the rate normally paid to state employees for
25 the following:

26 A. Actual attendance at meetings called by the
27 chairman of the board or a majority of members of
28 the board;

29 B. Actual attendance at public hearings held by
30 the board necessary to fulfill the duties and re-
31 sponsibilities of the board;

32 C. Actual attendance at meetings of groups ad-
33 visory to the board;

34 D. Actual attendance at a meeting held out-
35 of-state which is necessary to the purpose of the
36 board; or

1 E. Participation in official business of the
2 board required by law or by rule of the board or
3 a procedure which is necessary to fulfill the
4 statutory responsibilities of the board, but
5 shall not include any of the prohibited activi-
6 ties as defined in section 12002-B, subsection 2.
7 Members of occupational and professional licens-
8 ing boards, as defined in section 12004, subsec-
9 tion 1, may receive expenses for meetings relat-
10 ing to the occupations and professions regulated
11 by each board and which meetings are held out of
12 state.

13 2. Child care and personal care expenses. Child
14 care expenses and personal care expenses may be reim-
15 bursed only as provided in this subsection.

16 A. For those board members who hold their posi-
17 tions because state statute, federal statute or
18 federal regulation requires membership of low in-
19 come people, those members may be reimbursed for
20 reasonable child care expenses incurred while en-
21 gaged in the official business of the board.

22 B. For those board members who are selected be-
23 cause they are developmentally disabled or handi-
24 capped or who are the parents or guardians of
25 handicapped persons, those members may be reim-
26 bursed for reasonable child care expenses and
27 personal care expenses incurred while engaged in
28 the official business of the board.

29 Sec. 7. 5 MRS §12002-B, sub-§1, ¶D, as enacted
30 by PL 1983, c. 812, §39, is repealed and the follow-
31 ing enacted in its place:

32 D. Participation in official business of the
33 board required by law or by rule of the board or
34 a procedure which is necessary to fulfill the
35 statutory responsibilities of the board, but
36 shall not include any of the prohibited activi-
37 ties as defined in subsection 2.

38 Sec. 8. 5 MRS §12002-B, sub-§1-A is enacted to
39 read:

1 1-A. Payments of compensation for written deci-
2 sions. A daily rate of compensation may be paid to
3 the following persons for the preparation of a writ-
4 ten decision of the board:

5 A. The chairman of any board who is required by
6 law to prepare and issue a written decision of
7 the board; and

8 B. A member of the board who has been assigned
9 to serve as a hearing examiner in an adjudicatory
10 proceeding.

11 The payment of compensation as provided in this sub-
12 section shall be provided only in the event that a
13 statutorily required written decision cannot be pre-
14 pared at a meeting or hearing of the board and shall
15 not exceed the payment of 5 days of compensation for
16 the preparation and issue of a written decision.

17 Sec. 9. 5 MRSA §12002-B, sub-§2, as enacted by
18 PL 1983, c. 812, §39, is repealed and the following
19 enacted in its place:

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

23 A. Preparation or review of materials for any
24 meetings or hearings of any board, unless the
25 member is preparing or reviewing materials in his
26 capacity as the assigned hearing examiner in an
27 adjudicatory proceeding;

28 B. Completion of work, except as provided in
29 subsection 1-A, following meetings or hearings of
30 the board;

31 C. Lobbying activities;

32 D. Attendance at meetings or conferences held
33 out of state, unless attendance is mandatory for
34 training purposes or for maintaining qualifica-
35 tions in order to remain on the board, exclusive
36 of a member's professional or occupational re-
37 quirements and the required training is not
38 available within the State. Compensation may be

1 paid to any board member for attendance at meet-
2 ings out of state for the purpose of securing an
3 approval by the Federal Government or another
4 state government which the board is required to
5 seek and a rate of compensation is not paid by
6 the Federal Government or other state government
7 to the board member for attendance at these meet-
8 ings; and

9 E. Any activity for which approval has not been
10 granted by the chairman, a person authorized by
11 statute to give approval or by a majority of the
12 board members.

13 Sec. 10. 5 MRSA §12002-C is enacted to read:

14 §12002-C. Per diem and expense vouchers

15 In order to receive per diem compensation or re-
16 imbursement for expenses as authorized by this chap-
17 ter, a member of a board, which is required to submit
18 expense vouchers to the Department of Finance and Ad-
19 ministration for reimbursement, shall complete and
20 sign an expense voucher form to the satisfaction of
21 the Commissioner of Finance and Administration. Ev-
22 ery board member shall certify in writing on the
23 voucher form whether the per diem or expenses in-
24 curring for each item is an official meeting or hear-
25 ing activity required by statute that has been called
26 by the chairman of the board or by a person autho-
27 rized by statute to call the meeting or hearing. In
28 the event that the requested per diem or expense re-
29 imbursement is not the result of an official meeting
30 or hearing of the board, the board member shall ex-
31 plain on the voucher the reason for the claim. The
32 Commissioner of Finance and Administration may disap-
33 prove those expenses or portion of expenses that do
34 not comply with this chapter.

35 Sec. 11. 5 MRSA §12003, as enacted by PL 1983,
36 c. 812, §39, is repealed.

37 Sec. 12. 5 MRSA §12003-A is enacted to read:

38 §12003-A. Standards

39 Boards established by this chapter shall comply
40 with the following standards.

1 1. Compensation of substantive boards. Compensation
2 provided to members of boards that are not clas-
3 sified as advisory boards in section 12004 shall not
4 exceed the legislative per diem rate defined in sec-
5 tion 12002 for the purposes defined in section
6 12002-B.

7 A. The only exception to this policy applies to
8 boards which require members with special exper-
9 tise for which there is an extremely limited suppl-
10 ply and which require members to undertake very
11 difficult tasks and render decisions that have a
12 significant impact upon the State.

13 2. Compensation of advisory boards. Compensation
14 provided to members of boards, defined in section
15 12004, subsection 10 as advisory boards or boards
16 with minimal authority, shall not exceed \$25 per day
17 and payment of expenses.

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

22 3. Compensation as provided in section
23 12004. Compensation to members of boards shall be in
24 accordance with the rate established for each board
25 in section 12004. The defined rate of compensation
26 for each board in section 12004 shall be in compli-
27 ance with this section.

28 4. Compensation of state employee members of
29 boards. State employee members of boards may receive
30 their regular wages or salaries or the authorized per
31 diem compensation, but not both, as defined by this
32 subsection.

33 A. Any state employee, classified or unclassi-
34 fied, who is a member of a board by virtue of the
35 position held by that state employee or who has
36 been designated by the commissioner or director
37 of a state agency to represent the commissioner,
38 director or agency shall not be paid compensation
39 as provided in section 12002-B, subsection 1, for
40 attendance at board meetings, hearings or other
41 board activities. Any expenses incurred by this

1 board member shall be paid from the budget of the
2 agency or organization that the member repre-
3 sents.

4 B. Any state employee, classified or unclassi-
5 fied, who is a member of a board, who has been
6 appointed at the request of the state employee or
7 because of the personal interest of the state em-
8 ployee in the board's activities and who is not
9 an ex officio member or a representative of a
10 commissioner, director or state agency, shall not
11 be paid his regular wages or salary for attend-
12 ance at meetings or hearings of the board or for
13 work performed for the board during the normal
14 working hours of the state employee.

15 5. Records of boards. Records and minutes of
16 all boards shall be open and readily available in a
17 place convenient and accessible to the public, unless
18 the information is required by law to be kept confi-
19 dential or is privileged information.

20 6. Meetings of boards. Meetings of boards shall
21 be held in public places and whenever possible in a
22 public building.

23 Sec. 13. 5 MRSA §12004, 3rd ¶, as enacted by PL
24 1983, c. 812, §39, is repealed.

25 Sec. 14. 5 MRSA §12004, sub-§1, ¶A, sub-¶¶(24-A)
26 to (39), as amended, are repealed and the following
27 enacted in their place:

- | | | | |
|----|--------------------------------|-----------------|----------------------|
| 28 | <u>(25) Board of Occupa-</u> | <u>Expenses</u> | <u>32 MRSA §2273</u> |
| 29 | <u>tional Therapy</u> | <u>Only</u> | |
| 30 | <u>Practice</u> | | |
| 31 | <u>(26) Oil and Solid Fuel</u> | <u>\$30/Day</u> | <u>32 MRSA §2351</u> |
| 32 | <u>Board</u> | | |
| 33 | <u>(27) State Board of</u> | <u>\$25/Day</u> | <u>32 MRSA §2415</u> |
| 34 | <u>Optometry</u> | | |

<u>(28)</u>	<u>Board of Osteopathic Examination and Registration</u>	<u>Legislative Per Diem</u>	<u>32 MRSA §2561</u>
<u>(29)</u>	<u>Board of Commissioners of the Profession of Pharmacy</u>	<u>\$25/Day</u>	<u>32 MRSA §2851</u>
<u>(30)</u>	<u>Board of Examiners in Physical Therapy</u>	<u>\$25/Day</u>	<u>32 MRSA §3112</u>
<u>(31)</u>	<u>Plumbers' Examining Board</u>	<u>\$35/Day</u>	<u>32 MRSA §3401</u>
<u>(32)</u>	<u>Board of Examiners of Podiatrists</u>	<u>\$25/Day</u>	<u>32 MRSA §3601</u>
<u>(33)</u>	<u>State Board of Examiners of Psychologists</u>	<u>\$35/Day</u>	<u>32 MRSA §3821</u>
<u>(34)</u>	<u>Radiologic Technology Board of Examiners</u>	<u>Expenses Only</u>	<u>32 MRSA §9853</u>
<u>(35)</u>	<u>Real Estate Commission</u>	<u>\$35/Day</u>	<u>32 MRSA §4051-A</u>
<u>(36)</u>	<u>State Board of Social Worker Registration</u>	<u>Expenses Only</u>	<u>32 MRSA §7026</u>
<u>(37)</u>	<u>Board of Examiners on Speech Pathology and Audiology</u>	<u>\$25/Day</u>	<u>32 MRSA §6010</u>
<u>(38)</u>	<u>Board of Registration of Substance Abuse Counselors</u>	<u>Not Authorized</u>	<u>32 MRSA §6201</u>
<u>(39)</u>	<u>State Board of Veterinary Medicine</u>	<u>Legislative Per Diem</u>	<u>32 MRSA §4854</u>
<u>(40)</u>	<u>Board for Licensure (Water Treatment Plant Operators)</u>	<u>Expenses Only</u>	<u>22 MRSA §2624</u>

(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. 15. 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. 16. 5 MRSA §12004, sub-§7, ¶A, sub-¶(9) and (10) are enacted to read:

(9) Maine Municipal Bond Bank, Board of Commissioners Legislative per diem 30 MRSA §5164

(10) Maine Public Utility Financing Bank, Board of Commissioners Legislative per diem 35 MRSA §184

Sec. 17. 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 Trustees</u>	<u>Expenses Only</u>	<u>25 MRSA §2802</u>
(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>Public Utilities</u>	<u>Board of Directors, Maine Municipal and Rural Electrification Cooperative Agency</u>	<u>None Authorized</u>	<u>35 MRSA §4101</u>

(23)	<u>Sport and Entertainment</u>	<u>State Harness Racing Commission</u>	<u>Legislative Per Diem</u>	<u>8 MRSA §261</u>
(24)	<u>State Government</u>	<u>Commission on Governmental Ethics and Election Practices</u>	<u>Expenses Only</u>	<u>1 MRSA §1002</u>
(25)	<u>Taxation</u>	<u>Board of Trustees - Mining Excise Tax Trust Fund</u>	<u>Not Authorized</u>	<u>5 MRSA §453</u>
(26)	<u>Veterans' Affairs</u>	<u>Board of Trustees - Maine Veterans' Home</u>	<u>Expenses Only</u>	<u>37-B MRSA §603</u>

Sec. 18. 5 MRSA §12004, sub-§9, ¶A, sub-¶¶(14) and (15) are enacted to read:

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

Sec. 19. 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</u>	<u>Community Ser-</u>	<u>Expenses</u>	<u>5 MRSA §3517</u>

	<u>Services</u>	<u>vices Advisory Board</u>	<u>Only</u>	
(4)	<u>Corrections</u>	<u>Maine Correctional Advisory Commission</u>	<u>\$25/Day</u>	<u>34-A MRSA §1204</u>
(5)	<u>Corrections</u>	<u>Board of Visitors (For each institution under the department)</u>	<u>Expenses Only</u>	<u>34-A MRSA §3002</u>
(6)	<u>Education</u>	<u>Advisory Committee on Medical Education</u>	<u>Not Authorized</u>	<u>20-A MRSA §11807</u>
(7)	<u>Education</u>	<u>Archives Advisory Board</u>	<u>Expenses Only</u>	<u>5 MRSA §96</u>
(8)	<u>Education</u>	<u>Committee for the Training of Firemen</u>	<u>Expenses Only</u>	<u>20-A MRSA §9002</u>
(9)	<u>Education</u>	<u>Indian Scholarship Committee</u>	<u>Not Authorized</u>	<u>20-A MRSA §12403</u>
(10)	<u>Education</u>	<u>Interdepartmental Coordinating Committee for Preschool Handicapped Children</u>	<u>Expenses Only</u>	<u>20-A MRSA §7704</u>
(11)	<u>Education</u>	<u>Maine Education Council</u>	<u>Not Authorized</u>	<u>20-A MRSA §651</u>
(12)	<u>Education</u>	<u>Educational Leave Advisory Board</u>	<u>Not Authorized</u>	<u>5 MRSA §723</u>
(13)	<u>Education</u>	<u>Maine Historic Preservation Commission</u>	<u>Expenses Only</u>	<u>27 MRSA §501</u>
(14)	<u>Education</u>	<u>Maine Library Commission</u>	<u>Expenses Only</u>	<u>27 MRSA §111</u>
(15)	<u>Education</u>	<u>Maine State Commission on the</u>	<u>Expenses Only</u>	<u>27 MRSA §401</u>

	<u>Arts and the Humanities</u>		
(16) <u>Education: Governor Baxter School</u>	<u>Policy Review Board</u>	<u>Expenses Only</u>	<u>20-A MRSA \$7503</u>
(17) <u>Education: Student Assessment</u>	<u>Advisory Committee on Student Assessment</u>	<u>\$25/Day</u>	<u>20-A MRSA \$6203</u>
(18) <u>Education: Elementary</u>	<u>Advisory Committee on Early Elementary Education</u>	<u>\$25/Day</u>	<u>20-A MRSA \$260</u>
(19) <u>Education: Reform</u>	<u>Special Commission to Study the Implementation of Educational Reform</u>	<u>Legislative Per Diem Legislators Only. Expenses Only for non-Legislators</u>	<u>20-A MRSA \$13510</u>
(20) <u>Energy</u>	<u>Advisory Council on Energy Efficiency Building Performance Standards</u>	<u>Expenses Only</u>	<u>10 MRSA \$1414</u>
(21) <u>Energy</u>	<u>State Energy Resources Advisory Board</u>	<u>Not Authorized</u>	<u>5 MRSA \$5007</u>
(22) <u>Environment</u>	<u>Low-level Waste Siting Commission</u>	<u>Expenses Only</u>	<u>38 MRSA \$1476</u>
(23) <u>Environment: Natural Resources</u>	<u>Ground Water Protection Commission</u>	<u>Expenses Only</u>	<u>P&SL 1979, c. 43</u>
(24) <u>Finance</u>	<u>Advisory Council on Deferred Compensation Plans</u>	<u>Expenses Only</u>	<u>5 MRSA \$884</u>
(25) <u>Finance</u>	<u>Natural Resource Financing and Marketing Board</u>	<u>\$25/Day</u>	<u>10 MRSA \$985</u>

(26)	<u>Finance</u>	<u>Standardization Committee</u>	<u>\$25/Day; Public Member</u>	<u>5 MRSA §1814</u>
(27)	<u>Finance</u>	<u>Maine Veterans' Small Business Loan Board</u>	<u>Expenses Only</u>	<u>10 MRSA §1100-A</u>
(28)	<u>Finance</u>	<u>Council of Advi- sors on Consumer Credit</u>	<u>Expenses Only</u>	<u>9-A MRSA §6-301</u>
(29)	<u>Housing</u>	<u>Advisory Board to the Maine State Housing Authority</u>	<u>Expenses Only</u>	<u>30 MRSA §4602</u>
(30)	<u>Housing</u>	<u>Passamaquoddy In- dian Housing Au- thority - Indian Township</u>	<u>Not Authorized</u>	<u>22 MRSA §4733</u>
(31)	<u>Housing</u>	<u>Passamaquoddy In- dian Housing Au- thority - Pleas- ant Point</u>	<u>Not Authorized</u>	<u>22 MRSA §4733</u>
(32)	<u>Housing</u>	<u>Penobscot Tribal Reservation Hous- ing Authority</u>	<u>Not Authorized</u>	<u>22 MRSA §4733</u>
(33)	<u>Human Services</u>	<u>Maine Aid to Fam- ilies With Depen- dent Children Co- ordinating Committee</u>	<u>Not Authorized</u>	<u>22 MRSA §3773</u>
(34)	<u>Human Services</u>	<u>Advisory Council to Maine Aid to Families With De- pendent Children Coordinating Committee</u>	<u>Not Authorized</u>	<u>22 MRSA §3774</u>
(35)	<u>Human Ser- vices: Health Facilities</u>	<u>Certificate of Need Advisory Committee</u>	<u>\$25/Day</u>	<u>22 MRSA §307</u>

(36)	<u>Human Services</u>	<u>Maine Council on Alcohol and Drug Abuse Prevention and Treatment</u>	<u>Expenses Only</u>	<u>22 MRSA §7107</u>
(37)	<u>Human Services</u>	<u>Maine Dental Health Council</u>	<u>Expenses Only</u>	<u>22 MRSA §2096</u>
(38)	<u>Human Services: Public Health</u>	<u>Environmental Health Advisory Committee</u>	<u>Expenses Only</u>	<u>22 MRSA §1693</u>
(39)	<u>Human Services: Environmental Health</u>	<u>Scientific Advisory Panel</u>	<u>Expenses Only</u>	<u>22 MRSA §1693-A</u>
(40)	<u>Human Services: Hospitals</u>	<u>Hospital Advisory Committee</u>	<u>Not Authorized</u>	<u>22 MRSA §396-P</u>
(41)	<u>Human Services: Health Finance</u>	<u>Payor Advisory Committee</u>	<u>Not Authorized</u>	<u>22 MRSA §396-P</u>
(42)	<u>Human Services</u>	<u>Professional Advisory Committee</u>	<u>Not Authorized</u>	<u>22 MRSA §396-P</u>
(43)	<u>Human Services: Public Health</u>	<u>Radiological Emergency Preparedness Committee</u>	<u>Expenses Only</u>	<u>37-B MRSA §954</u>
(44)	<u>Human Services: Public Health</u>	<u>Advisory Committee on Radiation</u>	<u>Expenses Only</u>	<u>22 MRSA §675</u>
(45)	<u>Judiciary</u>	<u>Judicial Council</u>	<u>Expenses Only</u>	<u>4 MRSA §451</u>
(46)	<u>Judiciary: Criminal Law</u>	<u>Criminal Law Advisory Commission</u>	<u>Expenses Only</u>	<u>17-A MRSA §1351</u>
(47)	<u>Judiciary: Law</u>	<u>Probate Law Revision</u>	<u>Expenses Only</u>	<u>P&SL 1975, c. 14, §1</u>

Commission

(48) <u>Labor</u>	<u>State Advisory Council</u>	<u>\$25/Day</u>	<u>26 MRSA \$1082</u>
(49) <u>Labor</u>	<u>Displaced Homemakers Advisory Council</u>	<u>Not Authorized</u>	<u>26 MRSA \$1604</u>
(50) <u>Local and County Government</u>	<u>County Records Board</u>	<u>Not Authorized</u>	<u>30 MRSA \$347</u>
(51) <u>Local and County Government</u>	<u>Municipal Records Board</u>	<u>Not Authorized</u>	<u>30 MRSA \$2214</u>
(52) <u>Local and County Government</u>	<u>Regional Council of Governments</u>	<u>Paid by Member Governments</u>	<u>30 MRSA \$1981</u>
(53) <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>	
(54) <u>Marine Resources</u>	<u>Atlantic Sea Run Salmon Commission</u>	<u>Expenses Only</u>	<u>12 MRSA \$6251</u>
(55) <u>Marine Resources</u>	<u>Maine Marine Resources Commission</u>	<u>Expenses Only</u>	<u>Senate Paper 64, 1973</u>
(56) <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>
(57) <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>
(58) <u>Mental Health and</u>	<u>Mental Health Advisory Council</u>	<u>Expenses Only</u>	<u>34-B MRSA \$1209</u>

Retardation

(59)	<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>
(60)	<u>Mental Health and Retardation</u>	<u>Sterilization Procedures Review Committee</u>	<u>Not Authorized</u>	<u>34-B MRSA §7017</u>
(61)	<u>Natural Resources: Forests</u>	<u>Forest Fire Advisory Council</u>	<u>Expenses Only</u>	<u>12 MRSA §9621</u>
(62)	<u>Natural Resources: Protection and Promotion</u>	<u>Keep Maine Scenic Committee</u>	<u>Expenses Only</u>	<u>12 MRSA §633</u>
(63)	<u>Natural Resources: Recreation</u>	<u>Maine Trails System Advisory Committee</u>	<u>Not Authorized</u>	<u>12 MRSA §602</u>
(64)	<u>Natural Resources: Recreation</u>	<u>White Water Advisory Committee</u>	<u>\$25/Day</u>	<u>12 MRSA §7369-A</u>
(65)	<u>Natural Resources: Recreation</u>	<u>White Water Safety Committee</u>	<u>\$25/Day</u>	<u>12 MRSA §7367</u>
(66)	<u>Occupations: Auctioneers</u>	<u>Auctioneers Advisory Board</u>	<u>Expenses Only</u>	<u>32 MRSA §271</u>
(67)	<u>Occupations: Ambulance Services</u>	<u>Emergency Medical Services Advisory Board</u>	<u>\$20/Day</u>	<u>32 MRSA §88</u>
(68)	<u>Occupations: Computers</u>	<u>Computer Services Advisory Board</u>	<u>\$25/Day</u>	<u>5 MRSA §1855</u>
(69)	<u>Occupations: Insurance</u>	<u>General Lines Agent Examination Advisory Board</u>	<u>Expenses Only</u>	<u>24-A MRSA §1525</u>

(70)	<u>Occupations:</u> <u>Insurance</u>	<u>Life Agent Examination Advisory Board</u>	<u>Expenses Only</u>	<u>24-A MRSA §1525</u>
(71)	<u>Occupations:</u> <u>Real Estate</u>	<u>Continuing Education Committee</u>	<u>Not Authorized</u>	<u>32 MRSA §4115-B</u>
(72)	<u>Occupations:</u> <u>Medicine</u>	<u>Professional Malpractice Advisory Panel</u>	<u>Not Authorized</u>	<u>24 MRSA §2802</u>
(73)	<u>Public Advocate Office</u>	<u>Advisory Committee to the Public Advocate</u>	<u>Expenses Only</u>	<u>Resolves 1983 c. 48</u>
(74)	<u>State Government</u>	<u>Capitol Planning Commission</u>	<u>Expenses Only</u>	<u>5 MRSA §298</u>
(75)	<u>State Government</u>	<u>State Compensation Commission</u>	<u>Expenses Only</u>	<u>3 MRSA §2-A</u>
(76)	<u>State Government</u>	<u>State Government Internship Program Advisory Committee</u>	<u>Expenses Only</u>	<u>5 MRSA §293</u>
(77)	<u>State Planning</u>	<u>Maine Critical Areas Advisory Board</u>	<u>Expenses Only</u>	<u>5 MRSA §3313</u>
(78)	<u>Transportation:Motor Vehicles</u>	<u>Maine Aeronautical Advisory Board</u>	<u>Not Authorized</u>	<u>6 MRSA §302</u>
(79)	<u>Transportation:Ferry Service</u>	<u>Maine State Ferry Advisory Board</u>	<u>Not Authorized</u>	<u>23 MRSA §4301</u>
(80)	<u>Transportation:Highway</u>	<u>Maine Highway Safety Committee</u>	<u>Not Authorized</u>	<u>25 MRSA §2902</u>
(81)	<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>
(82)	<u>Transportation:Medical</u>	<u>Medical Advisory</u>	<u>Not</u>	<u>29 MRSA §547</u>

	<u>Motor Vehicles</u>	<u>Board (Licensing of Drivers)</u>	<u>Authorized</u>	
(83)	<u>Transportation: Public Transportation</u>	<u>Public Transportation Advisory Committee</u>	<u>Not Authorized</u>	<u>23 MRSA §4209</u>
(84)	<u>Tourism</u>	<u>Travel Information Advisory Council</u>	<u>\$25/Day</u>	<u>23 MRSA §1904</u>
(85)	<u>Tourism</u>	<u>Maine Vacation - Travel Commission</u>	<u>Expenses Only</u>	<u>5 MRSA §7005</u>
(86)	<u>Telecommunications</u>	<u>Advisory Committee on State Telecommunications</u>	<u>Not Authorized</u>	<u>5 MRSA §350</u>
(87)	<u>Telecommunications</u>	<u>Advisory Committee on Maine Public Broadcasting</u>	<u>Expenses Only</u>	<u>20-A MRSA §801</u>

Sec. 20. 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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Sec. 21. 5 MRSA §12004, sub-§13 is enacted to read:

13. Interagency organizations. The primary responsibilities of interagency organizations include the development or implementation of programs; coordination of programs; review of information, data and systems; planning; making recommendations; proposing legislation; holding hearings, entering into agreements; and receiving and administering funds. Those organizations are usually composed of commissioners, or their designees, or directors from different state executive agencies.

A. This classification includes the following boards:

<u>NAME OF ORGANIZATION</u>	<u>RATE OF COMPENSATION</u>	<u>STATUTORY REFERENCE</u>
(1) <u>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. 22. 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. 23. 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. 24. 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. 25. 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. 26. 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. 27. 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. 28. 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. 29. 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. 30. 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 tating 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. 31. 20-A MRSA §7704, as enacted by PL 1981,
24 c. 693, §§5 and 8, is amended to read:

25 §7704. Interdepartmental coordination

26 An Interdepartmental Coordinating Committee for
27 Preschool Handicapped Children pursuant to Title 5,
28 chapter 379, representing the department, the Depart-
29 ment of Human Services, the Department of Mental
30 Health and Mental Retardation and the public, shall
31 be appointed by the 3 commissioners to work with the
32 department to establish guidelines, including con-
33 tinuation applications, to monitor grants and to
34 evaluate the performance of programs developed
35 through the grants.

36 The members of this committee shall be compen-

1 sated in accordance with Title 5, chapter 379.

2 Sec. 32. 20-A MRSA §13510, sub-§1, as amended by
3 PL 1983, c. 860, §2, is further amended to read:

4 1. Commission established. ~~There~~ As authorized
5 by Title 5, chapter 379, there is created the Special
6 Commission to Study the Implementation of Educational
7 Reform. The commission shall consist of 12 members.
8 Eight members shall be legislators of whom 5 shall be
9 members of the Joint Standing Committee on Education
10 and 3 of whom shall be members of the Joint Standing
11 Committee on Appropriations and Financial Affairs.
12 The President of the Senate shall appoint 3 of the
13 legislator members; and the Speaker of the House
14 shall appoint 5 of the legislator members. Legisla-
15 tive members shall represent a bipartisan point of
16 view. The remaining 4 members shall be appointed by
17 the Governor and shall be persons familiar with edu-
18 cation and education finance, 2 of whom shall be the
19 Commissioner of Educational and Cultural Services, or
20 his designee, and the Commissioner of Finance and Ad-
21 ministration, or his designee. Members shall serve
22 until accomplishment of the tasks specified in this
23 chapter. Legislative members shall not be disquali-
24 fied for discontinuance of legislative service. Vac-
25 ancies may be filled with qualified appointees by
26 the appointing authority.

27 A. Legislative and nonlegislative members shall
28 be compensated according to Title 5, chapter 379.

29 Sec. 33. 22 MRSA §675, sub-§1, as enacted by PL
30 1983, c. 345, §§13 and 14, is amended to read:

31 1. Appointment. The Governor may appoint an Ad-
32 visory Committee on Radiation in accordance with Ti-
33 tle 5, chapter 379, consisting of 5 members with
34 training and experience in the various fields in
35 which sources of radiation are used. Members of the
36 committee shall serve at the discretion of the com-
37 missioner and ~~receive no salary for services, but may~~
38 ~~be reimbursed for actual expenses incurred in connec-~~
39 ~~tion with attendance at committee meetings or for au-~~
40 ~~thorized business of the committee shall be compen-~~
41 ~~sated in accordance with Title 5, chapter 375.~~

1 Sec. 34. 22 MRSA §2415, first and last ¶¶, as
2 enacted by PL 1983, c. 423, is amended to read:

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

8 Members of the board may be reimbursed for their
9 attendance at meetings at the rate of \$40 per day
10 shall be compensated as provided in Title 5, chapter
11 379.

12 Sec. 35. 22 MRSA §2624, first ¶, as amended by
13 PL 1983, c. 819, Pt. A, §55, is further amended to
14 read:

15 The Governor shall appoint a Board of Licensure,
16 as authorized by Title 5, chapter 379, which shall be
17 composed of 6 persons as follows: Two operators who
18 shall be licensed under this chapter, with one of
19 these holding a license of the highest classification
20 issued by the board; one person who shall be from the
21 Department of Human Services, as the commissioner may
22 recommend; one person who shall be a water utility
23 management representative; one person who shall be an
24 educator whose field of interest is related to water
25 supply; and one member of the general public.

26 Sec. 36. 22 MRSA §2624, 5th ¶, as enacted by PL
27 1975, c. 751, §4, is repealed and the following en-
28 acted in its place:

29 Members of the board shall be compensated accord-
30 ing to Title 5, chapter 379.

31 Sec. 37. 22 MRSA §7131, sub-§1, as enacted by PL
32 1983, c. 464, §19, is amended to read:

33 1. Committee established. The As authorized by
34 Title 5, chapter 379, the Alcohol and Drug Abuse
35 Planning Committee is established within the Depart-
36 ment of Human Services.

37 Sec. 38. 26 MRSA §799, as enacted by PL 1983, c.
38 176, Pt. A, §9, is amended to read:

1 §799. Committee

2 The As authorized by Title 5, chapter 379, the
3 Governor's Committee on Employment of the Handicapped
4 is created and shall consist of 18 members appointed
5 by the Governor.

6 Sec. 39. 26 MRSA §802, last ¶, as enacted by PL
7 1983, c. 176, Pt. A, §9, is amended to read:

8 Members of the committee shall receive no compen-
9 sation for services on the committee, but shall be
10 entitled to reimbursement for necessary expenses,
11 such as mileage from travel in personally-owned auto-
12 mobiles and meals, incurred in order to attend com-
13 mittee meetings called by the chairman. Members of
14 the committee shall be compensated according to Title
15 5, chapter 379. Reimbursement shall be based on ex-
16 isting state law for reimbursement for travel by
17 state employees.

18 Sec. 40. 26 MRSA §1263, as amended by PL 1981,
19 c. 168, §18, is further amended to read:

20 §1263. Commission

21 There is established the Maine Vocational Devel-
22 opment Commission ~~to~~, as authorized by Title 5, chap-
23 ter 379, shall consist of the Commissioner of Educa-
24 tional and Cultural Services, the Commissioner of La-
25 bor and the Director of the State Development Office,
26 or their authorized representatives, or their succes-
27 sors under any governmental reorganization. The mem-
28 bers of the commission shall serve without pay, other
29 than their actual expenses while carrying out the du-
30 ties of the commission be compensated according to
31 Title 5, chapter 379.

32 Sec. 41. 26 MRSA §1452, as amended by PL 1983,
33 c. 469, §3, is further amended to read:

34 §1452. Maine Occupational Information Coordinating
35 Committee

36 The Maine Occupational Information Coordinating
37 Committee, as authorized by Title 5, chapter 379, is
38 established to support the development, maintenance

1 and operation of a Comprehensive Career, Occupational
2 and Economic Data-based System and to foster communi-
3 cation and coordination of education, employment and
4 training programs through the use of the system. The
5 committee shall consist of the Commissioner of Labor,
6 Commissioner of Human Services, Commissioner of Edu-
7 cational and Cultural Services and the Director of
8 the State Development Office. The Commissioner of
9 Labor shall be the chairman of the committee with the
10 Department of Labor serving as the fiscal agent for
11 the committee.

12 Sec. 42. 30 MRSA §4601-A, first ¶, as amended by
13 PL 1983, c. 812, §182, is further amended to read:

14 The Maine State Housing Authority, as established
15 by ~~Title 5, section 12004, subsection 7,~~ is estab-
16 lished and shall be referred to in this subchapter
17 as the "state authority." It is a public body corpo-
18 rate and politic and an instrumentality of the State.

19 Sec. 43. 30 MRSA §4602, sub-§2, ¶B, as amended
20 by PL 1981, c. 51, is further amended to read:

21 B. The state authority, as authorized by Title
22 5, section 12004, shall have 7 commissioners, 5
23 of whom shall be appointed by the Governor, sub-
24 ject to review by the Joint Standing Committee on
25 State Government and to confirmation by the Leg-
26 islature, and one of whom shall be the Treasurer
27 of State or his designee, ex officio, as a non-
28 voting member. The designee of the Treasurer of
29 State shall be the Deputy Treasurer of State.
30 The 7th commissioner shall be the director of the
31 state authority serving ex officio, who shall be
32 chairman of the commissioners. The director of
33 the state authority shall be appointed by the
34 Governor, subject to review by the Joint Standing
35 Committee on State Government and to confirmation
36 by the Legislature. Said 5 commissioners shall
37 include, but not be limited to, representatives
38 of bankers and of low income or elderly people.
39 One commissioner shall be a resident of housing
40 which is subsidized or assisted by programs of
41 the United States Department of Housing and Urban
42 Development or of the Maine State Housing Author-
43 ity. In making such appointment, the Governor

1 shall give priority consideration to nominations
2 that may be made by tenant associations estab-
3 lished in the State.

4 The commissioners shall elect a vice-chairman of
5 the commissioners from among their number. The
6 commissioners of the state authority shall have
7 the power and duty to establish and revise from
8 time to time policies of the authority relative
9 to the following particular matters.

10 (1) Standards of issuing, servicing and re-
11 deemng bonds;

12 (2) Purchase, sale or commitment to pur-
13 chase mortgages or notes;

14 (3) Initiating project construction and ac-
15 cepting properly completed facilities;

16 (4) Setting and establishing selection and
17 evaluation standards, criteria and proce-
18 dures under which it will purchase, sell or
19 agree to purchase loans, notes or obliga-
20 tions, having regard among other things to
21 property values, local economic conditions
22 and expectancy, credit and employment, and
23 to local housing conditions and needs and
24 the availability of credit resources to meet
25 the same relative to similar or competing
26 conditions and needs in other localities in
27 the State;

28 (5) Setting and establishing procedures for
29 the servicing of loans, notes and obliga-
30 tions acquired by it, including the allow-
31 ance of servicing fees to participating
32 lenders to whom the state authority may en-
33 trust such servicing;

34 (6) Setting and establishing procedures for
35 the collection of moneys due from persons
36 liable for the payment of the same, as to
37 any loan, note or obligation held by the
38 state authority, by subrogation or other-
39 wise, and to initiate and maintain any ac-
40 tion at law or in equity, including foreclo-

- 1 sure proceedings, to enforce such payment;
- 2 (7) Setting and establishing procedures for
3 the orderly liquidation and disposition of
4 any property acquired by the state authority
5 through foreclosure or otherwise in full or
6 partial satisfaction of any debt or obliga-
7 tion held by it; and
- 8 (8) Establishing and maintaining out of in-
9 come or otherwise such reserves as the state
10 authority from time to time determines to be
11 necessary and prudent in addition to those
12 specifically required.

13 Following reasonable notice to each commissioner,
14 4 commissioners of the state authority shall con-
15 stitute a quorum for the purpose of conducting
16 its business and exercising its powers and for
17 all other purposes, notwithstanding the existence
18 of any vacancies. Action may be taken by the com-
19 missioners upon a vote of a majority of the com-
20 missioners present, unless its bylaws shall re-
21 quire a larger number.

22 Sec. 44. 30 MRSA §5164, first ¶, as enacted by
23 PL 1971, c. 558, is amended to read:

24 There is established a public body corporate and
25 politic, to be known as the "Maine Municipal Bond
26 Bank" in accordance with Title 5, chapter 379. The
27 bank is constituted as an instrumentality of the
28 State exercising public and essential governmental
29 functions, and the exercise by the bank of the powers
30 conferred by this Act shall be deemed and held to be
31 an essential governmental function of the State.

32 Sec. 45. 30 MRSA §5164, 6th ¶, as repealed and
33 replaced by PL 1975, c. 312, is amended to read:

34 Each public member of the board of commissioners
35 shall ~~receive \$50 per day for the time spent in the~~
36 ~~discharge or performance of his duties as a~~
37 ~~commissioner~~ be compensated according to Title 5,
38 chapter 379. Each commissioner shall be reimbursed
39 for his reasonable expenses incurred in carrying out
40 his duties under this Act. Notwithstanding any other

1 law, no officer or employee of the State shall be
2 deemed to have forfeited or shall forfeit his office
3 or employment or any benefits or emoluments thereof
4 by reason of his acceptance of the office of commis-
5 sioner of the bank or his services therein.

6 Sec. 46. 30 MRSA §6212, sub-§1, as amended by PL
7 1983, c. 812, §186, is further amended to read:

8 1. Commission created. The Maine Indian
9 Tribal-State Commission is established pursuant to
10 ~~Title 5, section 12004, subsection 4.~~ The commission
11 shall consist of 9 members, 4 to be appointed by the
12 Governor of the State subject to review by the Joint
13 Standing Committee on Judiciary and to confirmation
14 by the Legislature, 2 each to be appointed by the
15 Passamaquoddy Tribe and the Penobscot Nation and a
16 chairman to be selected in accordance with subsection
17 2. The members of the commission, other than the
18 chairman shall each serve for a term of 3 years and
19 may be reappointed. In the event of the death, resig-
20 nation or disability of any member, the appointing
21 authority may fill the vacancy for the unexpired
22 term.

23 Sec. 47. 30 MRSA §6212, sub-§4, as amended by PL
24 1983, c. 812, §187, is further amended to read:

25 4. Personnel, fees, expenses of commissioners.
26 The commission shall have authority to employ such
27 personnel as it deems necessary and desirable in or-
28 der to effectively discharge its duties and responsi-
29 bilities. Such employees shall not be subject to
30 state personnel laws or rules.

31 The commission members shall be paid ~~according to the~~
32 provisions of Title 5, chapter 379 \$75 per day for
33 their services and shall be reimbursed for reasonable
34 expenses including travel.

35 Sec. 48. 32 MRSA §9853, first ¶, as enacted by
36 PL 1983, c. 524, is amended to read:

37 The Radiologic Technology Board of Examiners, as
38 ~~established in this chapter~~ authorized by Title 5,
39 chapter 379, shall administer this chapter. The
40 board shall consist of 12 members appointed by the

1 Governor.

2 Sec. 49. 32 MRSA §9853, sub-§4, as enacted by PL
3 1983, c. 524, is repealed and the following enacted
4 in its place:

5 4. Compensation. Members of the board shall be
6 compensated according to Title 5, chapter 379.

7 Sec. 50. 34-B MRSA §7017, as enacted by PL 1983,
8 c. 459, §7, is amended to read:

9 §7017. Sterilization procedures review committee

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

31 Sec. 51. 35 MRSA §184, first ¶, as enacted by PL
32 1981, c. 473, is amended to read:

33 There is established, pursuant to Title 5, chap-
34 ter 379, a public body corporate and politic, to be
35 known as the "Maine Public Utility Financing Bank."
36 The bank is constituted as an instrumentality of the
37 State exercising public and essential governmental
38 functions, and the exercise by the bank of the powers
39 conferred by this Act shall be deemed and held to be
40 an essential governmental function of the State.

1 Sec. 52. 35 MRSA §184, 6th and 7th ¶¶, as en-
2 acted by PL 1981, c. 473, are repealed and the fol-
3 lowing enacted in their place:

4 Each member of the board of commissioners shall
5 be compensated in accordance with Title 5, chapter
6 379, in addition to such other compensation as he may
7 receive as a Commissioner of the Maine Municipal Bond
8 Bank.

9 Notwithstanding any other law, no officer or em-
10 ployee of the State forfeits his office or employment
11 or any benefits or emoluments of that office or em-
12 ployment by reason of his acceptance of the office of
13 commissioner of the bank or his services in the bank.

14 Sec. 53. 35 MRSA §4101, sub-§1, as amended by PL
15 1983, c. 192, §1, is further amended to read:

16 1. Establishment. The Maine Municipal and Rural
17 Electrification Cooperative Agency, pursuant to Title
18 5, chapter 379, is created, declared and established
19 to be a body politic and corporate and political sub-
20 division of the State with the duties and powers set
21 forth in this Act, to carry out this Act. The agency
22 is constituted a public instrumentality exercising
23 public and essential governmental functions and as a
24 quasi-municipal corporation, and the exercise by the
25 agency of the powers conferred by this Act is deemed
26 and held to be the performance of an essential gov-
27 ernmental function of the State.

28 Sec. 54. 36 MRSA §841-B, as amended by PL 1983,
29 c. 812, §271 and c. 855, §4, is repealed and the fol-
30 lowing enacted in its place:

31 §841-B. Land Classification Appeals Board; purpose,
32 composition

33 The Land Classification Appeals Board, as estab-
34 lished by Title 5, section 12004, subsection 2, is
35 established to hear appeals from decisions of municip-
36 al tax assessors, chief assessors and the State Tax
37 Assessor acting as assessor of the unorganized terri-
38 tory relating to the Maine Tree Growth Tax Law or the
39 Farm and Open Space Tax Law. The board shall be com-
40 posed of 4 voting members: The Commissioner of Con-

1 servation or his designee; the Commissioner of Agri-
2 culture, Food and Rural Resources or his designee;
3 and 2 members, serving 4 years, to be appointed by
4 the Governor. One of these members shall be a munic-
5 ipal officer and one shall be a forest landowner.
6 The initial appointment of the municipal officer
7 shall be for a 2-year period. In the event of the
8 death or resignation of such an appointee, the Gover-
9 nor shall make an appointment to the appeals board
10 for the unexpired term. The Commissioner of Finance
11 and Administration or his designee shall serve in an
12 advisory capacity as a nonvoting member and as chair-
13 man of the board. In the case of a tie vote, the
14 Commissioner of Finance and Administration or his
15 designee shall vote to break the tie. The landowner
16 member and the municipal officer shall be compensated
17 according to Title 5, chapter 379. All other members
18 shall be compensated by the agency they represent for
19 actual expenses incurred in the performance of their
20 duties under this section.

21 Sec. 55. 36 MRS §4312, first ¶, as repealed and
22 replaced by PL 1983, c. 836, §9, is amended to read:

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

33 Sec. 56. Savings clause. Nothing in this Act
34 shall be construed as terminating the existence of
35 any board listed in the Maine Revised Statutes, Title
36 5, section 12004. Except as specifically provided by
37 Title 5, sections 12002-A, 12002-B, 12003-A and
38 12005, nothing in this Act may be construed as modi-
39 fying the powers, privileges, rights or liabilities
40 of any board as in effect immediately prior to the
41 effective date of this Act. Each board is declared
42 to continue in existence, and all rules, licenses,
43 contracts, resolutions and the official actions in
44 effect or outstanding immediately prior to the effec-

1 5. Payment of compensation is provided for at-
2 tendance at out-of-state meetings when a board is re-
3 quired to obtain approval from the Federal Government
4 or another state government.

5 This new draft also includes the following boards
6 which were omitted from Title 5, chapter 379:

7 1. Board of Commissioners, Maine Municipal Bond
8 Bank - 30 MRSA, §5164;

9 2. Board of Directors, Maine Municipal and Rural
10 Electrification Cooperative Agency - 35 MRSA §4101;

11 3. Board of Commissioners, Maine Public Utility
12 Financing Bank - 35 MRSA §184;

13 4. Board of Visitors, Institution of Department
14 of Corrections - 34-A MRSA §3002;

15 5. Advisory Committee on Radiation - 22 MRSA
16 §675; and

17 6. Interdepartmental Coordinating Committee for
18 Preschool Handicapped Children - 20-A MRSA §7704.

19 This new draft also restores the original lan-
20 guage in the law, Title 30, relating to the Maine In-
21 dian Tribal Commission. This change is required by
22 federal law and Maine's agreement with the Federal
23 Government and the Tribal Commission.

24 The Maine State Housing Authority reference has
25 been corrected by this new draft. In addition, the
26 Land Classification Appeals Board has been changed to
27 reflect the dissolution of the Forest Land Valuation
28 Advisory Council which, by law, has 2 positions on
29 the Land Classification Appeals Board. A municipal
30 officer and a forest landowner replace the 2 members
31 of the defunct Forest Land Valuation Advisory Coun-
32 cil.

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