

MAINE STATE LEGISLATURE

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1 (New Draft of H.P. 1665, L.D. 2347)
2 (New Title)
3 SECOND REGULAR SESSION
4

5 ONE HUNDRED AND TWELFTH LEGISLATURE
6

7 Legislative Document

No. 2385

9 H.P. 1694

House of Representatives, April 11, 1986

10 Reported by Representative Handy from the Committee on Education
and printed under Joint Rule 2. Original bill sponsored by Representative
11 Bost of Orono. Cosponsored by Senator Baldacci of Penobscot and Senator
Bustin of Kennebec.

12 EDWIN H. PERT, Clerk

13
14 STATE OF MAINE
15

16 IN THE YEAR OF OUR LORD
17 NINETEEN HUNDRED AND EIGHTY-SIX
18

19 AN ACT to Change the Name of the University
20 of Maine.
21

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

24 Sec. 1. 1 MRSA sec. 402, sub-sec. 2, para. B, as
25 amended by PL 1977, c. 164, sec. 1, is further
26 amended to read:

27 B. Any board or commission of any state agency
28 or authority, the Board of Trustees of the Uni-
29 versity of Maine System and any of its committees
30 and subcommittees, the administrative council of
31 the University of Maine System, the Board of
32 Trustees of the Maine Maritime Academy and any of
33 its committees and subcommittees; and

34 Sec. 2. 1 MRSA sec. 402, sub-sec. 3, para. E, as
35 amended by PL 1977, c. 164, sec. 2, is further
36 amended to read:

1 E. Records, working papers, interoffice and in-
2 traoffice memoranda used by or prepared for fac-
3 ulty and administrative committees of the Maine
4 Maritime Academy and the University of Maine
5 System. The provisions of this paragraph do not
6 apply to the boards of trustees, the committees
7 and subcommittees of those boards, and the admin-
8 istrative council of the University of Maine
9 System, which are referred to in section 402,
10 subsection 2, paragraph B.

11 Sec. 3. 1 MRSA sec. 501-A, as amended by PL
12 1975, c. 746, sec. 1, is further amended to read:

13 sec. 501-A. Publications of state agencies

14 The publications of all agencies and the Univer-
15 sity of Maine System and the Maine Maritime Academy
16 may be printed, bound and distributed, subject to Ti-
17 tle 5, sections 43 through 46. The State Purchasing
18 Agent may determine the style in which such publica-
19 tions may be printed and bound, with the approval of
20 the Governor. At least 55 copies of any annual or bi-
21 ennial report not included in the Maine State Govern-
22 ment Annual Report provided for in Title 5, sections
23 43 through 46, shall be delivered to the State Li-
24 brarian, immediately upon receipt by the State Pur-
25 chasing Agent for exchange and library use; the bal-
26 ance of the number of each such report shall be de-
27 livered by the State Purchasing Agent to the agency
28 preparing the report. At least 18 copies of all other
29 publications, including periodicals, bulletins,
30 pamphlets, leaflets and special reports issued by any
31 agency or by any legislative committee shall be de-
32 livered to the State Librarian. The agency or commit-
33 tee preparing a publication shall have the authority
34 to determine the date on which a publication may be
35 released, except as may be otherwise provided by law.

36 Sec. 4. 3 MRSA sec. 312-A, sub-sec. 12, as en-
37 acted by PL 1983, c. 160, sec. 1, is amended to read:

38 12. Person. "Person" means an individual, busi-
39 ness, corporation, association, professional associa-
40 tion, labor union, firm, partnership, club or other
41 organization, whether profit or nonprofit, or any mu-
42 nicipality or quasi-municipality, but does not in-

1 clude this State, any agency of this State, the Uni-
2 versity of Maine System or the Maine Maritime Acade-
3 my.

4 Sec. 5. 3 MRSA sec. 507, sub-sec. 7, para. B, as
5 amended by PL 1985, c. 481, Pt. A, sec. 2, is further
6 amended to read:

7 B. The evaluations and analyses of the justifi-
8 cation reports for the programs of the following
9 Group D-2 departments shall be reviewed by the
10 Legislature no later than June 30, 1987:

11 (1) Board of Trustees of the University of
12 Maine System;

13 (2) Board of Trustees of the Maine Maritime
14 Academy; and

15 (3) Department of Educational and Cultural
16 Services, except for the cultural bureaus,
17 Management Information Division, higher edu-
18 cation services and the Bryant Pond Conser-
19 vation School.

20 Sec. 6. 4 MRSA sec. 451, as repealed and re-
21 placed by PL 1985, c. 506, Pt. A, sec. 1-A, is
22 amended to read:

23 sec. 451. Establishment

24 A Judicial Council, as established by Title 5,
25 section 12004, subsection 10, shall make a continuous
26 study of the organization, rules and methods of pro-
27 cedure and practice of the judicial system of the
28 State, the work accomplished and the results produced
29 by that system and its various parts. The council
30 shall be composed of the Chief Justice of the Supreme
31 Judicial Court, who shall also serve as chairman, the
32 Attorney General, the Chief Justice of the Superior
33 Court, the Chief Judge of the District Court, and the
34 Dean of the University of Maine System School of Law,
35 each to serve ex officio, and an Active or Retired
36 Justice of the Supreme Judicial Court, one Justice of
37 the Superior Court, one Judge of the District Court,
38 one Judge of a Probate Court, one clerk of the judi-
39 cial courts, 2 members of the bar and 6 laymen, to be

1 appointed by the Governor. The appointments by the
2 Governor shall be for such periods, not exceeding 4
3 years, as he shall determine.

4 Sec. 7. 5 MRSA sec. 18, sub-sec. 1, para. B, as
5 enacted by PL 1979, c. 734, sec. 2, is amended to
6 read:

7 B. "Executive employee" means the constitutional
8 officers, the State Auditor and compensated mem-
9 bers of the classified or unclassified service
10 employed by the Executive Branch, but it shall
11 not include:

12 (1) The Governor;

13 (2) Employees of and members serving with
14 the National Guard;

15 (3) Employees of the University of Maine
16 System, the Maine Maritime Academy and State
17 vocational-technical institutes; and

18 (4) Employees who are employees solely by
19 their appointment to an advisory body.

20 Sec. 8. 5 MRSA sec. 43, 2nd and 3rd para. , as
21 repealed and replaced by PL 1975, c. 436, sec. 3, are
22 amended to read:

23 The administrative head or body of each agency
24 shall, on or before September 1st, annually, deliver
25 to the Governor a report of such agency during the
26 preceding fiscal year ending June 30th. An agency
27 using a fiscal year other than that used by the State
28 may report on the basis of its preceding fiscal year.
29 The Legislative branch, through the Legislative Coun-
30 cil, and the Judicial branch, through the Chief Jus-
31 tice of the Supreme Judicial Court, the University of
32 Maine System and the Maine Maritime Academy, may also
33 submit reports of these branches of State Government
34 for the previous fiscal year.

35 The Governor shall immediately cause such reports
36 to be edited with regard to content, arrangement and
37 brevity, except that the constitutional officers
38 elected by the Legislature, the Legislative Council

1 and the Chief Justice and the University of Maine
2 System and the Maine Maritime Academy shall approve
3 any editing of their respective reports.

4 Sec. 9. 5 MRSA sec. 45, as amended by PL 1977,
5 c. 370, is further amended to read:

6 sec. 45. Discontinuation of duplicate reports

7 Notwithstanding any other provision of law, the
8 Governor may discontinue the publication of any other
9 annual or biennial report which duplicates the report
10 material provided for in section 43, except for re-
11 ports of the constitutional officers elected by the
12 Legislature, and reports of the legislative and judi-
13 cial branches of government, the University of Maine
14 System and the Maine Maritime Academy. He may order
15 the publication of an expanded departmental report,
16 in standard format, in a limited quantity for record
17 purposes.

18 Notwithstanding any other provision of law, every
19 annual or biennial report required by statute to be
20 made by any agency other than constitutional officers
21 elected by the Legislature, the legislative and judi-
22 cial branches of government, the University of Maine
23 System and the Maine Maritime Academy, to the Gover-
24 nor and the Legislature shall be made by inclusion of
25 that report in the Maine State Government Annual Re-
26 port. The Governor may authorize the publication of
27 special expanded department reports in a limited
28 quantity when justified.

29 Sec. 10. 5 MRSA sec. 291, as enacted by PL 1967,
30 c. 493, is amended to read:

31 sec. 291. Creation

32 There is established a State Government Intern-
33 ship Program for attracting and placing qualified un-
34 dergraduate and graduate college students temporarily
35 within the State Government, to be administered by
36 the Bureau of Public Administration, University of
37 Maine System.

38 Sec. 11. 5 MRSA sec. 294, first para. , as en-
39 acted by PL 1967, c. 493, is amended to read:

1 The State Government Internship Program shall be
2 administered by the Bureau of Public Administration,
3 University of Maine System, whose duties shall in-
4 clude the following+.

5 Sec. 12. 5 MRSA sec. 555, first para. , as
6 amended by PL 1973, c. 633, sec. 21, is further
7 amended to read:

8 Whenever any employee, regularly employed in oth-
9 er than a temporary position for a period of at least
10 6 months by the State or by any department, bureau,
11 commission or office thereof, or by the University of
12 Maine System, ~~Vocational Technical Institutes~~ voc-
13 ational-technical institutes, Maine School Building
14 Authority, Maine Turnpike Authority, Maine Guarantee
15 Authority or any other state or quasi-state agency,
16 or by any county, municipality, township or school
17 district within the State shall in time of war, con-
18 templated war, emergency or limited emergency, en-
19 list, enroll, be called or ordered, or be drafted in-
20 to the Armed Forces of the United States or any
21 branch or unit thereof, or shall be regularly drafted
22 under federal manpower regulations, he shall not be
23 deemed or held to have thereby resigned from or aban-
24 doned his said employment, nor shall he be removable
25 therefrom during the period of his service. Tempo-
26 rary for the purpose of this section shall be defined
27 to mean employment based on a seasonal or on-call ba-
28 sis or employment based on a contract of less than 6
29 months' duration.

30 Sec. 13. 5 MRSA sec. 674, last para. , as
31 amended by PL 1975, c. 497, sec. 3, is further
32 amended to read:

33 This section shall apply to all examinations for
34 original positions in the State Police, the Depart-
35 ment of Inland Fisheries and Wildlife, the Department
36 of Marine Resources, the University of Maine System,
37 ~~Vocational Technical Institutes~~ vocational-technical
38 institutes, Maine School Building Authority, Maine
39 Turnpike Authority, Maine Guarantee Authority or any
40 other state or quasi-state agency.

41 Sec. 14. 5 MRSA sec. 1222, sub-sec. 6 is amended
42 to read:

1 6. Political subdivision. The term "political
2 subdivision" includes an instrumentality of the State
3 of Maine, of one or more of its political subdivi-
4 sions, the University of Maine System, academies, wa-
5 ter, sewer and school districts and associations of
6 municipalities, or an instrumentality of the State
7 and one or more of its political subdivisions, but
8 only if such instrumentality is a juristic entity
9 which is legally separate and distinct from the State
10 or subdivision and only if its employees are not by
11 virtue of their relation to such juristic entity em-
12 ployees of the State or subdivision.

13 Sec. 15. 5 MRSA sec. 1552, sub-sec. 6, as en-
14 acted by PL 1983, c. 655, is amended to read:

15 6. State agency. "State agency" means any body
16 of State Government authorized by law to adopt rules,
17 to issue licenses or to take final action in adjudi-
18 catory proceedings, including, but not limited to,
19 every authority, board, bureau, commission, depart-
20 ment or officer of the State Government so autho-
21 rized; but the term does not include the Governor,
22 courts, University of Maine System, Maine Maritime
23 Academy, school districts, special purpose districts
24 or municipalities, counties or other political subdivi-
25 sions of the State.

26 Sec. 16. 5 MRSA sec. 1706, sub-sec. 2, as en-
27 acted by PL 1977, c. 378, is amended to read:

28 2. State agency. "State agency" shall mean each
29 department and agency of State Government required to
30 comply with chapter 149, except that the term "state
31 agency" shall not include the University of Maine
32 System or the Maine Maritime Academy.

33 Sec. 17. 5 MRSA sec. 1812, 2nd para. , as
34 amended by PL 1969, c. 300, sec. 1, is further
35 amended to read:

36 The trustees of the University of Maine System
37 may authorize the Department of Finance and Adminis-
38 tration to act for them in any purchases.

39 Sec. 18. 5 MRSA sec. 1853, as enacted by PL
40 1975, c. 322, sec. 3, is amended to read:

1 sec. 1853. Intergovernmental cooperation and assist-
2 ance

3 The director, with the approval of the commis-
4 sioner, is authorized and empowered to enter into
5 such agreements with the Federal Government, the Uni-
6 versity of Maine System and other agencies and orga-
7 nizations as will promote the objectives of this
8 chapter, and to accept funds from the Federal Govern-
9 ment, municipal and county agencies, or from any in-
10 dividual or corporation to be expended for purposes
11 consistent with this chapter.

12 Sec. 19. 5 MRSA sec. 1855, as amended by 1983,
13 c. 812, sec. 27, is further amended to read:

14 sec. 1855. Computer Services Advisory Board

15 The Computer Services Advisory Board, established
16 by section 12004, subsection 10, shall consist of 15
17 members. The Governor shall appoint 2 members from
18 the private sector who shall be knowledgeable in the
19 science and administration of data processing ser-
20 vices, but who shall not be vendors of data process-
21 ing services to the State or vendors of data process-
22 ing equipment and supplies. The members from the
23 private sector shall be appointed to serve 4-year
24 terms; however, of these first members appointed, one
25 shall be appointed to serve for a 2-year term only.
26 The Chancellor of the University of Maine System
27 shall designate an employee of the university who
28 shall be knowledgeable in the science and administra-
29 tion of data processing to be a member of the board.
30 The commissioners of the Departments of Human Ser-
31 vices, Transportation, Labor, Finance and Administra-
32 tion, Educational and Cultural Services, Public Safe-
33 ty, Mental Health and Mental Retardation and Correc-
34 tions and the Secretary of State shall each designate
35 a member of his department to serve on the board, ex-
36 cept that no member of the Bureau of Central Computer
37 Services may be a member of the board. The Director
38 of the State Planning Office or his designee shall be
39 a member of the board. At the beginning of each bien-
40 nium, the Governor shall designate 3 agencies from
41 those state agencies not already represented on the
42 board whose heads shall each designate a member of
43 their agencies to serve on the board.

1 The members of the board who are state employees
2 or employees of the University of Maine System and
3 the members appointed from the private sector shall
4 be compensated as provided in chapter 379 from funds
5 of the bureau.

6 Sec. 20. 5 MRSA sec. 1903, last para. , as
7 amended by PL 1983, c. 580, sec. 1, is further
8 amended to read:

9 The restrictions regarding full-time employment
10 and payment at minimum wage shall not apply to the
11 cooperative education support program between the De-
12 partment of Mental Health and Mental Retardation and
13 the University of Maine System for the training of
14 psychologists.

15 Sec. 21. 5 MRSA sec. 7002, sub-sec. 2, para. B,
16 as enacted by PL 1975, c. 481, sec. 3, is amended to
17 read:

18 B. The director may employ or engage such out-
19 side technical or professional consultants as may
20 be necessary or appropriate to assist the office
21 in carrying out its functions; and may enter into
22 contracts with other boards, commissions, depart-
23 ments and divisions of the State or with the Uni-
24 versity of Maine System to assist him in carrying
25 out his duties under this chapter;

26 Sec. 22. 5 MRSA sec. 8002, sub-sec. 2, as
27 amended by PL 1985, c. 490, sec. 1, is further
28 amended to read:

29 2. Agency. "Agency" means any body of State
30 Government authorized by law to adopt rules, to issue
31 licenses or to take final action in adjudicatory pro-
32 ceedings, including, but not limited to, every au-
33 thority, board, bureau, commission, department or of-
34 ficer of the State Government so authorized; but the
35 term shall not include the Legislature, Governor,
36 courts, University of Maine System, Maine Maritime
37 Academy, vocational-technical institutes, the Commis-
38 sioner of Educational and Cultural Services for
39 schools of the unorganized territory, school adminis-
40 trative units, special purpose districts or munici-
41 palities, counties or other political subdivisions of
42 the State.

1 Sec. 23. 5 MRSA sec. 12004, sub-sec. 8, para. A,
2 sub-para. (4) is amended to read:

3 (4) Education Board of Trust- Expenses P&SL 1865 c. 532
4 ees - Only
5 University of
6 Maine System

7 Sec. 24. 5 MRSA 12004, sub-sec. 9, para. A,
8 sub-para. (15) is amended to read:

9 (15) Universi- Blueberry Expenses 36 MRSA
10 ty of Maine Advisory Only sec. 4312
11 System Committee

12 Sec. 25. 7 MRSA sec. 121 is amended to read:

13 sec. 121. Agricultural Experiment Station

14 The department of the University of Maine System
15 known and designated as the Maine Agricultural Exper-
16 iment Station, heretofore established at ~~said~~ the
17 university in connection therewith and under its di-
18 rection, for the purpose of carrying into effect an
19 Act of the Congress of the United States, approved
20 March 2, 1887, to establish agricultural experiment
21 stations in connection with the colleges established
22 in the several states under an Act approved July 2,
23 1862, and of the Acts supplementary thereto, shall be
24 maintained in accordance with the purposes for which
25 it was originally established.

26 Sec. 26. 7 MRSA sec. 191, as amended by PL 1985,
27 c. 283, sec. 1, is further amended to read:

28 sec. 191. Purpose

29 In order to aid in diffusing among the people of
30 this State useful and practical information on sub-
31 jects relating to agriculture and natural resources,
32 youth development, and home economics and community
33 life and to encourage the application of the same,
34 there may be inaugurated in each of the several coun-
35 ties of the State extension work which shall be car-
36 ried on in cooperation with the Trustees of the Uni-
37 versity of Maine System and the University of Maine
38 ~~at Orono.~~

1 Sec. 27. 7 MRSA sec. 192, as amended by PL 1985,
2 c. 283, sec. 2, is further amended to read:

3 sec. 192. Demonstrations and information

4 Cooperative extension work shall consist of the
5 giving of practical demonstrations in agriculture and
6 natural resources, youth development, and home eco-
7 nomics and community life and imparting information
8 on those subjects through field demonstrations, pub-
9 lications and otherwise. This work shall be carried
10 on in each county in such manner as may be mutually
11 agreed upon by the executive committee of the county
12 extension association provided for in section 193,
13 and the trustees of the University of Maine System,
14 the University of Maine ~~at Orono~~, or their duly ap-
15 pointed representatives.

16 Sec. 28. 7 MRSA sec. 193, as amended by PL 1985,
17 c. 283, sec. 3, is further amended to read:

18 sec. 193. County extension associations

19 For the purpose of carrying out this chapter,
20 there may be created in each county or combination of
21 2 counties within the State an organization to be
22 known as a "county extension association," and its
23 services available to all residents of a county.
24 Such county extension association shall have adopted
25 a constitution and set of bylaws acceptable to the
26 University of Maine ~~at Orono~~ and they shall be recog-
27 nized as the official body within that county or
28 counties for carrying on extension work in agricul-
29 ture and natural resources, youth development, and
30 home economics and community life within that county
31 or counties in cooperation with the University of
32 Maine ~~at Orono~~. The county extension is viewed as a
33 unique and important educational program of county
34 government. The county extension association may make
35 such regulations and bylaws for its government and
36 the carrying on of its work as are not inconsistent
37 with that chapter, provided that one such organiza-
38 tion shall be formed in each county.

39 Sec. 29. 7 MRSA sec. 195, as amended by PL 1985,
40 c. 283, sec. 5, is further amended to read:

1 sec. 195. Annual reports

2 It shall be the duty of the county extension as-
3 sociation, annually, as required, to present its plan
4 of extension work for the ensuing year and to render
5 to both the trustees of the University of Maine at
6 ~~Orono~~ and the county commissioners a full detailed
7 report of its extension activities for the preceding
8 fiscal year, including a detailed report of its re-
9 cepts and expenditures from all sources. The finan-
10 cial report of such county extension association
11 shall be on such forms as may be prescribed by the
12 University of Maine at ~~Orono~~ and the county commis-
13 sioners.

14 Sec. 30. 7 MRSA sec. 316, sub-sec. 1, as enacted
15 by PL 1985, c. 482, sec. 2, is amended to read:

16 1. Other state agencies. The State Planning Of-
17 fice, the State Soil and Water Conservation Commis-
18 sion, the Finance Authority of Maine and the Univer-
19 sity of Maine System shall cooperate with and assist
20 the commissioner in his efforts to assess regional
21 agricultural opportunities and constraints pursuant
22 to this chapter.

23 Sec. 31. 7 MRSA sec. 321, sub-sec. 3, as enacted
24 by PL 1985, c. 438, is amended to read:

25 3. Role of the State University of Maine. All
26 agricultural research and demonstration activities
27 within the State should take advantage of the techni-
28 cal expertise resident in the land grant college sys-
29 tem. Testing and field demonstrations of new tech-
30 nologies should utilize the research and educational
31 expertise at the University of Maine System.

32 Sec. 32. 7 MRSA sec. 322, sub-sec. 2, as enacted
33 by PL 1985, c. 438, is amended to read:

34 2. Program operation. The commissioner may es-
35 tablish a challenge grant program to test and demon-
36 strate new technologies related to the production,
37 storage and processing of Maine agricultural commodi-
38 ties. Applications may be submitted by commodity
39 groups, associations or individuals. Each proposed
40 new technology testing or demonstration project shall

1 include an appropriate role for the Maine Agricultural
2 Experiment Station, the Cooperative Extension Ser-
3 vice or other University of Maine System personnel to
4 assure the validity of test results and that demon-
5 stration information is appropriately distributed.
6 Criteria for grant awards, including specific techno-
7 logical problems and commodities to be addressed,
8 shall be established by rule in accordance with the
9 Maine Administrative Procedure Act, Title 5, chapter
10 375 and shall be guided by the following criteria:

11 A. In the case of research on new technologies,
12 awards shall be based on the technology's appar-
13 ent applicability, the quality of the research
14 design, impact of the proposed technology on re-
15 gional agricultural needs when defined under sec-
16 tion 314 and such other criteria as the commis-
17 sioner may establish;

18 B. In the case of technology demonstration
19 projects, awards shall be based on the
20 technology's potential economic benefit, espe-
21 cially in terms of any regional needs or opportu-
22 nities defined under section 314, the number of
23 producers involved in the demonstration project,
24 planned mechanisms for outreach and education and
25 such other criteria as the commissioner may es-
26 tablish; and

27 C. No more than \$5,000 may be awarded in any
28 fiscal year for a specific challenge grant pro-
29 gram and for each program for which an award is
30 made the grantee shall contribute in cash or in
31 kind an amount equal to at least 50% of the cost
32 of the program for the fiscal year for which the
33 award is made.

34 Sec. 33. 7 MRSA sec. 412, first para. , as en-
35 acted by PL 1977, c. 505, is amended to read:

36 The commissioner shall research and prepare in-
37 formation designed to develop and promote
38 direct-marketing. The commissioner shall consult with
39 the farm community, the faculty of the College of Ag-
40 riculture of the University of Maine System, and with
41 the various county extension agents in compiling in-
42 formation under this section. The information shall
43 include, but not be limited to, the following:

1 Sec. 34. 7 MRSA sec. 414, sub-sec. 3, as enacted
2 by PL 1977, c. 505, is amended to read:

3 3. Referral. Referring farmers to other appro-
4 priate sources of assistance, such as the University
5 of Maine System, College of Agriculture, the county
6 extension offices and the United States Department of
7 Agriculture.

8 Sec. 35. 7 MRSA sec. 972, as amended by PL 1983,
9 c. 812, sec. 45, is further amended to read:

10 sec. 972. Potato Marketing Improvement Committee

11 The commissioner shall appoint an advisory com-
12 mittee, as authorized by Title 5, section 12004, sub-
13 section 9, of 8 members to be known as the Potato
14 Marketing Improvement Committee. The Potato Marketing
15 Improvement Committee shall advise the commissioner
16 on the development and implementation of improved po-
17 tato marketing systems, including the modernization,
18 construction and operation of storage and central
19 packing facilities. The Potato Marketing Improvement
20 Committee shall also advise the commissioner concern-
21 ing the funding and expenditures of the Potato Mar-
22 keting Improvement Fund created pursuant to section
23 973. The Potato Marketing Improvement Committee shall
24 include one member representing the University of
25 Maine System, one member representing the Maine Pota-
26 to Council, one member representing the Maine Potato
27 Commission, one member representing the Maine Potato
28 Sales Association, one member representing the Far-
29 mers Home Administration, one member representing the
30 Farm Credit Service, one member representing the
31 State Development Office and one member representing
32 the public. Where the commissioner finds it appropri-
33 ate, the members representing the Farmers Home Admin-
34 istration and the Farm Credit Service may serve as a
35 loan review committee and advise him, on a confiden-
36 tial basis, on applications for funding.

37 Sec. 36. 7 MRSA sec. 2103-B, as enacted by PL
38 1983, c. 565, sec. 1, is amended to read:

39 sec. 2103-B. Foundation seed potato production areas

1 The commissioner may, upon the request of potato
2 growers in a specified area and in a manner consist-
3 ent with the Maine Administrative Procedure Act, Ti-
4 tle 5, chapter 375, designate "foundation seed potato
5 production areas" and, in consultation with the Seed
6 Potato Board, Cooperative Extensive Service, Univer-
7 sity of Maine System Agricultural Experiment Station
8 and appropriate industry organizations, establish
9 within these areas such certified seed production
10 practices as he deems beneficial to the industry.

11 Sec. 37. 7 MRSA sec. 2154, first para., as
12 amended by PL 1983, c. 565, sec. 6, is further
13 amended to read:

14 The Seed Potato Board shall have the power and
15 authority to produce, or cause to be produced through
16 contract or otherwise, such acreages of foundation
17 seed potatoes of various varieties as it may from
18 time to time determine for distribution and sale to
19 the potato growers of this State. The commitments of
20 the board shall not exceed in the aggregate the
21 amount of funds which may be made available to it. In
22 addition, the board shall be advisory to and shall
23 have authority to work with and through the Maine Ag-
24 ricultural Experiment Station of the University of
25 Maine System and other public and private agencies,
26 in conducting and carrying on a program of production
27 of foundation seed potatoes annually. The board
28 shall have authority to purchase, own or otherwise
29 acquire farm real estate and farm equipment if neces-
30 sary for the purpose of producing acreages of founda-
31 tion seed potatoes or providing for the testing
32 thereof, and any salable material resulting from the
33 ownership or operation may be sold to the best advan-
34 tage of the board. The board shall have authority to
35 sell or otherwise convey farm real estate and farm
36 equipment no longer required for the purposes of this
37 chapter. Proceeds from the sale shall be credited to
38 the operating account of the board.

39 Sec. 38. 10 MRSA sec. 918, sub-sec. 3, as
40 amended by PL 1983, c. 636, is further amended to
41 read:

42 3. Ex officio corporators. Ex officio corpora-
43 tors shall consist of the heads of the major state

1 departments and agencies and the Chancellor of the
2 University of Maine System. State department and
3 agency heads shall include the following:

4 Treasurer of State;

5 Director of the State Planning Office;

6 Director of the State Development Office;

7 Commissioner of Agriculture, Food and Rural Re-
8 sources;

9 Commissioner of Business, Occupational and Pro-
10 fessional Regulation;

11 Commissioner of Conservation;

12 Commissioner of Educational and Cultural Ser-
13 vices;

14 Commissioner of Environmental Protection;

15 Commissioner of Finance and Administration;

16 Commissioner of Human Services;

17 Commissioner of Inland Fisheries and Wildlife;

18 Commissioner of Labor;

19 Commissioner of Marine Resources;

20 Commissioner of Mental Health and Mental Retarda-
21 tion;

22 Commissioner of Transportation;

23 Chief Executive Officer of the Finance Authority
24 of Maine;

25 Executive Director of the Maine Municipal Bond
26 Bank; and

27 Executive Director of the Maine State Housing Au-
28 thority.

1 Sec. 39. 10 MRSA sec. 920, sub-sec. 11, as en-
2 acted by PL 1977, c. 548, sec. 1, is amended to
3 read:

4 11. Cooperation with agencies and organizations.
5 Cooperate with and avail itself of the services of
6 governmental agencies and the University of Maine
7 System; and cooperate and assist and otherwise en-
8 courage organizations, local or regional, private or
9 public, in the various communities of the State in
10 the promotion, assistance and development of the
11 business prosperity and economic welfare of such com-
12 munities and the State; and

13 Sec. 40. 10 MRSA sec. 984, sub-sec. 2, para. A,
14 as amended by PL 1985, c. 344, sec. 29, is further
15 amended to read:

16 A. In cooperation with the University of Maine
17 System and other state, local and federal agen-
18 cies or instrumentalities, conduct studies, in-
19 cluding studies concerning land use and availa-
20 bility, financial management and marketing, to
21 analyze the situation and needs of those persons
22 in the State engaged in or wishing to enter natu-
23 ral resource enterprises. The authority may de-
24 velop plans and recommendations as to its role
25 and the role of the State generally in facilitat-
26 ing the development of natural resource enter-
27 prises;

28 Sec. 41. 17 MRSA sec. 3956, first para. , is
29 amended to read:

30 No person or individual ~~shall~~ may sell, utilize,
31 install or have installed within this State equip-
32 ment, devices or methods whereby fence wires may be
33 energized with electricity unless a standard type of
34 controller is used, which has the approval of the
35 Underwriter's Laboratories and carries such label
36 thereon or has the approved listing of the Department
37 of Industrial Cooperation at the University of Maine
38 System.

39 Sec. 42. 20-A MRSA sec. 801, sub-sec. 2, as en-
40 acted by PL 1981, c. 693, sec. 5 and 8, is amended to
41 read:

1 2. Membership. The committee shall consist of 7
2 members to be appointed by the Governor for a full
3 term of 5 years. One member shall be a representa-
4 tive of the department. One member shall be a repre-
5 sentative of the University of Maine System and the
6 remaining members shall be citizens of the State. A
7 vacancy in the membership shall be filled for the un-
8 expired term by appointment by the Governor.

9 Sec. 43. 20-A MRSA sec. 803, sub-sec. 1 and 2,
10 as enacted by PL 1981, c. 693, sec. 5 and 8, are
11 amended to read:

12 1. Recommendations. To recommend to the trust-
13 ees of the University of Maine System relating to the
14 appointment of professional, clerical or other as-
15 sistants, location of public broadcasting stations
16 and construction and equipment of those stations nec-
17 essary to carry out the purposes of this chapter; and

18 2. Programs. To advise the trustees of the Uni-
19 versity of Maine System for the public broadcasting
20 programs to be transmitted by the network.

21 Sec. 44. 20-A MRSA sec. 852, sub-sec. 1 and 2,
22 as enacted by PL 1981, c. 693, sec. 5 and 8, are
23 amended to read:

24 1. Authority. The University of Maine System
25 may acquire real estate, construct, operate, manage
26 and equip radio, transmission and microwave televi-
27 sion facilities and interconnect with any other radio
28 or television network or station within or without
29 this State for the purpose of providing a statewide
30 public broadcasting network for the transmission of
31 public broadcasting to pupils in the schools, col-
32 leges, university and adult audiences throughout the
33 State.

34 2. Contracts. The University of Maine System
35 may enter into contracts for the construction of
36 those facilities, contracts for personal services
37 necessary for the management and operation of those
38 facilities and any other contracts deemed necessary
39 to carry out the purposes of this chapter.

40 Sec. 45. 20-A MRSA c. 411, first 2 lines are re-
41 pealed and the following enacted in its place:

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CHAPTER 411

UNIVERSITY OF MAINE SYSTEM

Sec. 46. 20-A MRSA sec. 10901, sub-sec. 1 and 2, as enacted by PL 1981, c. 693, sec. 5 and 8, are amended to read:

1. Trustees. "Trustees" means the Trustees of the University of Maine System.

2. University. "University" means the University of Maine System.

Sec. 47. 20-A MRSA sec. 10902, sub-sec. 15, as enacted by PL 1983, c. 97, sec. 2, is amended to read:

15. Transfer of credits. To provide for a uniform system of transferring credits for equivalent courses between the various units of the University of Maine System;

Sec. 48. 20-A MRSA sec. 10902, sub-sec. 16 and 17, as amended by PL 1983, c. 806, sec. 79, are further amended to read:

16. Uniform course numbering. To provide for a uniform system of the numbering of courses for equivalent courses between the various units of the University of Maine System;

17. Uniform course descriptions. To provide for a uniform system of course descriptions for equivalent courses between the various units of the University of Maine System; and goal of enabling recipients of Aid to Families with Dependent Children to achieve educational and skill levels that will assist them to compete for employment which can eliminate their dependency on public assistance.

Sec. 49. 20-A MRSA sec. 10902-A, first para., as enacted by PL 1983, c. 799, sec. 2, is amended to read:

The trustees, or their board representative, shall appear annually, in January, before the Joint

1 Standing Committee on Education to report on efforts
2 by the ~~university system~~ University of Maine System
3 to comply with the state public policy on higher edu-
4 cation established by section 10902. That report
5 shall include, but need not be limited to, the fol-
6 lowing:

7 Sec. 50. 20-A MRSA sec. 10902-B, as enacted by
8 PL 1983, c. 799, sec. 3, is amended to read:

9 sec. 10902-B. Report by chancellor

10 The Chancellor of the University of Maine System
11 shall be invited by the Speaker of the House of Rep-
12 resentatives and the President of the Senate annual-
13 ly, in January, to appear before a joint session of
14 the Legislature to address the Legislature on the
15 state of the university system and such other matters
16 as the chancellor desires to bring to the
17 Legislature's attention.

18 Sec. 51. 20-A MRSA sec. 10907, as enacted by PL
19 1983, c. 97, sec. 3, is amended to read:

20 sec. 10907. Transfer of credits; uniform course num-
21 bering; uniform course description;
22 committee

23 1. Formation. The Chancellor of the University
24 of Maine System shall form a committee composed of:

25 A. The Dean of Academic Affairs or designee from
26 each campus of the University of Maine System;

27 B. One faculty member selected by the faculty
28 from each campus of the University of Maine
29 System;

30 C. One student representative selected by the
31 student body of each campus of the University of
32 Maine System;

33 D. The Vice-Chancellor of Academic Affairs of
34 the University of Maine System to serve as an ex
35 officio member; and

1 E. One member of the joint standing committee of
2 the Legislature having jurisdiction over educa-
3 tion to serve as an ex officio member and to be
4 selected by the chairmen of the joint standing
5 committee of the Legislature having jurisdiction
6 over education.

7 2. Chairman. The committee shall elect one of
8 its members as chairman.

9 3. Meetings. The committee shall be selected as
10 soon as reasonably possible after the effective date
11 of this section. The Vice-Chancellor of Academic Af-
12 fairs shall notify all members of the time and place
13 of the first meeting. At that time, the committee
14 shall organize and adopt rules as to the administra-
15 tion of its affairs. The members shall serve without
16 compensation, but shall be reimbursed by the chancel-
17 lor for travel expenses.

18 4. Duties. The committee shall establish:

19 A. A uniform system to facilitate the transfer
20 of credits for equivalent courses between the
21 various units of the University of Maine System;

22 B. Development of a uniform course numbering
23 system; and

24 C. Development of uniform course descriptions to
25 provide an easy comparison of courses offered be-
26 tween the various units of the University of
27 Maine System.

28 5. Report and implementation. The committee
29 shall report the results of its deliberations and its
30 recommendations to the Board of Trustees of the Uni-
31 versity of Maine System no later than one year from
32 the effective date of this subsection, as amended.
33 The trustees shall implement the recommendations no
34 later than the beginning of the fall semester of
35 1985.

36 Sec. 52. 20-A MRSA sec. 10908, first para. , as
37 enacted by PL 1983, c. 806, sec. 82, is amended to
38 read:

1 In conjunction with the Maine Aid to Families
2 with Dependent Children Coordinating Committee oper-
3 ating pursuant to Title 22, chapter 1054, the Univer-
4 sity of Maine System:

5 Sec. 53. 20-A MRSA sec. 11053, sub-sec. 1,
6 para. A, as enacted by PL 1981, c. 693, sec. 5 and 8,
7 is amended to read:

8 A. One shall be the current Chancellor of the
9 University of Maine System, ex officio;

10 Sec. 54. 20-A MRSA sec. 11502, sub-sec. 2, as
11 enacted by PL 1983, c. 422, sec. 21, is amended to
12 read:

13 2. Institution for higher education. "Institu-
14 tion for higher education" means any institution for
15 post-secondary or higher education, as defined in Ti-
16 tle 22, section 2053, subsection 4-B, the University
17 of Maine System and, in addition, means any institu-
18 tion which awards an undergraduate or advanced de-
19 gree.

20 Sec. 55. 20-A MRSA sec. 11514, as enacted by PL
21 1983, c. 422, sec. 21, is amended to read:

22 sec. 11514. University of Maine System

23 Notwithstanding any inconsistent provisions of
24 this chapter, and in addition to the option of pro-
25 viding low-cost financial assistance to qualified
26 students enrolled at the university through the Maine
27 Health and Higher Educational Facilities Authority
28 and a student loan corporation, the following provi-
29 sions shall apply to the University of Maine System.

30 1. Issuance of bonds. The ~~board of trustees~~
31 Board of Trustees of the University of Maine System
32 may provide, by resolution, at one time or from time
33 to time, for the issuance of revenue bonds and other
34 obligations and to loan the proceeds thereof to one
35 or more student loan corporations formed by the board
36 for the purposes of this chapter. Revenue bonds and
37 other obligations issued by the board of trustees
38 shall be issued in the name of the University of
39 Maine System, shall be issued in accordance with this

1 chapter and shall be subject to the same limitations
2 and have the same exemptions as other bonds or obli-
3 gations issued under this chapter.

4 2. Powers. In addition to any other powers
5 granted by private and special legislation or general
6 law, the board of trustees shall have the same powers
7 as the Maine Health and Higher Educational Facilities
8 Authority, to the extent those powers are necessary
9 to meet the purposes of this chapter.

10 3. Security. Revenue bonds and other obliga-
11 tions issued under this chapter may be secured in
12 such fashion as the board of trustees, in its discre-
13 tion, deems appropriate. Revenue bonds and other obli-
14 gations issued by the board of trustees under this
15 chapter shall not constitute a debt or liability of
16 the State, of any municipality or political subdivi-
17 sion of the State or a pledge of the faith and credit
18 of the State or of any municipality or political sub-
19 division, and shall contain on their face a statement
20 to that effect.

21 Sec. 56. 20-A MRSA sec. 11608, sub-sec. 3, as
22 amended by PL 1985, c. 228, is further amended to
23 read:

24 3. State University of Maine System; grant allo-
25 cation. The department may allocate up to 25% of the
26 state student incentive scholarship grants to eligi-
27 ble students attending the University of Maine
28 System, up to 2 1/2% to eligible students attending
29 the Maine Maritime Academy and up to 2 1/2% to eligi-
30 ble students attending the vocational-technical in-
31 stitutes. If administration of the scholarship pro-
32 gram does not result in use of all the funds allo-
33 cated for Maine Maritime Academy or vocational-tech-
34 nical institute students by October 1st of any school
35 year, the department shall reallocate the unused
36 funds for use by eligible students attending the Uni-
37 versity of Maine System. If the funds are reallo-
38 cated, the total amount of funds allocated for use by
39 students attending the University of Maine System may
40 exceed the percentage provided in this subsection.
41 The balance of funds shall be granted to eligible
42 students attending other eligible institutions of
43 higher education.

1 Sec. 57. 20-A MRSA sec. 12552, sub-sec. 3, as
2 enacted by PL 1985, c. 472, is amended to read:

3 3. State post-secondary educational institution.
4 "Post-secondary educational institution" means the
5 University of Maine System, the Maine Maritime Acade-
6 my and the vocational-technical institutes.

7 Sec. 58. 20-A MRSA sec. 12553, sub-sec. 1,
8 para. D, as enacted by PL 1985, c. 497, sec. 5, is
9 amended to read:

10 D. One from the Board of Trustees of the Univer-
11 sity of Maine System;

12 Sec. 59. 20-A MRSA sec. 12555, sub-sec. 7, as
13 enacted by PL 1985, c. 497, sec. 5, is amended to
14 read:

15 7. Promote cooperation and communication. To
16 promote cooperation and communication with the Uni-
17 versity of Maine ~~system~~ System;

18 Sec. 60. 22 MRSA sec. 1471-B, sub-sec. 1, as
19 amended by PL 1983, c. 812, sec. 119, is further
20 amended to read:

21 1. Board established. The Board of Pesticides
22 Control is established by Title 5, section 12004,
23 subsection 5, within the Department of Agriculture,
24 Food and Rural Resources. The board shall be composed
25 of 7 members, appointed by the Governor, subject to
26 approval by the joint standing committee of the Leg-
27 islature having jurisdiction over the subject of ag-
28 riculture and confirmation by the Legislature. To
29 provide the knowledge and experience necessary for
30 carrying out the duties of the board, one person
31 shall be appointed who has practical experience and
32 knowledge in chemical use in the field of agricul-
33 ture, one who has practical experience and knowledge
34 in chemical use in the field of forest management, a
35 commercial applicator, a person from the medical com-
36 munity, a scientist from the University of Maine
37 System specializing in agronomy or entomology having
38 practical experience and knowledge of integrated pest
39 management and 2 persons appointed to represent the
40 public. The public members shall be selected to

1 represent different economic or geographic areas of
2 the State. The term shall be for 4 years, except
3 that of the initial appointees, 2 shall serve 4-year
4 terms, 2 shall serve 3-year terms, 2 shall serve
5 2-year terms and one shall serve a one-year term.
6 Any vacancy shall be filled by an appointment for the
7 remainder of the unexpired term.

8 Sec. 61. 22 MRSA sec. 1578, sub-sec. 3, para. B,
9 as enacted by PL 1981, c. 333, is amended to read:

10 B. Any board or commission of any state agency
11 or authority, the Board of Trustees of the Uni-
12 versity of Maine System and any of its committees
13 and subcommittees, the Administrative Council of
14 the University of Maine System, the Board of
15 Trustees of the Maine Maritime Academy and any of
16 its committees and subcommittees; and

17 Sec. 62. 22 MRSA sec. 2884 is amended to read:

18 sec. 2884. Distribution of bodies

19 The board or its duly authorized agent may take
20 and receive such bodies, so delivered, and shall upon
21 receiving them after 7 days from the date of decease
22 distribute and deliver them to or among the schools,
23 physicians and surgeons in the following manner:
24 Those schools needing bodies for lectures and demon-
25 strations shall first be supplied as fast as practi-
26 cable, the number assigned to each to be based upon
27 the number of students in actual attendance, which
28 number shall be returned to the board at such times
29 as it shall direct. The board of distribution may
30 from time to time designate physicians or surgeons
31 who shall receive said bodies, applications to be
32 considered in the order of their receipt by said
33 board. Subject to this chapter, it shall be lawful
34 for the University of Maine System, Colby College,
35 Bates College and Bowdoin College or any recognized
36 medical school in New England to receive such bodies
37 for the promotion of medical education, which shall
38 be construed to include nursing training and premedi-
39 cal education.

40 Sec. 63. 22 MRSA sec. 3775, sub-sec. 1 and 2, as
41 enacted by PL 1981, c. 512, sec. 16, are amended to
42 read:

1 continue to comply with the requirements of this
2 chapter and the laws of this State. Where a hearing
3 is held under this section the proceedings shall be
4 conducted in accordance with chapter 3 and the super-
5 intendent shall have all of the powers granted in
6 that chapter.

7 Sec. 67. 25 MRSA sec. 1544, first para. , as re-
8 pealed and replaced by PL 1975, c. 763, sec. 7, is
9 amended to read:

10 It shall be the duty of all state, county and mu-
11 nicipal law enforcement agencies, including those em-
12 ployees of the University of Maine System appointed
13 to act as policemen, to submit to the State Bureau of
14 Identification uniform crime reports, to include such
15 information as is necessary to establish a Criminal
16 Justice Information System and to enable the command-
17 ing officer to comply with section 1541, subsection
18 3. It shall be the duty of the bureau to prescribe
19 the form, general content, time and manner of submis-
20 sion of such uniform crime reports. The bureau shall
21 correlate the reports submitted to it and shall com-
22 pile and submit to the Governor and Legislature annu-
23 al reports based on such reports. A copy of such an-
24 nual reports shall be furnished to all law enforce-
25 ment agencies.

26 Sec. 68. 25 MRSA sec. 2447-A, sub-sec. 1, as en-
27 acted by PL 1977, c. 639, sec. 1, is amended to read:

28 1. Prohibition. No individual, partnership or
29 corporation ~~shall~~ may sell or offer for sale in this
30 State, in person, by mail or otherwise, any type of
31 cellulose fiber insulation unless that product is ei-
32 ther:

33 A. Certified by a nationally recognized testing
34 laboratory as meeting ASTM E-84, Class I require-
35 ments; or

36 B. Certified by the Department of Industrial Co-
37 operation, University of Maine System, as meeting
38 requirements comparable to ASTM E-84, Class I re-
39 quirements.

1 No individual, partnership or corporation ~~shall~~ may
2 sell or offer for sale in this State, in person, by
3 mail or otherwise, any cellulose fiber insulation
4 which does not conform to any rule established by the
5 State Fire Marshal under subsection 2. The Depart-
6 ment of Industrial Cooperation of the University of
7 Maine System shall not be liable as a result of any
8 damage or injury caused by or arising out of the in-
9 stallation or use of insulation certified by the de-
10 partment.

11 Sec. 69. 26 MRSA sec. 663, sub-sec. 10, as en-
12 acted by PL 1979, c. 516, sec. 2, is amended to
13 read:

14 10. Public employees. "Public employees" are
15 considered employees within the meaning of this sec-
16 tion and include any person whose wages are paid by a
17 state or local public employer, including the State,
18 a county, a municipality, the University of Maine
19 System, a school administrative unit and any other
20 political body or its political or administrative
21 subdivision. "Public employee" does not include any
22 officer or official elected by popular vote or ap-
23 pointed to office pursuant to law for a specified
24 term or any person defined in subsection 7.

25 Sec. 70. 26 MRSA c. 12, first 2 lines, are re-
26 pealed and the following enacted in their place:

27 CHAPTER 12

28 UNIVERSITY OF MAINE SYSTEM LABOR RELATIONS ACT

29 Sec. 71. 26 MRSA sec. 1021, as amended by PL
30 1985, c. 506, Pt. B, sec. 20, is further amended to
31 read:

32 sec. 1021. Purpose

33 It is declared to be the public policy of this
34 State and it is the purpose of this chapter to pro-
35 mote the improvement of the relationship between pub-
36 lic employers and their employees by providing a uni-
37 form basis for recognizing the right of the Universi-
38 ty of Maine System employees, Maine Maritime Academy
39 employees and vocational-technical institute employ-

1 ees to join labor organizations of their own choosing
2 and to be represented by such organizations in col-
3 lective bargaining for terms and conditions of em-
4 ployment.

5 Sec. 72. 26 MRSA sec. 1022, sub-sec. 3, as
6 amended by PL 1975, c. 671, sec. 4, is further
7 amended to read:

8 3. Board of Trustees. "Board of Trustees" means
9 the Board of Trustees of the University of Maine
10 System or the Board of Trustees of the Maine Maritime
11 Academy.

12 Sec. 73. 26 MRSA sec. 1022, sub-sec. 11, as
13 amended by PL 1985, c. 506, Pt. B, sec. 22, is fur-
14 ther amended to read:

15 11. University, academy or vocational-technical
16 institute employee. "University, academy or vocation-
17 al-technical institute employee" means any regular
18 employee of the University of Maine System, the Maine
19 Maritime Academy or vocational-technical institutes
20 performing services within a campus or unit, except
21 any person:

22 A. Appointed to office pursuant to statute;

23 B. Appointed by the Board of Trustees as a vice-
24 president, dean, director or member of the
25 chancellor's or superintendent's immediate staff;

26 C. Whose duties necessarily imply a confidential
27 relationship with respect to matters subject to
28 collective bargaining as between such person and
29 the university or the academy; or

30 D. Employed in his initial 6 months of employ-
31 ment.

32 Sec. 74. 27 MRSA sec. 377, as enacted by PL
33 1981, c. 55, sec. 7, is amended to read:

34 sec. 377. Protection of site location information

35 In order to protect the site from unlawful exca-
36 vation or harm, any information on the location or

1 other attributes of any site in the possession of the
2 Maine Historic Preservation Commission, the State Mu-
3 seum Bureau, the Bureau of Parks and Recreation, oth-
4 er state agencies or the University of Maine System
5 may be deemed by the Maine Historic Preservation Com-
6 mission or State Museum Bureau to be confidential and
7 exempt from Title 1, chapter 13. Such data shall be
8 made available for the purpose of archaeological re-
9 search. The directors of the Maine Historic Preserva-
10 tion Commission and the State Museum Bureau shall
11 jointly adopt rules establishing standards and proced-
12 ures for obtaining the data, and may impose reason-
13 able requirements on its use, including requirements
14 of confidentiality.

15 Sec. 75. 29 MRSA sec. 256, sub-sec. 4, as en-
16 acted by PL 1977, c. 142, is amended to read:

17 4. University of Maine System vehicles. The Sec-
18 retary of State is authorized to register vehicles
19 owned by the University of Maine System without the
20 payment of registration fees prescribed by this Ti-
21 tle. Such vehicles shall display registration plates
22 of a design determined by the Secretary of State.

23 Sec. 76. 30 MRSA sec. 5057, sub-sec. 1, para. A,
24 as enacted by PL 1983, c. 477, Pt. E, sub-Pt. 27, is
25 amended to read:

26 A. On or before September 30, 1984, and for each
27 succeeding year, the Commissioner of Finance and
28 Administration shall provide to the Treasurer of
29 State a list of state-owned buildings in each mu-
30 nicipality, along with the total floor space of
31 state-owned buildings in each municipality and
32 the share of floor space of all state-owned
33 buildings accounted for by the state-owned build-
34 ings in each municipality.

35 (1) The following state buildings shall not
36 be included in the calculation provided by
37 this section:

38 (a) Buildings in which the State holds
39 only a leasehold interest;

- 1 (b) Buildings owned by the Bureau of
2 Parks and Recreation and for which pay-
3 ments are made under Title 12, section
4 602, subsection 4;
- 5 (c) Buildings owned by the University
6 of Maine System;
- 7 (d) Buildings owned by the Maine Mari-
8 time Academy; and
- 9 (e) Buildings owned by the vocational-
10 technical institutes established by Ti-
11 tle 20-A, section 10103.

12 Sec. 77. 32 MRSA sec. 2001, first para. , as
13 amended by PL 1983, c. 812, sec. 214, is further
14 amended to read:

15 The Arborist Examining Board, as established by
16 Title 5, section 12004, subsection 1, within the De-
17 partment of Business, Occupational and Professional
18 Regulation and called "the board," shall administer
19 this chapter and shall consist of 6 members. The
20 Governor shall appoint 4 members as follows: Two mem-
21 bers shall be licensed commercial arborists, each of
22 whom shall have been continuously engaged in practice
23 as licensed commercial arborists for a period of 10
24 years prior to his appointment; one member shall be a
25 plant pathologist who is either on the state or Uni-
26 versity of Maine System staff and part of whose work
27 is concerned with trees; and one member shall be a
28 representative of the public. The remaining 2 mem-
29 bers shall be selected by the Director of the Bureau
30 of Forestry from the Bureau of Forestry and shall be
31 ex officio members.

32 Sec. 78. 32 MRSA sec. 4101-A, first para. , as
33 amended by PL 1979, c. 221, sec. 1, is further
34 amended to read:

35 The commission shall prescribe curricula and
36 standards for educational programs to prepare entry
37 level students for the real estate profession, and
38 shall issue a certificate of approval to such educa-
39 tional programs within the State of Maine as meet the
40 requirements of this chapter and of the commission.

1 At least every 2 years, the commission shall thor-
2 oughly review each approved educational program prior
3 to reissuing a certificate of approval for such pro-
4 gram. Nothing in this section ~~shall~~ may be construed
5 to grant the commission any authority over any such
6 programs conducted by the University of Maine System,
7 any other public higher educational institution or
8 any institution authorized by law to grant a degree.

9 Sec. 79. 36 MRSA sec. 318, first para. is
10 amended to read:

11 The State Tax Assessor may establish, either on
12 his own initiative or in conjunction with profession-
13 al or educational agencies, or both, a program of
14 training to meet the needs of the State of Maine for
15 a sufficient supply of competently trained assessors.
16 Where possible, such training shall be conducted by
17 the Bureau of Public Administration of the University
18 of Maine System or an institution of higher educa-
19 tion. For such purposes, the State Tax Assessor may
20 designate what programs either within or outside the
21 State are acceptable for these training purposes.

22 Sec. 80. 36 MRSA sec. 576-B, 4th para. , as en-
23 acted by PL 1977, c. 549, sec. 5, is amended to
24 read:

25 The State Tax Assessor shall be authorized to
26 procure assistance in making his determinations from
27 the University of Maine System and such state agen-
28 cies as he may arrange.

29 Sec. 81. 36 MRSA sec. 4311-A, sub-sec. 3, as en-
30 acted by PL 1983, c. 836, sec. 8, is amended to read:

31 3. Research and extension educational programs.
32 Thirty percent of the funds collected, but not to ex-
33 ceed \$85,000, shall be dedicated to the University of
34 Maine System for the purpose of supplementing its re-
35 search and extension programs related to improved
36 methods of growing, harvesting, processing and mar-
37 keting of blueberries. The Maine Blueberry Commis-
38 sion may allocate additional funds to the University
39 of Maine System or other organizations for research
40 and extension programs as may be appropriate to im-
41 plement the purposes of this section; and

1 Sec. 82. 36 MRSA sec. 4312, first para. , as
2 amended by PL 1985, c. 75, and c. 295, sec. 55, is
3 repealed and the following enacted in its place:

4 A Blueberry Advisory Committee, as authorized by
5 Title 5, chapter 379, shall be appointed by the Maine
6 Blueberry Commission. The committee shall consist of
7 7 members who are active in and representative of the
8 blueberry industry. The duty of the committee shall
9 be to advise and work with the University of Maine
10 System to develop and approve a plan of work and bud-
11 gets for research and extension programs related to
12 the production and marketing of blueberries.

13 Sec. 83. 36 MRSA sec. 5276-A, sub-sec. 1, as en-
14 acted by PL 1981, c. 504, sec. 4, is amended to read:

15 1. Generally. Any agency of the State, including
16 the University of Maine System, which is authorized
17 to collect from any individual or corporation a liq-
18 uidated debt greater than \$25 shall notify in writing
19 the State Tax Assessor and supply information neces-
20 sary to identify the debtor whose refund is sought to
21 be set off. The State Tax Assessor, upon any such
22 notification, shall assist the requesting agency by
23 setting off that debt, pursuant to rules promulgated
24 by the State Tax Assessor, against any refund to
25 which that individual or corporation is entitled un-
26 der this Part.

27 Sec. 84. 38 MRSA sec. 603-B, sub-sec. 3, as en-
28 acted by PL 1985, c. 498, sec. 1, is amended to read:

29 3. Acid rain impact study. The department shall
30 complete a study covering the following areas:

31 A. A resampling and measuring of the response of
32 the State's lakes located in sensitive geologic
33 areas;

34 B. An identification of sensitive receptor areas
35 throughout the State based on, but not limited
36 to, the following criteria: Geology; elevation;
37 lake size; watershed area; and aquatic and ter-
38 restrial flora;

1 C. An assessment of the impact of acid deposi-
2 tion on the growth and productivity of the
3 State's forest resources; and

4 D. A determination through long-range modeling
5 techniques of the contribution of both in-state
6 sources and out-of-state sources to acid rain
7 deposition in the State.

8 In preparing this study, the department shall coordi-
9 nate with and utilize as fully as possible the re-
10 search being conducted at the University of Maine at
11 ~~Orono~~ and research conducted by the United States En-
12 vironmental Protection Agency regarding the acid rain
13 problem. Results of this study shall be reported to
14 the Legislature, together with recommendations for
15 further actions, no later than January 31, 1987.

16 Sec. 85. 39 MRSA sec. 23, sub-sec. 2, as amended
17 by PL 1985, c. 446, sec. 4, is further amended to
18 read:

19 2. By furnishing satisfactory proof to the Su-
20 perintendent of Insurance of his solvency and finan-
21 cial ability to pay the compensation and benefits,
22 and deposit cash, satisfactory securities or a secu-
23 rity bond, with the Workers' Compensation Commission,
24 in such sum as the superintendent may determine pur-
25 suant to subsection 6; such bond to run to the Treas-
26 urer of State and his successor in office, and to be
27 conditional upon the faithful performance of this Act
28 relating to the payment of compensation and benefits
29 to any injured employee. In case of cash being depos-
30 ited, it shall be placed at interest by the Treasurer
31 of State, and the accumulation of interest on said
32 cash or securities so deposited shall be paid to the
33 employer depositing the same. The superintendent may
34 at any time, upon not less than 3 days notice and
35 following hearing, for cause deny to an employer the
36 right to continue in the exercise of the option
37 granted by this section.

38 As an alternative to the method described in the
39 first paragraph of this subsection, an eligible em-
40 ployer may establish an actuarially funded trust,
41 funded at a level sufficient to discharge those obli-
42 gations incurred by the employer pursuant to this Act

1 as they become due and payable from time to time,
2 provided that the value of trust assets shall be at
3 least equal to the present value of such incurred
4 claims. The trust asset shall consist of cash or
5 marketable securities of a type and risk character as
6 specified in subsection 7, and shall have a situs in
7 the United States. In all other respects, the trust
8 instrument, including terms for certification, fund-
9 ing, designation of trustee and pay out shall be as
10 approved by the superintendent; provided, that the
11 value of the trust account shall be actuarially cal-
12 culated at least annually and adjusted to the re-
13 quired level of funding. For purposes of this para-
14 graph, an "eligible employer" is one who is found by
15 the superintendent to be capable of paying compensa-
16 tion and benefits required by this Act and:

17 A. Has positive net earnings; or

18 B. Can demonstrate a level of working capital
19 adequate to its operating needs.

20 Notwithstanding any provision of this section or
21 chapter, any bond or security deposit required of a
22 public employer which is a self-insurer shall not ex-
23 ceed \$50,000, provided that such public employer has
24 a net worth equal to or in excess of \$25,000,000 and
25 a state-assessed valuation equal to or in excess of
26 \$300,000,000. "Public employer" includes the State,
27 the University of Maine System, counties, cities and
28 towns.

29 In his consideration of a self-insuring entity's ap-
30 plication for authorization to operate a plan of
31 self-insurance, the superintendent may require or
32 permit an applicant to employ valid risk transfer by
33 the utilization of primary excess insurance. Stan-
34 dards respecting the application of primary excess
35 insurance shall be contained in a regulation promul-
36 gated by the superintendent pursuant to the Maine Ad-
37 ministrative Procedure Act, Title 5, chapter 375.
38 Primary excess insurance shall be defined as insur-
39 ance covering workers' compensation exposures in ex-
40 cess of risk retained by a self-insurer.

41 Sec. 86. 39 MRSA sec. 29, sub-sec. 9, as enacted
42 by PL 1985, c. 446, sec. 5, is amended to read:

1 9. Exclusions. This section does not apply to
2 the State or the University of Maine System.

3 Sec. 87. P&SL 1865, c. 532, sec. 1, first sen-
4 tence, as amended by P&SL 1897, c. 551, is further
5 amended to read:

6 Samuel F. Perley, N. T. Hill, Bradford Cummings,
7 Thomas S. Lang, Dennis Moore, William D. Dana, S. L.
8 Goodale, Robert Martin, Alfred S. Perkins, Joseph
9 Farwell, Seward Dill, Joseph Day, Ebenezer Knowlton,
10 Hannibal Hamlin, Charles A. Everett and William Wirt
11 Virgin, are hereby constituted a body politic and
12 corporate, by the name of the University of Maine
13 System, having succession as hereinafter provided,
14 with power to establish and maintain, subject to the
15 provisions and limitations of this ~~act~~ Act, such a
16 college as is authorized and provided for, by the ~~act~~
17 Act of the ~~congress~~ Congress of the United States,
18 passed on the second day of July, in the year eigh-
19 teen hundred and sixty-two, entitled "an act donating
20 lands to the several states and territories, which
21 may provide colleges, for the benefit of agriculture
22 and the mechanic arts."

23 Sec. 88. P&SL 1865, c. 532, sec. 1-A, as amended
24 by P&SL 1969, c. 238, sec. 2, is further amended by
25 adding at the end a new sentence to read:

26 As used in this Act, unless the context otherwise in-
27 dicates, "university" means the University of Maine
28 System.

29 Sec. 89. P&SL 1865, c. 532, sec. 4, first sen-
30 tence, as repealed and replaced by P&SL 1983, c. 33,
31 is amended to read:

32 The Board of Trustees of the University of Maine
33 System shall consist of 16 members.

34 Sec. 90. P&SL 1865, c. 532, sec. 4, sub-sec. 3,
35 first sentence, as enacted by P&SL 1983, c. 33, is
36 amended to read:

37 One of the members shall be a full-time student at
38 one of the campuses of the University of Maine System

1 at the time of appointment and shall be a permanent
2 resident of the State.

3 Sec. 91. P&SL 1865, c. 532, sec. 4, sub-sec. 3,
4 4th sentence, as enacted by P&SL 1983, c. 33, is
5 amended to read:

6 The Governor shall nominate the student member from a
7 list of 5 eligible students submitted by the Univer-
8 sity of Maine System organization of student govern-
9 ments.

10 Sec. 92. P&SL 1865, c. 532, sec. 4, sub-sec. 4,
11 as enacted by P&SL 1983, c. 33, is amended to read:

12 4. Meetings of the Board of Trustees. The Board
13 of Trustees shall meet from time to time at each of
14 the various campuses of the University of Maine
15 System, whenever reasonably practical.

16 Sec. 93. P&SL 1865, c. 532, sec. 4-C, last
17 para., first sentence, as amended by PL 1979, c.
18 541, Pt. B, sec. 71, is further amended to read:

19 Ownership of any real property formerly held by
20 Aroostook State College, Farmington State College,
21 Fort Kent State College, Gorham State College or
22 Washington State College, which is removed from edu-
23 cational use by the University of Maine System, may
24 be sold by the University of Maine System subject to
25 the approval of the Governor or may be conveyed by
26 gift by the University of Maine System to any entity
27 in whose ownership and use it will be exempt from
28 real estate taxation.

29 Sec. 94. P&SL 1865, c. 532, sec. 4-D, 2nd sen-
30 tence, as enacted by P&SL 1967, c. 229, sec. 3, is
31 amended to read:

32 Such election shall be made within 6 months after the
33 effective date of this Act on forms and in such man-
34 ner as the Board of Trustees of the University of
35 Maine System may direct.

36 Sec. 95. P&SL 1865, c. 532, sec. 4-D, 9th sen-
37 tence, as enacted by P&SL 1969, c. 66, is amended to
38 read:

1 The board of trustees shall have the final authority
2 in their efforts to work out, as well as may be, uni-
3 form personnel policies and procedures for all em-
4 ployees of the University of Maine System, except
5 that nothing contained herein in any way shall abro-
6 gate the options for employment benefits in this sec-
7 tion.

8 Sec. 96. P&SL 1865, c. 532, sec. 4-F, as enacted
9 by P&SL 1969, c. 117, is amended to read:

10 Section 4-F. Contracts. The Board of Trustees
11 of the University of Maine System shall have authori-
12 ty to authorize contracts with the State of Maine, or
13 any department or agency thereof, or any city, town,
14 district or other public instrumentality, on such
15 terms and conditions as they shall approve for the
16 furnishing to ~~said~~ the university of water and sewer
17 services. The term of any such contract may not ex-
18 ceed 50 years.

19 Sec. 97. P&SL 1865, c.532, sec. 8-A, first
20 para. , as amended by PL 1981, c. 470, Pt. B,
21 sec. 13, is further amended to read:

22 The trustees of the University of Maine System,
23 or such administrators of the University of Maine
24 System as the trustees may designate for this
25 purpose, may appoint persons to act as policemen who
26 shall, within the limits of the property owned by or
27 under the control of the university possess all of
28 the powers of policemen in criminal cases and civil
29 violations.

30 Sec. 98. P&SL 1865, c. 532, sec. 9-A, first
31 para. , as enacted by P&SL 1951, c. 97, is amended to
32 read:

33 The ~~board of trustees~~ Board of Trustees of the Uni-
34 versity of Maine System is hereby authorized to lo-
35 cate, construct, equip and operate a college of medi-
36 cine and to set, establish and maintain standards of
37 teaching and scholarship therefor; provided, never-
38 theless, that ~~said~~ the location, construction, equip-
39 ment and operation shall meet the approval of and
40 that the standards of teaching and scholarship be at
41 least equal to standards approved by the Council on

1 Medical Education and Hospitals of the American Medi-
2 cal Association and of the Association of American
3 Medical Colleges; and provided further, that ~~said~~ the
4 board of trustees shall be under no duty to perform
5 any function under this section unless and until, in
6 its opinion, the ~~said~~ board has received or is as-
7 sured of sufficient funds either by gift from any
8 source or by appropriation by the State of Maine to
9 successfully construct and operate such college of
10 medicine.

11 Sec. 99. P&SL 1897, c. 551, sec. 1 is amended to
12 read:

13 Sec. 1. The name of the corporation known as
14 the Trustees of the State College of Agriculture and
15 the Mechanic Arts is hereby changed to the Universi-
16 ty of Maine System, and the ~~said~~ University of Maine
17 System shall have all the rights, powers, privileges,
18 property, duties and responsibilities, which belong
19 or have belonged to the ~~said~~ trustees.

20 Sec. 100. Resolves 1985, c. 52, first para. is
21 amended to read:

22 Special commission created. Resolved: The Sen-
23 ate concurring, that a Special Commission to Study
24 Teacher Training in the University of Maine System,
25 referred to as the commission, be established to re-
26 view teacher preparation programs at the campuses of
27 the University of Maine System, report its findings
28 to the people of the State and make recommendations
29 to the ~~First~~ Second Regular Session of the 113th Leg-
30 islature; and be it further

31 Sec. 101. Resolves 1985, c. 52, 3rd para. from
32 the end is amended to read:

33 Report to the Legislature. Resolved: That the
34 commission shall report its recommendations, includ-
35 ing recommendations for changes, if any, to the ~~First~~
36 Second Regular Session of the 113th Legislature. The
37 report shall include any necessary implementing leg-
38 islation, estimates of the cost of implementation and
39 possible funding options; and be it further

