

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

5 of 8  
OK

1  
3  
5  
7  
9  
11  
13  
15  
17  
19  
21  
23  
25  
27  
29  
31  
33  
35  
37  
39  
41  
43  
45  
47

L.D. 1724  
(Filing No. S-333)

STATE OF MAINE  
SENATE  
114TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A " to S.P. 630, L.D. 1724, Bill, "An Act to Correct Errors and Inconsistencies in the Laws Relating to Boards and Commissions"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

PART A

Sec. 1. 5 MRSA §12004, as amended, is repealed and the following is enacted in its place:

§12004. Classifications and definitions of boards

Boards established or authorized by this chapter shall be classified according to the similarities of the powers and duties of the several boards. Members of boards shall be eligible for the rate of compensation specified for each board, except when compensation is not authorized. A reference to the statutory description of each board shall also be provided. For the purposes of sections 12004-G to 12004-J, the term "field" does not designate the state agency or department with which a board is associated or affiliated, but only refers to the generic subject matter before the board.

The definitions of responsibilities and authority of each classification of boards may not necessarily apply in total to each board within each classification. Each board may possess some but not all of the responsibilities and authority as defined for the classification in which the board is included. The primary function of each board complies with the primary responsibilities and authority of the classification in which the board is included.

R of S

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1       Sec. 2. 5 MRSA §12004-A, sub-§14, as enacted by PL 1987, c.  
2       786, §5, is amended to read:

3               14. Board of Elevator and Tramway Safety       Expenses       26 MRSA §475  
4    Only

7       Sec. 3. 5 MRSA §12004-A, sub-§15, as enacted by PL 1987, c.  
8       786, §5, is amended to read:

9               15. Board-of Emergency Medical Services       \$20/Day       32 MRSA §1301  
10    Services' Board    \$88

13       Sec. 4. 5 MRSA §12004-A, sub-§24, as enacted by PL 1987, c.  
14       786, §5, is amended to read:

17               24. Board of Registration in Medicine       \$1,250/Year       32 MRSA §3263  
18    - Member  
19    \$1,500/Year  
20    - Chairman Chair  
21    \$7,500/ Year  
22    - Secretary

23       Sec. 5. 5 MRSA §12004-A, sub-§30, as enacted by PL 1987, c.  
24       786, §5, is amended to read:

27               30. Board of Commissioners of the Profession       \$25 35/Day       32 MRSA §2851  
28    of Pharmacy    \$13711

31       Sec. 6. 5 MRSA §12004-A, sub-§45 is enacted to read:

33               45. Board of Licensure       Expenses       32 MRSA §4145  
34                    of Railroad Personnel        Only

37       Sec. 7. 5 MRSA §12004-B, sub-§2, as enacted by PL 1987, c.  
38       786, §5, is amended to read:

39               2. Maine Labor Relations Board       \$75/Day       26 MRSA §968  
40    \$100/Day  
41    Chairman  
42    Chair

43       Sec. 8. 5 MRSA §12004-D, sub-§2, as enacted by PL 1987, c.  
44       786, §5, is amended to read:

47               2. Board of Environmental Protection       Legislative       38 MRSA §341  
48    Per Diem    \$361

49       Sec. 9. 5 MRSA §12004-F, sub-§§2 and 3, as enacted by PL 1987,  
50       c. 786, §5, are amended to read:

11 of 3

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1  
3  
5  
7  
9  
11  
13  
15  
17  
19  
21  
23  
25  
27  
29  
31  
33  
35  
37  
39  
41  
43  
45  
47  
49

2. Maine Municipal Legislative 30 30-A MRSA  
Bond Bank, Board of Com- Per Diem \$5164 \$5951  
missioners

3. Maine State Hous- Legislative 30 30-A MRSA  
ing Authority Per Diem \$4601-A \$4722

Sec. 10. 5 MRSA §12004-F, sub-§10, as enacted by PL 1987, c.  
786, §5, is repealed and the following enacted in its place:

10. State Employee Expenses 5 MRSA \$285-A  
Health Commission Only

Sec. 11. 5 MRSA §12004-F, sub-§§14 and 15 are enacted to read:

14. Board of Trustees, Expenses 38 MRSA \$1382  
Sludge and Residuals Utilization Only  
Research Foundation

15. Maine Educational Legislative 20-A MRSA  
Loan Authority Per Diem \$11414

Sec. 12. 5 MRSA §12004-G, sub-§3-A is enacted to read:

3-A. Agriculture Pull Events Expenses 7 MRSA \$75  
Commission Only

Sec. 13. 5 MRSA §12004-G, sub-§13-A is enacted to read:

13-A. Environ- State Emergency Not 22 MRSA \$1696-H  
ment/Natural Response Authorized  
Resources Commission

Sec. 14. 5 MRSA §12004-G, sub-§14-A is enacted to read:

14-A. Human Adaptive Expenses 10 MRSA \$373  
Services Equipment Only  
Loan Program  
Fund Board

Sec. 15. 5 MRSA §12004-G, sub-§15, as enacted by PL 1987, c.  
786, §5, is amended to read:

15. Human Maine Human \$25/Day 5 MRSA \$4561  
Services: Human Rights \$1,000  
Rights Commission Max/Yr

Sec. 16. 5 MRSA §12004-G, sub-§15-A is enacted to read:

R. of S.

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1           15-A. Human Driver Education \$75/Day           22 MRSA §7207  
          Services Evaluation  
3                               Program Appeals  
                                  Board

5           **Sec. 17. 5 MRSA §12004-G, sub-§25,** as enacted by PL 1987, c.  
7 786, §5, is amended to read:

9           25. Labor           State Appren-           Expenses           26 MRSA §1002  
                                  ticeship and  
11                                Training Council

13           **Sec. 18. 5 MRSA §12004-G, sub-§31-A** is enacted to read:

15           31-A. Science Maine Science           Expenses           5 MRSA §13122  
          and Technology           and Technology           Only  
17                                Commission

19           **Sec. 19. 5 MRSA §12004-G, sub-§33-A** is enacted to read:

21           33-A. Taxation           Board of           Not           5 MRSA §453  
                                  Trustees, Min-           Authorized  
23                                ing Excise Tax  
                                  Trust Fund

25           **Sec. 20. 5 MRSA §12004-G, sub-§34,** as enacted by PL 1987, c.  
27 786, §5, is amended to read:

29           34. Veter-           Board of Trust-           Expenses           37-B MRSA §603  
          ans' Affairs           ees - of the           Only  
31                                Maine Veterans'  
                                  Home Homes

33           **Sec. 21. 5 MRSA §12004-H, sub-§9,** as enacted by PL 1987, c.  
35 786, §5, is amended to read:

37           9. Maine Potato Marketing           Expenses           7 MRSA §995  
          Committee                                Only

39           **Sec. 22. 5 MRSA §12004-H, sub-§13** is enacted to read:

41           13. Maine Blueberry           Expenses           36 MRSA  
          Commission           Only           §4312-B

45           **Sec. 23. 5 MRSA §12004-I, sub-§9,** as enacted by PL 1987, c.  
47 786, §5, is amended to read:

49           9. Educa-           Committee for           Expenses           20-A MRSA §9002  
          tion                                the Training           Only  
                                  of Firemen  
51                                Firefighters

R. of S.

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1       Sec. 24. 15 MRSA §12004-I, sub-20, as enacted by PL 1987, c.  
786, §5, is repealed.

3               Sec. 25. 5 MRSA §12004-I, sub-§20-A is enacted to read:

5               20-A. Environ- Commission on       Expenses       7 MRSA §231  
7               ment                Biotechnology       Only  
9                                 and Genetic  
                  Engineering

11       Sec. 26. 5 MRSA §12004-I, sub-§21, as enacted by PL 1987, c.  
786, §5, is amended to read:

13               21. Environ-   Citizen's                   \$25/Day   12 MRSA §5101-B  
15               ment: Natural    Citizens' For-  
17               Resources        estry Advisory  
                  Council

19       Sec. 27. 5 MRSA §12004-I, sub-§§23 and 24, as enacted by PL  
1987, c. 786, §5, are amended to read:

21               23. Environ-   Advisory Board   Expenses       12 MRSA §7301  
23               ment: Natural    for the            Only            \$7320  
25               Resources        Licensing of    \$50/Day  
                  Guides

27               24. Environ-   Junior Maine       Expenses       12 MRSA §7302  
29               ment: Natural    Guides and Trip   Only            \$7323  
31               Resources        Leaders' Leaders  
                  Curriculum  
                  Advisory Board

33       Sec. 28. 5 MRSA §12004-I, sub-§25-A is enacted to read:

35               25-A. Finance Board of       Expenses       30-A MRSA §6101  
37                                 Emergency       Only  
39                                 Municipal  
                  Finance

41       Sec. 29. 5 MRSA §12004-I, sub-§27, as enacted by PL 1987, c.  
786, §5, is amended to read:

43               27. Finance   Maine Veterans'   Expenses       10 MRSA §1100-A  
45                                 Small Business    Only            \$980-B  
                  Loan Board

47       Sec. 30. 5 MRSA §12004-I, sub-§31, as enacted by PL 1987, c.  
49       786, §5, is amended to read:

of 8

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1           31. Housing Advisory Board Expenses 30-MRSA-~~§~~4002  
to the Maine Only 30-A MRSA §4723  
3           State Housing  
Authority

5  
7           **Sec. 31. 5 MRSA §12004-I, sub-§34, as enacted by PL 1987, c.  
786, §5, is amended to read:**

9           34. Housing Penobscot Tribal Not 22 MRSA §4733  
Reservation Authorized  
11           Housing  
Authority

13  
15           **Sec. 32. 5 MRSA §12004-I, sub-§42, as enacted by PL 1987, c.  
786, §5, is amended to read:**

17           42. Human Committee to Expenses 5 MRSA §17002  
Services Advise the Only §19202  
19           Department of  
21           Services on  
AIDS

23           **Sec. 33. 5 MRSA §12004-I, sub-§57, as enacted by PL 1987, c.  
786, §5, is amended to read:**

25           56. Local Municipal Not 30-MRSA-~~§~~2214  
27           and County Records Board Authorized 30-A MRSA §2754  
Government

29           57. Local Regional Paid by 30-MRSA-~~§~~1981  
31           and County Council of Member 30-A MRSA §2311  
Government Governments Governments

33  
35           **Sec. 34. 5 MRSA §12004-I, sub-§§69 and 70, as enacted by PL  
1987, c. 786, §5, is amended to read:**

37           69. Natural White-Water \$25/Day 12 MRSA §7369-A  
Resources: Whitewater  
39           Recreation Advisory  
Committee

41           70. Natural White-Water \$25/Day 12 MRSA §7367  
43           Resources: Whitewater  
45           Recreation Safety  
Committee

47           **Sec. 35. 5 MRSA §12004-I, sub-§§74-A and 74-B are enacted to  
read:**

49

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1            74-A. Public    E-9-1-1            Expenses            25 MRSA \$2925  
2            Safety                Advisory            Only  
3                                    Committee

5            74-B. State            State                Expenses            3 MRSA \$901  
6            Government            Capitol            Only  
7                                    Commission

9            **Sec. 36. 5 MRSA §12004-I, sub-§80, as repealed by PL 1987, c.**  
10            **735, §11 and as enacted by PL 1987, c. 786, §5, is repealed.**

11            **Sec. 37. 5 MRSA §12004-I, sub-§85, as enacted by PL 1987, c.**  
12            **786, §5, is amended to read:**

15            **85. Trans-**            **Maine Trans-**            **Not**                    **23 MRSA \$4501**  
16            **portation**                **portation**                **Authorized**                **\$4261**  
17                                    **Capital Im-**  
18                                    **provement Plan-**  
19                                    **ning Commission**

21            **Sec. 38. 5 MRSA §12004-K, sub-§4-A is enacted to read:**

23            4-A. Environ- Planning            Expenses            30-A MRSA \$4341  
24            ment: Natural            Advisory            Only  
25            Resources                Council

27                                    **PART B**

29            **Sec. 1. 1 MRSA §1002, sub-§1, as amended by PL 1983, c. 812,**  
30            **§1, is further amended to read:**

31            **1. Membership.** The Commission on Governmental Ethics and  
32            Election Practices, established by Title 5, section 12004  
33            12004-G, subsection 8 33, called the "commission," shall consist  
34            of 7 members to be appointed as follows:

37            A. The President of the Senate and the floor leaders of the  
38            2 major parties in the Senate shall each appoint one member,  
39            with the concurrence of 2/3 vote of the Senate. Each such  
40            member shall be appointed in January of each even-numbered  
41            year, and shall serve a term of 2 years from the date of  
42            appointment or until his a successor is appointed and  
43            qualified. ;

45            B. The Speaker of the House and the floor leaders of the 2  
46            major parties in the House of Representatives shall each  
47            appoint one member, with the concurrence of 2/3 vote of the  
48            House of Representatives. Each such member shall be  
49            appointed in January of each even-numbered year, and shall  
50            serve a term of 2 years from the date of appointment or  
51            until his a successor is appointed and qualified. ; and



COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1 C. The 6 members so appointed shall, by an affirmative vote  
2 of at least 5 members, elect a 7th member, who shall act as  
3 chairman, and who shall serve a term of 2 years, or until  
4 his a successor is appointed and qualified.

5  
6 The appropriate appointing authority shall appoint members to  
7 vacancies on the commission as they shall occur or upon  
8 expiration of terms. Any vacancy shall be filled for the  
9 unexpired portion of the term in which such vacancy occurs.

11 Sec. 2. 3 MRSA §2-A, sub-§1, as repealed and replaced by PL  
12 1987, c. 402, Pt. A, §6, is amended to read:

13  
14 1. State Compensation Commission established. The State  
15 Compensation Commission, established by Title 5, section ~~12004~~  
16 12004-I, subsection ~~10 76~~, shall consist of 5 members appointed  
17 in January of every odd-numbered year as follows: Two members  
18 shall be appointed by the President of the Senate; 2 members  
19 shall be appointed by the Speaker of the House; and one member  
20 shall be appointed by a majority of the preceding 4 commissioners  
21 and shall serve as chairman chair of the commission. The 5  
22 members shall be residents of the State, appointed from the  
23 public. No one may be appointed who is a Legislator at the time  
24 of his appointment.

25  
26 All members shall be appointed for terms to coincide with the  
27 legislative biennium. Vacancies shall be filled in the same  
28 manner as the original appointments, for the balance of the  
29 unexpired term. The commission shall be appointed in January at  
30 the first regular session of each Legislature.

31  
32 The commission may request staff support from the Legislative  
33 Council.

34  
35 The members of the commission shall be compensated as authorized  
36 by Title 5, chapter 379.

37  
38 Sec. 3. 3 MRSA §227, first ¶, as amended by PL 1985, c. 775, §3  
39 and c. 809, is further amended to read:

40  
41 The Maine-Canadian Legislative Advisory Commission, as  
42 authorized by Title 5, section ~~12004~~ 12004-K, subsection ~~12 10~~,  
43 shall consist of 8 members, all of whom shall be citizens of this  
44 State. The Speaker of the House shall appoint 4 members, 2 for a  
45 term of one year and 2 who must be members of the House of  
46 Representatives who shall each hold office from the date of his  
47 ~~appointments~~ appointment until the term of his election to the  
48 Legislature expires. The President of the Senate shall appoint 3  
49 members, 2 for a term of one year and 2 who must be Senators who  
50 shall each hold office from the date of his--~~appointments~~  
51 appointment until the term of his election to the Legislature

R. of S.

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1 expires. At least one member appointed by the President of the  
2 Senate and one member appointed by the Speaker of the House shall  
3 be fluent in the French language. In the event of the death or  
4 resignation of any member, the vacancy shall be filled for the  
5 remainder of the term in the same manner as the original  
6 appointment.

7  
8 **Sec. 4. 3 MRSA §231, sub-§1,** as enacted by PL 1985, c. 775,  
9 §4, is amended to read:

11 1. **Commission.** The New England and Eastern Canada  
12 Legislative Commission, as established by Title 5, section 12004  
13 12004-K, subsection 12 11, and in this chapter called the  
14 "commission," shall consist of 4 members from Maine, together  
15 with the same number of members appointed according to the laws  
16 of each of the other member jurisdictions.

17  
18 **Sec. 5. 3 MRSA §241, first ¶,** as amended by PL 1987, c. 501, §1,  
19 is further amended to read:

21 The Commission on Uniform State Laws, as established by  
22 Title 5, section 12004 12004-K, subsection 12 8, shall consist of  
23 3 members to be appointed for a term of 4 years by the Governor.  
24 The commission shall also consist of any residents who, because  
25 of long service in the cause of state legislation, are elected  
26 life members of the National Conference of Commissioners on  
27 Uniform State Laws. The commission shall examine subjects on  
28 which uniformity of legislation in the different states is  
29 desirable; ascertain the best means to effect uniformity;  
30 cooperate with the commissioners of other states in the  
31 consideration and drafting of uniform acts for submission to the  
32 Legislatures of the several states; and prepare bills for  
33 introduction in the Legislature.

35 **Sec. 6. 3 MRSA §901, first ¶,** as enacted by PL 1987, c. 816, Pt.  
36 EE, §1, is amended to read:

37  
38 The State Capitol Commission, as established in Title 5,  
39 section 12004 12004-I, subsection 10 74-B, in this chapter called  
40 the "commission," shall consist of 10 voting members and 5 ex  
41 officio, nonvoting members who shall be appointed and shall serve  
42 as described in this section.

43  
44 **Sec. 7. 4 MRSA §191,** as amended by PL 1983, c. 812, §9, is  
45 further amended to read:

47 **§191. State Court Library Committee**

48  
49 The State Court Library Committee, as established in Title  
50 5, section 12004 12004-G, subsection 8 23, shall consist of 7  
51 voting members, 2 of whom shall be members of the public, 2 of

1 whom shall be members of the judiciary and 3 of whom shall be  
2 attorneys. The members shall be appointed by and serve at the  
3 pleasure of the Chief Justice of the Supreme Judicial Court. The  
4 Chief Justice shall designate the chairman chair. The State Law  
5 Librarian and the State Court Administrator shall be ex officio  
6 nonvoting members. A quorum shall consist of 4 of the voting  
7 members. The committee shall meet at least 4 times each year.  
8 Secretarial assistance shall be provided by the Administrative  
9 Office of the Courts.

11 Sec. 8. 4 MRSA §451, as amended by PL 1985, c. 779, §6, is  
12 further amended to read:

13 §451. Establishment

14  
15 A Judicial Council, as established by Title 5, section 12004  
16 ~~12004-I~~, subsection 10 ~~51~~, shall make a continuous study of the  
17 organization, rules and methods of procedure and practice of the  
18 judicial system of the State, the work accomplished and the  
19 results produced by that system and its various parts. The  
20 council shall be composed of the Chief Justice of the Supreme  
21 Judicial Court, who shall also serve as chairman chair, the  
22 Attorney General, the Chief Justice of the Superior Court, the  
23 Chief Judge of the District Court, and the Dean of the University  
24 of Maine System School of Law, each to serve ex officio, and an  
25 Active or Retired Justice of the Supreme Judicial Court, one  
26 Justice of the Superior Court, one Judge of the District Court,  
27 one Judge of a Probate Court, one clerk of the judicial courts, 2  
28 members of the bar and 6 laymen, to be appointed by the Governor.  
29 The appointments by the Governor shall be for such periods, not  
30 exceeding 4 years, as he shall determine.

33 Sec. 9. 5 MRSA §96, as amended by PL 1983, c. 812, §13, is  
34 further amended to read:

35 §96. Archives Advisory Board

36  
37 The Archives Advisory Board, established by section 12004  
38 ~~12004-I~~, subsection 10 ~~8~~, shall serve to advise the State  
39 Archivist in his administration of this chapter and to perform  
40 such other duties as may be prescribed by law. The board shall  
41 consist of 9 persons especially interested in the history of the  
42 State appointed by the Governor as advisors for overlapping terms  
43 of 6 years. The 3 new advisors shall be first appointed one for  
44 one year, one for 3 years and one for 5 years. Their successors  
45 shall be appointed for terms of 6 years. Each advisor shall serve  
46 for the term of his appointment and thereafter until his a  
47 successor is appointed and qualified. In case of the termination  
48 of an advisor's service during his that advisor's term, the  
49 Governor shall appoint a successor for the unexpired term.  
50 Advisors shall be compensated as provided in chapter 379.

1           **Sec. 10. 5 MRSA §251**, as enacted by PL 1985, c. 555, §1, is  
3 amended to read:

5           **§251. Commission established**

7           The Maine-New Hampshire Boundary Commission as established  
9 by Title 5, section ~~12004~~ 12004-J, subsection ~~11~~ 5, shall be  
11 composed of 5 members: One appointed by the Governor; one Senate  
13 member representing York County to be appointed by the President  
15 of the Senate; one member from the House of Representatives  
representing York County to be appointed by the Speaker of the  
House of Representatives; the Commissioner of ~~the Department of~~  
Marine Resources; and the Commissioner of ~~the Department of~~  
Conservation.

17           **Sec. 11. 5 MRSA §293**, as repealed and replaced by PL 1987, c.  
19 402, Pt. A, §§16 and 17, is amended to read:

21           **§293. Internship committee**

23           The State Government Internship Program Advisory Committee,  
25 established by section ~~12004~~ 12004-I, subsection ~~10~~ 77, shall  
serve to further the purposes of the program and to provide for  
broad representation of institutions of higher learning within  
Maine and of State Government. The State Government Internship  
Program Advisory Committee shall be comprised of the President of  
the Senate and Speaker of the House of Representatives or their  
designated representatives; the Governor or ~~his~~ a designated  
representative; the Director of the Bureau of Human Resources;  
and the Director of the Bureau of Public Administration. In  
addition, one faculty member from each of 4 accredited,  
degree-granting institutions of higher learning in the State  
shall be appointed by the Director of the Bureau of Public  
Administration for 4-year terms, provided that the initial  
appointments under this chapter shall be for one, 2, 3 and 4-year  
terms. No faculty member may ~~be eligible to succeed himself~~ serve  
consecutive terms if he that faculty member has served a full  
4-year term, nor shall a faculty member be succeeded by another  
from the same institution. Vacancies shall be filled by the  
director for the unexpired term. The members of the internship  
committee shall organize by electing a chairman chair and  
vice-chairman vice-chair and shall be compensated as provided in  
chapter 379 and as authorized by the Bureau of Public  
Administration.

47           **Sec. 12. 5 MRSA §298, first ¶**, as amended by PL 1983, c. 812,  
49 §15, is further amended to read:

51           The Capitol Planning Commission, established by section  
~~12004~~ 12004-I, subsection ~~10~~ 75, shall administer this chapter  
and perform such other duties as may be prescribed by law.

1  
3 Sec. 13. 5 MRSA §350, as amended by PL 1985, c. 819, Pt. A,  
§3, is further amended to read:

5 §350. Statement of purpose; Advisory Committee on State  
7 Telecommunications

9 The Department of Administration, as the principal  
11 administrative department of the State Government, has  
13 responsibilities for the general administration of state  
15 telecommunications services, including, but not limited to,  
17 telephone services, radio, teletype, microwave and data  
19 transmission links. It is recognized that the department should  
21 serve to provide needed coordination between state agencies  
utilizing telecommunications services in such areas as  
engineering assistance, systems maintenance, frequency  
allocation, systems planning, and the purchase of services and  
equipment. The Advisory Committee on State Telecommunications,  
established by section ~~12004~~ 12004-I, subsection ~~10 79~~, shall  
assist the Department of Administration in providing for the  
coordination of state telecommunications services.

23 Sec. 14. 5 MRSA §453, first ¶, as amended by PL 1983, c. 812,  
25 §18, is further amended to read:

27 The Mining Excise Tax Trust Fund Board of Trustees,  
established by section ~~12004~~ 12004-G, subsection ~~8 33-A~~, shall be  
subject to the following provisions.

29 Sec. 15. 5 MRSA §723, as amended by PL 1985, c. 785, Pt. B,  
31 §21, is further amended to read:

33 §723. Educational Leave Advisory Board

35 The Educational Leave Advisory Board, established by section  
37 ~~12004~~ 12004-I, subsection ~~10 11~~, shall advise and consult with  
the Bureau of Human Resources to review and authorize all  
39 educational leave requests from classified and unclassified state  
employees for durations of more than one week. The board shall  
41 consist of 3 members as follows: The Director of the Bureau of  
Human Resources who shall serve as ~~chairman~~ chair of the board,  
43 the Commissioner of Educational and Cultural Services or his a  
designee; and one member who shall be a state employee appointed  
45 by the Governor to serve for a term of 3 years. Members of the  
board shall be compensated as provided in chapter 379.

47 Sec. 16. 5 MRSA §884, as amended by PL 1985, c. 785, Pt. A,  
49 §40, is further amended to read:

51 §884. Advisory Council on Deferred Compensation

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1 An Advisory Council on Deferred Compensation Plans,  
2 established by section ~~12004~~ 12004-I, subsection ~~10 25~~, shall  
3 consist of 7 members, who shall be the Commissioner of Finance,  
4 ex officio, or his a designee; the Insurance Superintendent, ex  
5 officio, or his a designee; the Superintendent of Banking, ex  
6 officio, or his a designee; and 4 state employees to be appointed  
7 by the Governor, who shall be appointed for terms of 3 years,  
8 except that of the first appointments one shall be for one year,  
9 2 for 2 years and one for 3 years. Members of the advisory  
10 council shall be compensated as provided in chapter 379. The  
11 council shall meet at least once a year and shall review the  
12 operations of the deferred compensation program and advise the  
13 Department of Finance on matters of policy relating to the  
14 activities thereunder. The Commissioner of Finance, or his a  
15 designee, shall be the ~~chairman~~ chair of the advisory council.

17 Sec. 17. 5 MRSA §1658, as enacted by PL 1985, c. 792, §8, is  
18 amended to read:

19 **§1658. Advisory Committee on Single State Audits**

21 The Commissioner of Finance and ~~Administration~~ may appoint  
22 and maintain an ~~advisory committee~~ the Advisory Committee on  
23 Single State Audits composed of persons representing a cross  
24 section of interests governed by this chapter, such as community  
25 agencies and representatives of interested government agencies.  
26 All members of the advisory committee shall serve without  
27 compensation or reimbursement of expenses, as set out in section  
28 ~~12004~~ 12004-I, subsection ~~10 29~~.

31 Sec. 18. 5 MRSA §1814, first ¶, as amended by PL 1983, c. 812,  
32 §25, is further amended to read:

33 A Standardization Committee, as established by section ~~12004~~  
34 12004-I, subsection ~~10 1~~, shall consist of the Governor or his a  
35 representative, 4 public members and 2 department or agency heads  
36 or their representatives as may be designated by the Governor. In  
37 addition, the State Purchasing Agent shall be an ex officio,  
38 nonvoting member of the committee. The 4 public members and the  
39 department or agency heads or their representatives shall serve  
40 at the pleasure of the Governor. The 4 public members shall be  
41 representative of the industry, commerce and political  
42 subdivisions of Maine, and shall not be officials or employees of  
43 the State.

45 Sec. 19. 5 MRSA §3313, first ¶, as amended by PL 1983, c. 812,  
46 §29, is further amended to read:

49 The Maine Critical Areas Advisory Board established by  
50 section ~~12004~~ 12004-I, subsection ~~10 78~~, shall advise and assist  
51 the State Planning Office in the establishment and maintenance of

1 the Register of Critical Areas. The Maine Critical Areas Advisory  
2 Board, in this chapter referred to as the "board," shall be  
3 appointed by the Governor and shall be convened by the State  
4 Planning Office and shall consist of 11 members, one of whom  
5 shall be a permanent member.

7 **Sec. 20. 5 MRSA §3517, sub-§1**, as amended by PL 1983, c. 812,  
8 §31, is further amended to read:

9  
10 1. **Appointment.** The Governor shall appoint a Community  
11 Services Advisory Board, as established by section ~~12004~~ 12004-I,  
12 subsection ~~10~~ 3, to advise the Governor, the Legislature and the  
13 Director of Community Services on programs and policy matters  
14 relative to this chapter.

15  
16 **Sec. 21. 5 MRSA §4561**, as amended by PL 1987, c. 709, §1, is  
17 further amended to read:

18 **§4561. Members**

19  
20 The Maine Human Rights Commission, established by section  
21 ~~12004~~ 12004-G, subsection 8 15, shall be an independent  
22 commission of no more than 5 members. No more than 3 of the  
23 members shall ~~may~~ may be of the same political party. The members  
24 shall be appointed by the Governor, subject to review by the  
25 joint standing committee of the Legislature having jurisdiction  
26 over judiciary matters and confirmation by the Legislature. The  
27 Governor shall designate one member to be the ~~chairman~~ chair.

28  
29 **Sec. 22. 5 MRSA §6205, sub-§3**, as enacted by PL 1987, c. 506,  
30 §§1 and 4, is amended to read:

31  
32 3. **Compensation.** Appointed members shall receive  
33 compensation equal to legislative per diem and travel expenses as  
34 allowed under Title 5, section ~~12004~~ 12004-G, subsection 8 29,  
35 while engaged in board activities.

36  
37 **Sec. 23. 5 MRSA §7021**, as repealed and replaced by PL 1983,  
38 c. 812, §37, is amended to read:

39 **§7021. Commission established**

40  
41 The Maine Commission for Women, established by section ~~12004~~  
42 12004-J, subsection ~~11~~ 6, referred to in this chapter as the  
43 "commission," shall be an independent commission. The commission  
44 shall promote, carry out and coordinate programs designed to  
45 improve opportunities for women in the State.

46  
47 **Sec. 24. 5 MRSA §7081, first ¶**, as enacted by PL 1985, c. 785,  
48 Pt. B, §38, is amended to read:

49  
50  
51

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1 The State Civil Service Appeals Board, established by  
2 section ~~12004~~ 12004-B, subsection ~~3~~ 4, shall be composed of 5  
3 members with experience in personnel management or labor  
4 relations. No more than 3 members of the board may be of the  
5 same political party. No member may be a state employee.

7 **Sec. 25. 5 MRSA §12002-A, sub-§1, ¶E**, as repealed and replaced  
8 by PL 1985, c. 295, §6, is amended to read:

9  
10 E. Participation in official business of the board required  
11 by law or by rule of the board or a procedure which is  
12 necessary to fulfill the statutory responsibilities of the  
13 board, but shall not include any of the prohibited  
14 activities as defined in section 12002-B, subsection 2.  
15 Members of occupational and professional licensing boards,  
16 as defined in section ~~12004~~, ~~sub-section~~ 12004-A, may  
17 receive expenses for meetings relating to the occupations  
18 and professions regulated by each board and which meetings  
19 are held out of state.

21 **Sec. 26. 5 MRSA §12002-B, first ¶**, as enacted by PL 1983, c.  
22 812, §39, is amended to read:

23  
24 Members of boards shall be paid a legislative per diem,  
25 another specified daily rate of compensation, a salary, expenses  
26 only or no compensation, as established for each board in section  
27 ~~12004~~ sections 12004-A to 12004-L. Any board for which a  
28 legislative per diem, another specified daily rate of  
29 compensation or a salary is specified shall also be authorized to  
30 receive expenses as provided in section 12002-A. If the rate of  
31 compensation specifies expenses only, the member shall receive  
32 expenses as provided in section 12002-A. If the rate of  
33 compensation specifies "not authorized," the member shall receive  
34 no compensation or expenses.

35  
36 **Sec. 27. 5 MRSA §12002-B, sub-§1**, as amended by PL 1985, c.  
37 295, §7, is further amended to read:

38  
39 1. **Payment of compensation.** The legislative per diem or  
40 any other specified daily rate of compensation or annual rate of  
41 compensation, as specified in ~~section 12004~~ sections 12004-A to  
42 12004-K, may be paid only for a member's:

43  
44 A. Actual attendance at meetings of the board within the  
45 State called by the chairman chair or by a majority of the  
46 members of the board;

47  
48 B. Actual attendance at public hearings held by the board  
49 within the State to fulfill the duties and responsibilities  
50 of the board;



COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1 C. Actual attendance at meetings within the State of groups  
advisory to the board; or

3

5 D. Participation in official business of the board required  
by law or by rule of the board or a procedure which is  
7 necessary to fulfill the statutory responsibilities of the  
board, but shall not include any of the prohibited  
activities as defined in subsection 2.

9

11 **Sec. 28. 5 MRSA §12003-A, sub-§§1, 2 and 3, as enacted by PL**  
1985, c. 295, §12, are amended to read:

13 1. **Compensation of substantive boards.** Compensation  
provided to members of boards that are not classified as advisory  
15 boards in ~~section 12004~~ sections 12004-A to 12004-L shall not  
exceed the legislative per diem rate defined in section 12002 for  
17 the purposes defined in section 12002-B.

19 A. The only exception to this policy applies to boards  
which require members with special expertise for which there  
21 is an extremely limited supply and which require members to  
undertake very difficult tasks and render decisions that  
23 have a significant impact upon the State.

25 2. **Compensation of advisory boards.** Compensation provided  
to members of boards, defined in section ~~12004, subsection 10~~  
27 12004-I as advisory boards or boards with minimal authority,  
shall not exceed \$25 per day and payment of expenses.

29

31 A. Advisory and other boards, as defined in section 12004,  
~~subsection 10~~ 12004-I, which are not authorized by law to be  
reimbursed for expenses shall not be eligible for this  
33 reimbursement.

35 3. **Compensation as provided in sections 12004-A to 12004-K.**  
Compensation to members of boards shall be in accordance with the  
37 rate established for each board in ~~section 12004~~ sections 12004-A  
to 12004-K. The defined rate of compensation for each board in  
39 ~~section 12004~~ sections 12004-A to 12004-K shall be in compliance  
with this section.

41

43 **Sec. 29. 5 MRSA §12003-A, sub-§8, as enacted by PL 1985, c.**  
732, §2, is amended to read:

45 8. **Accounting procedure.** Every board defined in ~~section~~  
~~12004~~ sections 12004-A to 12004-L shall have separate accounting  
47 activities as required and in the form prescribed by the  
Commissioner of Finance and ~~Administration~~. These accounting  
49 procedures shall show the income, expenses and expenditures of  
the board as separate from the income and expenditures of the  
51 department with which the board is associated or a ~~part and~~

1 separate from the expenditures of the staff associated with or  
2 employed by the board. The expenses of the board to be shown in  
3 the activity accounts, at a minimum, shall include any per diem  
4 or rate of compensation paid to the board members, travel  
5 expenses in state and out of state of board members and any other  
6 expenses deemed necessary or reasonable by the commissioner.

7  
8 **Sec. 30. 5 MRSA §13093, sub-§1**, as enacted by PL 1987, c. 534,  
9 Pt. A, §§17 and 19, is amended to read:

11 1. **Maine Tourism Commission.** The Maine Tourism Commission,  
12 established by ~~Title--5,~~ section ~~12004~~ 12004-I, subsection 87,  
13 shall assist, advise and recommend the operation of the Office of  
14 Tourism. It shall consist of 9 members of major tourism trade  
15 associations and 8 public members who shall represent their  
16 respective regions and who are experienced in the field or who  
17 have demonstrated a concern for the travel industry. The terms  
18 of the members shall be for 4 years each; except that, for the  
19 members first appointed, 4 members shall be appointed for terms  
20 of 4 years, 4 members for terms of 3 years, 4 members for terms  
21 of 2 years and 5 members for terms of one year. The members  
22 shall be appointed by the Governor, who shall fill any vacancy in  
23 the membership for the unexpired term. The commissioner,  
24 director or ~~his~~ a designee of the following state departments or  
25 offices shall serve as ex officio, nonvoting members of the  
26 commission: Department of Economic and Community Development;  
27 State Planning Office; Department of Conservation; Department of  
28 Transportation; Department of Inland Fisheries and Wildlife;  
29 Department of Agriculture, Food and Rural Resources; Department  
30 of Educational and Cultural Services; Bureau of Public  
31 Improvements; and Canadian Affairs Coordinator. A ~~chairman~~ chair  
32 and ~~vice-chairman~~ vice-chair shall be elected annually from the  
33 appointed membership.

35 **Sec. 31. 5 MRSA §13095, sub-§1**, as enacted by PL 1987, c. 534,  
36 Pt. A, §§17 and 19, is amended to read:

37  
38 1. **Maine State Film Commission established.** The Maine State  
39 Film Commission, as established by section ~~12004~~ 12004-I,  
40 subsection 88, shall be within the Office of Tourism and shall  
41 advise and assist the office as necessary. The commission shall  
42 advise the commissioner and the director with respect to the  
43 operation of the Maine State Film Commission program.

44 A. The commission shall consist of 11 members appointed by  
45 the Governor.

46  
47 (1) The members appointed shall be involved in a  
48 related business field or possess experience or  
49 familiarity with media marketing or public relations.  
50 The Governor shall ensure an equitable regional  
51 representation from the State.

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1  
2 (2) The Executive Director of the Maine Arts  
3 Commission and the commissioner of the department shall  
4 serve as ex officio nonvoting members of the board.

5  
6 B. The terms of office shall be as follows.

7  
8 (1) All members shall be appointed for 3-year terms.  
9 Of those first appointed, 3 shall be appointed for  
10 3-year terms, 4 shall be appointed for 2-year terms and  
11 4 shall be appointed for one-year terms. The Governor  
12 shall designate the terms of office of those first  
13 appointed at the time of appointment.

14 (2) Members shall serve until their successors are  
15 appointed and take office. The Governor may terminate  
16 the membership of any appointee for just cause and the  
17 reason for the termination shall be communicated in  
18 writing to each member whose term is so terminated.

19  
20 (3) Vacancies shall be filled in the same manner as  
21 original appointments, except that any person appointed  
22 to fill a vacancy shall serve only for the unexpired  
23 term of the vacancy.

24  
25 C. The chairman chair and vice-chairman vice-chair shall be  
26 appointed by the Governor annually at the first meeting of  
27 the board and shall serve for one-year terms.

28 (1) The chairman chair shall call meetings of the  
29 board.

30  
31 D. Members shall be compensated for expenses only in  
32 accordance with chapter 379.

33  
34 E. Financing of promotional and development materials and  
35 expenses pursuant to this section and section 13096, shall  
36 be made with funds within the limit of the budget of the  
37 department for the Office of Tourism.

38  
39 Sec. 32. 5 MRSA §17001, sub-§7, as enacted by PL 1985, c. 801,  
40 §§5 and 7, is amended to read:

41  
42 7. Board. "Board" means the board of trustees, established  
43 under section 12004 12004-F, subsection 7 9, to administer the  
44 Maine State Retirement System.

45  
46 Sec. 33. 5 MRSA §17102, sub-§1, as amended by PL 1987, c. 715,  
47 §§4 and 5, is further amended to read:

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1           1. **Composition.** The Board of Trustees of the Maine State  
2 Retirement System, established by section 12004 12004-F,  
3 subsection 7 2, shall be composed of 8 trustees, as follows:

5           A. The Treasurer of State or, ~~as his designee~~, the Deputy  
6 Treasurer of State, ex officio, as a nonvoting trustee;

7           B. A person who is a member of the retirement system  
8 through employment as a teacher and who is duly elected by  
9 the Maine Teachers' Association;

11           C. A person who is a member of the retirement system  
12 through employment as a state employee and who is duly  
13 elected by the Maine State Employees' Association;

15           D. Four persons appointed by the Governor and subject to  
16 review by the joint standing committee of the Legislature  
17 having jurisdiction over aging, veterans and retirement and  
18 to confirmation by the Legislature:

21                 (1) At least 2 of whom shall be qualified through  
22 training or experience in the field of investments,  
23 accounting, banking, insurance or law;

25                 (2) One of whom shall be selected from a list of 3  
26 nominees submitted by the Maine Retired Teachers'  
27 Association; and

29                 (3) One of whom shall be the recipient of a retirement  
30 allowance through the retirement system and who shall  
31 be selected from a list or lists of nominees submitted  
32 by retired state employees, retired participating local  
33 district employees or a committee comprised of  
34 representatives of these groups; and

35           E. A person who is a member of the retirement system  
36 through a participating local district and who shall be  
37 appointed by the governing body of the Maine Municipal  
38 Association.

41           **Sec. 34. 5 MRSA §19101**, as enacted by PL 1987, c. 542, Pt. C,  
42 §§2 and 3, is amended to read:

43           **§19101. Establishment; role**

45           The Maine Health Policy Advisory Council, as established in  
46 section 12004 12004-I, subsection 10, ~~paragraph A~~ 30, shall  
47 advise and be available for consultation to the Governor,  
48 Commissioner of Human Services, Commissioner of Mental Health and  
49 Mental Retardation, other executive branch agencies, the  
50 Legislature and the Maine congressional delegation on health

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1 policy issues related to health status, health promotion and  
2 health care delivery that the council believes to be significant  
3 and that it has the resources to address.

5 **Sec. 35. 6 MRSA §302, sub-§1, ¶A,** as amended by PL 1983, c.  
6 812, §40, is further amended to read:

7  
8 A. The Maine Aeronautical Advisory Board, established by  
9 Title 5, section ~~12004~~ 12004-I, subsection ~~10 81~~, and in  
10 this section called "the board," shall be a board within the  
11 Department of Transportation.

13 **Sec. 36. 7 MRSA §231, sub-§1,** as enacted by PL 1987, c. 805,  
14 §2, is amended to read:

15  
16 1. **Members; terms.** The Commission on Biotechnology and  
17 Genetic Engineering, as established in Title 5, section ~~12004~~  
18 12004-I, subsection ~~10 20-A~~, shall be composed of 9 members  
19 appointed by the Governor, subject to approval by the joint  
20 standing committee of the Legislature having jurisdiction over  
21 agriculture and confirmation by the Legislature. To provide the  
22 knowledge and experience necessary for carrying out the duties of  
23 the commission, one person shall be appointed who has practical  
24 experience and knowledge in agricultural procedures, one who has  
25 practical experience and knowledge in environmental and  
26 conservation issues, a health care professional, a representative  
27 from the forest products industry, the Director of the Maine  
28 Agricultural Experiment Station, a representative from the marine  
29 fisheries industry, a person appointed to represent the general  
30 public, one practicing scientist who shall be a representative of  
31 industry and one practicing scientist who shall be a  
32 representative of the academic community. The terms shall be for  
33 4 years, except that, of the initial appointees, 3 shall serve  
34 4-year terms, 2 shall serve 3-year terms, 2 shall serve 2-year  
35 terms and 2 shall serve a one-year term. Any vacancy shall be  
36 filled by an appointment for the remainder of the unexpired term.

37  
38 **Sec. 37. 7 MRSA §313, sub-§1,** as enacted by PL 1985, c. 482,  
39 §2, is amended to read:

41 1. **Membership.** The Maine Agricultural Viability Advisory  
42 Committee, as established by Title 5, section ~~12004~~ 12004-I,  
43 subsection ~~10 2~~, shall consist of the following 7 members:

- 45 A. One representative of the Maine Farm Bureau;
- 47 B. One representative of the Maine State Grange;
- 49 C. One representative of the National Farm Organization;
- 51 D. One representative of the Maine Small Farm Association;

1  
3  
5  
7  
9  
11  
13  
15  
17  
19  
21  
23  
25  
27  
29  
31  
33  
35  
37  
39  
41  
43  
45  
47  
49

E. One representative of the Maine Organic Farmers and Gardeners Association;

F. One representative of the Maine Association of Conservation Districts; and

G. The ~~Chairman~~ Chair of the Soil and Water Conservation Commission or ~~his~~ the chair's designee, who shall serve during ~~his~~ the chair's tenure in that office.

**Sec. 38. Repeal date.** The Maine Revised Statutes, Title 7, section 313, subsection 1, as amended by this Act, is repealed on June 30, 1991.

**Sec. 39. 7 MRSA §332, sub-§1,** as enacted by PL 1987, c. 435, §3, is amended to read:

1. **Membership.** The Aroostook Water and Soil Management Board, as established by Title 5, section 12004 ~~12004-G~~, subsection ~~§ 4~~, shall consist of the following: The ~~Chairman~~ Chair of the Maine Potato Board; one person designated by the Maine Potato Board who shall be a farmer with irrigation experience; a representative of each of the 3 Aroostook County Soil and Water Conservation Districts chosen by the boards of supervisors of the 3 districts, each representative chosen being a farmer; the Director of the Maine Agricultural Experiment Station; the Director of the University of Maine Cooperative Extension Service; the State Conservationist of the United States Department of Agriculture Soil Conservation Service; the Director of the Maine Geological Survey; the Director of the Northern Maine Regional Planning Commission; and the Commissioner of Agriculture, Food and Rural Resources.

**Sec. 40. 7 MRSA §402-A, sub-§1,** as amended by PL 1983, c. 812, §42, is further amended to read:

1. **Agriculture Promotion Committee.** The commissioner may appoint ~~a--promotional--committee~~ the Agriculture Promotion Committee, as authorized by Title 5, section 12004 ~~12004-H~~, subsection 9 ~~1~~, to advise and assist the department in its general efforts to promote Maine agricultural products. The committee shall include, at a minimum, representatives involved in the production or marketing of those agricultural commodities which maintain, through state taxes or otherwise, an ongoing promotion and advertising program.

**Sec. 41. 7 MRSA §427, sub-§1,** as amended by PL 1983, c. 812, §44, is further amended to read:

1           1. **Establishment.** For market orders, the commissioner  
2 shall, and for market agreements, the commissioner may, establish  
3 a commodity marketing committee or committees, as authorized by  
4 Title 5, section ~~12004~~ 12004-H, subsection 9 2, to administer and  
5 implement the provisions of the orders or agreements. Members of  
6 the committees shall be initially appointed by the commissioner  
7 to equitably represent the producers, handlers or processors who  
8 are directly affected by the order or agreement. The size of a  
9 committee, its geographic representation, membership  
10 qualification, selection procedure, term of office and operating  
11 procedures shall be prescribed by rule for each market order or  
12 market agreement for which a committee or committees may be  
13 established; provided that in each case where a market order or  
14 market agreement is in effect for a period greater than 12  
15 months, the rules shall provide for a system for election of the  
16 producer, handler and processor members.

17  
18           **Sec. 42. 7 MRSA §972**, as repealed and replaced by PL 1987, c.  
19 769, Pt. A, §35, is amended to read:

21           **§972. Potato Marketing Improvement Committee**

22  
23           There is established an advisory committee, as authorized by  
24 Title 5, section ~~12004~~ 12004-H, subsection 9 10, of 10 members to  
25 be known as the Potato Marketing Improvement Committee. The  
26 Potato Marketing Improvement Committee shall advise the  
27 commissioner on the development and implementation of improved  
28 potato marketing systems, including the modernization,  
29 construction and operation of storage and central packing  
30 facilities. The Potato Marketing Improvement Committee shall  
31 also advise the commissioner concerning the funding and  
32 expenditures of the Potato Marketing Improvement Fund created  
33 pursuant to section 973. The commissioner shall appoint one  
34 member representing the University of Maine System, one member  
35 representing the Farmers Home Administration, one member  
36 representing the Farm Credit System, one member representing the  
37 Department of Economic and Community Development and one member  
38 representing the public. Each executive council established  
39 pursuant to Title 36, section 4603, subsection 3, shall appoint  
40 one person to serve as a member of the committee. The  
41 commissioner and the executive councils shall appoint as members  
42 persons with education, training or experience relevant to the  
43 development and implementation of improved potato marketing  
44 systems, including the modernization, construction and operation  
45 of storage and central packing facilities and with an  
46 understanding of the importance of those facilities for potato  
47 quality and marketing. When the commissioner finds it  
48 appropriate, the members representing the Farmers Home  
49 Administration and the Farm Credit System may serve as a loan  
50 review committee and advise the commissioner, on a confidential  
51 basis, on applications for funding.

1  
2           **Sec. 43. 7 MRSA §995, sub-§1**, as amended by PL 1983, c. 812,  
3 §46, is further amended to read:

4           1. **Membership of committee.** Any marketing order issued  
5 pursuant to sections 991 to 1006 shall provide for the  
6 establishment of an administrative committee to administer such  
7 order in accordance with its terms and provisions. This  
8 committee, authorized by Title 5, section ~~12004~~ 12004-H,  
9 subsection ~~10 2~~, shall be known as the "Maine Potato Marketing  
10 Committee" and shall consist of 8 members, of whom 5 shall be  
11 producers and 3 shall be handlers. For each member of the  
12 committee there shall be an alternate who shall have the same  
13 qualifications as the member. Persons selected as committee  
14 members or alternates to represent producers shall be individuals  
15 who are producers in the respective district for which selected  
16 or officers or employees of a corporate producer in such district  
17 and such persons shall be residents of the respective district  
18 for which selected. Persons selected as committee members or  
19 alternates to represent handlers shall be individuals who are  
20 handlers in the State or officers or employees of a corporate  
21 handler in this State and such persons shall be residents of the  
22 State.  
23

24           **Sec. 44. 7 MRSA §1033, sub-§1**, as amended by PL 1987, c. 99,  
25 §6, is further amended to read:

26           1. **Board.** The Maine Potato Quality Control Board  
27 established by Title 5, section ~~12004~~ 12004-H, subsection 9 6,  
28 shall consist of the following members:

29           A. Two representatives elected by the executive council of  
30 the dealers assembly established pursuant to Title 36,  
31 chapter 710;

32           B. Seven representatives of growers of tablestock potatoes,  
33 one elected by the assembly of tablestock growers in each of  
34 the districts established pursuant to Title 36, section  
35 4602, subsection 3;

36           D. A representative of the department, appointed by the  
37 commissioner; and

38           E. A person appointed by the Governor to represent  
39 consumers.  
40

41           Members shall be elected or appointed, as the case may be, within  
42 30 days of the effective date of this section as amended and  
43 shall serve for staggered 2-year terms. In the initial  
44 membership, the board shall determine that 5 of its members shall  
45 serve for one-year terms. The board shall elect a chairman chair  
46



1 and shall meet at the call of the chairman chair and at the call  
2 of the Maine Potato Board. The members shall be compensated as  
3 provided in Title 5, chapter 379.

5 Sec. 45. 7 MRSA §2151, as amended by PL 1983, c. 812, §50, is  
6 further amended to read:

7

8 §2151. Creation and membership

9

10 The Seed Potato Board, established by Title 5, section 12004  
11 12004-H, subsection 9 5, and located in the Department of  
12 Agriculture, Food and Rural Resources, shall consist of the  
13 commissioner and 8 additional members appointed by ~~him~~ the  
14 commissioner. Of the 8 appointed members, 7 shall be chosen from  
15 representatives of the potato industry in Aroostook County and  
16 one from elsewhere in the State, provided that one appointed  
17 member shall be primarily a table stock producer and one  
18 primarily a processor producer.

19

20 Sec. 46. 7 MRSA §2952, first ¶, as amended by PL 1983, c. 812,  
21 §52, is further amended to read:

22

23 The Maine Milk Commission, as established by Title 5,  
24 section 12004 12004-E, subsection 6 2, shall consist of 5 members  
25 and at all times shall include within its membership the  
26 Commissioner of Agriculture, Food and Rural Resources or ~~his~~ the  
27 commissioner's designee, ex officio. In addition to the  
28 limitations of Title 5, section 18, none of the remaining 4  
29 members of the commission shall at the time of appointment or  
30 while serving as a member of the commission, and no employee of  
31 the commission may have any official business, other than retail  
32 purchases of milk, or professional connection or relation with,  
33 or hold any interest or stock or securities in, any producer,  
34 dealer, store or other person whose activities are subject to the  
35 jurisdiction of the commission; nor may any member or employee of  
36 the commission render any professional or other service against  
37 any such producer, dealer, store or other person whose activities  
38 are subject to the jurisdiction of the commission or be a member  
39 of a firm which shall render any such service.

40

41 Sec. 47. 7 MRSA §3906, first ¶, as enacted by PL 1987, c. 383,  
42 §3, is amended to read:

43

44 The Animal Welfare Board, as established by Title 5, section  
45 12004 12004-G, subsection 8 3, is authorized to fulfill the  
46 purposes set forth in section 3902 to enforce this Part and Title  
47 17, and has powers and duties to:

48

49 Sec. 48. 8 MRSA §261, sub-§1, as repealed and replaced by PL  
50 1987, c. 402, Pt. A, §81, is amended to read:

51

1           1. Number of members. The State Harness Racing Commission,  
2 as established by Title 5, section 12004 12004-G, subsection 8  
3 32, shall consist of 5 members who shall be appointed by the  
4 Governor. Members may be removed by the Governor for cause.

5           **Sec. 49. 8 MRSA §373, first ¶**, as enacted by PL 1987, c. 505,  
6 §2, is amended to read:

7           The State Lottery Commission, established by Title 5,  
8 section 12004 12004-G, subsection 8 14, shall consist of 5  
9 members, all of whom must be citizens and residents of this State  
10 and shall be appointed by the Governor, and shall be subject to  
11 review by the joint standing committee of the Legislature having  
12 jurisdiction over legal affairs and confirmation by the Senate.  
13 No more than 3 of the 5 members may be members of the same  
14 political party. The members shall be appointed for terms of 5  
15 years. The members shall annually elect one of them as ~~chairman~~  
16 chair of the commission.

17           **Sec. 50. 10 MRSA §304**, as amended by PL 1983, c. 812, §60, is  
18 further amended to read:

19           **§304. Creation of commission -- Article III**

20           The New England Interstate Planning Commission, established  
21 by Title 5, section 12004 12004-K, subsection 12 9, shall be  
22 called the "commission."

23           **Sec. 51. 10 MRSA §962, 3rd ¶**, as amended by PL 1985, c. 714,  
24 §5, is further amended to read:

25           The Finance Authority of Maine, as established by this  
26 chapter and authorized by Title 5, section 12004 12004-F,  
27 subsection 7 1, to fulfill these purposes is, in addition to its  
28 other powers, authorized to:

29           **Sec. 52. 10 MRSA §980-B, sub-§1**, as enacted by PL 1985, c.  
30 344, §26, is amended to read:

31           1. **General.** The Maine Veterans' Small Business Loan Board,  
32 as established by Title 5, section 12004 12004-I, subsection 10  
33 27, shall consist of 9 members, including the Director of  
34 Veterans' Services and 8 members-at-large appointed by the  
35 Governor for a period of 4 years, provided that, of the members  
36 first appointed, 2 shall be appointed for terms of one year, 2  
37 for terms of 2 years, 2 for terms of 3 years and 2 for terms of 4  
38 years. Two public members of the veterans' loan board shall be  
39 appointed by the Governor to serve as members of the authority. A  
40 vacancy in the office of an appointive member, other than by  
41 expiration, shall be filled in like manner as an original  
42 appointment, but only for the remainder of the term of the  
43  
44  
45  
46  
47  
48  
49  
50  
51

1 retiring member. Appointive members may be removed by the  
Governor for cause. The veterans' loan board shall elect one of  
3 its members as chairman chair and may elect such other officers  
as it deems necessary. Five members of the veterans' loan board  
5 shall constitute a quorum. The affirmative vote of 5 members  
present and voting shall be necessary for any action taken by the  
7 veterans' loan board. No vacancy in the membership of the  
veterans' loan board may impair the right of the quorum to  
9 exercise all rights and perform all the duties of the veterans'  
loan board.

11

12 **Sec. 53. 10 MRSA §1414, sub-§1, as amended by PL 1983, c. 812,**  
13 **§67, is further amended to read:**

15 1. **Establishment.** The Advisory Council on Energy Efficiency  
Building Performance Standards, established by Title 5, section  
17 ~~12004~~ 12004-I, subsection ~~10~~ 19, is hereinafter referred to as  
the advisory council. The advisory council shall consist of 10  
19 persons. The Governor shall appoint one member who is a  
registered professional architect, one member who is a registered  
21 professional engineer, one member who is primarily a residential  
building contractor, one member who is primarily a nonresidential  
23 building contractor, one member who is a practicing building  
inspector, one member who represents the banking industry, one  
25 member who represents industry, one member who represents the  
commercial community and 2 members who are elected officials of a  
27 county or municipality. Public members shall serve for 4 years  
except as provided in this section and may be reappointed by the  
29 Governor for a succeeding term. Elected county and municipal  
officials shall be appointed to a term of office to coincide with  
31 their terms of office, not to exceed 4 years. Members shall not  
serve for more than 2 successive terms. The terms of the initial  
33 public members shall be as follows: The banking representative  
and building contractor shall initially serve for 2 years and the  
35 registered professional engineer, the practicing building  
inspector and the registered professional architect shall  
37 initially serve for 3 years.

39 **Sec. 54. 12 MRSA §51, first ¶, as amended by PL 1987, c. 578, is**  
further amended to read:

41

The State Soil and Water Conservation Commission, as  
43 established by Title 5, section ~~12004~~ 12004-G, subsection 8 30,  
shall serve as an agency of the State and shall perform the  
45 functions conferred upon it in this chapter. It shall consist of  
the following 11 members: The Vice-president for Research and  
47 Public Service of the University of Maine, the Commissioner of  
Agriculture, Food and Rural Resources, the Commissioner of  
49 Conservation, the Commissioner of Inland Fisheries and Wildlife,  
the Commissioner of Marine Resources and the Commissioner of  
51 Environmental Protection, who shall serve ex officio, except that

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1 each ex officio member may delegate one of that member's staff  
2 with policy-making authority to serve regularly in his absence,  
3 and 6 soil and water conservation district supervisors, one of  
4 which shall represent each of the following 6 areas: Area 1,  
5 composed of St. John Valley, Central Aroostook and Southern  
6 Aroostook Soil and Water Conservation Districts; Area 2, composed  
7 of Washington and Hancock County Soil and Water Conservation  
8 Districts; Area 3, composed of Penobscot, Piscataquis and  
9 Somerset County Soil and Water Conservation Districts; Area 4,  
10 composed of Kennebec, Knox-Lincoln and Waldo County Soil and  
11 Water Conservation Districts; Area 5, composed of Androscoggin  
12 Valley, Oxford and Franklin County Soil and Water Conservation  
13 Districts; Area 6, composed of Cumberland and York County Soil  
14 and Water Conservation Districts. Any district organized after  
15 October 1, 1975, shall be included in one of these 6 areas as  
16 determined by the State Soil and Water Conservation Commission.

17

18 **Sec. 55. 12 MRSA §683, first ¶,** as amended by PL 1987, c. 132,  
19 is further amended to read:

21 The Maine Land Use Regulation Commission, as established by  
22 Title 5, section ~~12004~~ 12004-D, subsection 5 1, to carry out the  
23 purposes stated in section 681, is created within the Department  
24 of Conservation, and in this chapter called the "commission." The  
25 commission is charged with implementing this chapter in all of  
26 the unorganized and deorganized areas of the State. The  
27 commission shall consist of 7 public members, none of whom shall  
28 be state employees, who shall be appointed by the Governor,  
29 subject to review by the joint standing committee of the  
30 Legislature having jurisdiction over natural resources and to  
31 confirmation by the Legislature, for staggered 4-year terms.  
32 Among the public members, there shall be 4 who shall be  
33 knowledgeable in at least one of each of the following areas:  
34 Commerce and industry; fisheries and wildlife; forestry; and  
35 conservation. Of the potential appointees to the commission, the  
36 Governor shall actively seek and give consideration to persons  
37 residing in or near the unorganized areas of the State and at  
38 least 2 members shall be residents within the commission's  
39 jurisdiction.

41 **Sec. 56. 12 MRSA §901, first ¶,** as amended by PL 1983, c. 812,  
42 §77, is further amended to read:

43

44 All the lands in Townships 2, 3, 4, 5 and 6, Range 9  
45 W.E.L.S. and in Townships 3, 4, 5 and 6, Range 10 W.E.L.S.,  
46 Piscataquis County, and Township 6, Range 8 W.E.L.S., Penobscot  
47 County, that have been donated and conveyed to the State in trust  
48 by Percival Proctor Baxter and all lands in the Townships 2, 3,  
49 4, 5 and 6, Range 9 and in Townships 3, 4, 5 and 6, Range 10, and  
50 in Township 6, Range 8 and all lands in Piscataquis and Penobscot  
51 Counties that hereafter shall be donated and conveyed to the

COMMITTEE AMENDMENT "F" to S.P. 630, L.D. 1724

1 State by Percival Proctor Baxter in trust for state forest,  
2 public park and public recreational purposes are named and shall  
3 hereafter be named "Baxter State Park" in honor of the donor, and  
4 the same hereafter shall forever be so designated on the official  
5 maps and records of the State. They shall be under the joint  
6 supervision and control of, and shall be administered by the  
7 Director of the Bureau of Forestry, the Commissioner of Inland  
8 Fisheries and Wildlife and the Attorney General, and the  
9 commissioner, director and Attorney General shall have full power  
10 in the control and management of the same, under the title of  
11 Baxter State Park Authority, as authorized by Title 5, section  
12 ~~12004~~ 12004-G, subsection ~~8~~ 11. The authority shall receive  
13 moneys available from trust funds established by the donor of the  
14 park and shall include fees collected, income from park trust  
15 funds invested by the Treasurer of State and other miscellaneous  
16 income derived from the park for maintenance and operation of the  
17 park.

19 Sec. 57. 12 MRSA §4603, as amended by PL 1983, c. 812, §79,  
20 is further amended to read:

21 **§4603. Commission -- Article III**

23 Each state joining herein shall appoint 3 representatives to  
24 a commission constituted and designated as the Atlantic States  
25 Marine Fisheries Commission, as authorized by Title 5, section  
26 ~~12004~~ 12004-K, subsection ~~12~~ 6. One shall be the executive  
27 officer of the administrative agency of the state charged with  
28 the conservation of the fisheries resources to which this compact  
29 pertains or, if there be more than one officer or agency, the  
30 official of that state named by the governor thereof. The 2nd  
31 shall be a member of the legislature of the state designated by  
32 the commission or committee on interstate cooperation of that  
33 state, or if there be none, or if the commission on interstate  
34 cooperation cannot constitutionally designate the member, that  
35 legislator shall be designated by the governor thereof; provided,  
36 if it is constitutionally impossible to appoint a legislator as a  
37 commissioner from that state, the 2nd member shall be appointed  
38 by the governor of that state in ~~his~~ that governor's discretion.  
39 The 3rd shall be a citizen who shall have a knowledge of and  
40 interest in the marine fisheries problem to be appointed by the  
41 governor. This commission shall be a body corporate with the  
42 powers and duties set forth herein.

45 Sec. 58. 12 MRSA §5101-B, sub-§1, as enacted by PL 1985, c.  
46 488, §6, is amended to read:

49 1. Citizens' Forestry Advisory Council. The Citizens'  
50 Forestry Advisory Council, as established by Title 5, section  
51 ~~12004~~ 12004-I, subsection ~~10~~ 21, and in this chapter called the

1 "council" shall advise the Commissioner of Conservation on all  
3 aspects of the program and shall review all interim and final  
products and documents produced by the program.

5 A. The council shall consist of 7 members, appointed by the  
7 Governor, subject to review by the joint standing committee  
of the Legislature having jurisdiction over natural  
9 resources and to confirmation by the Legislature. Members of  
the council shall be chosen to represent the broadest  
11 possible interest and experience which can be brought to  
bear in the implementation of this chapter.

13 B. The members shall be appointed for a term of 5 years and  
until their successors are appointed and qualified, except  
15 that at the time of the first appointments, 2 shall be  
appointed for a term of 3 years, 2 for a term of 4 years and  
17 3 for a term of 5 years. The council shall select its  
chairman ~~chair~~ from its own members.

19 C. The council shall report annually to the Legislature and  
21 the Governor on its activities, including any comments it  
may have on the reports issued under section 5103 and on any  
23 recommendations it may have for legislative actions needed  
to achieve the purposes of this chapter.

25 D. The council shall meet at least twice per year.

27 E. No more than 2 members of the council may be an employee  
29 of a corporation, firm, partnership or other organization  
with financial or other interest in the forest resource

31 **Sec. 59. 12 MRSA §6024, sub-§1, as amended by PL 1989, c. 8,**  
33 **§1, is further amended to read:**

35 **1. Appointment; composition; term; compensation.** The  
advisory council, established by Title 5, section ~~12004-F~~  
37 ~~12004-G~~, subsection 58 27, shall consist of 10 members. One  
member, who shall be a nonvoting member, shall be the chair of  
39 the Lobster Advisory Council, ex officio. Each other member  
shall be appointed by the Governor and shall be subject to review  
41 by the joint standing committee of the Legislature having  
jurisdiction over marine resources and to confirmation by the  
43 Legislature. Eight of the appointed members shall be selected  
from persons directly engaged in commercial activities or  
45 industries based on marine resources, and one of the appointed  
members shall be selected from persons who represent recreational  
47 fishing interests. The composition of the council shall  
adequately represent the commercial fisheries' activities over  
49 which the department has jurisdiction and shall also reflect a  
geographical distribution along the coast. All appointed members  
51 shall be appointed for a term of 3 years, except a vacancy shall

1 be filled in the same manner as an original for the unexpired  
2 portion of the term. No member may serve more than 2 consecutive  
3 terms at any one time. Members shall serve until their successors  
4 are appointed. Members shall be compensated as provided in Title  
5 5, chapter 379.

7 **Sec. 60. Repeal date.** The Maine Revised Statutes, Title 12,  
8 section 6024, subsection 1, as amended by this Act, is repealed  
9 on November 6, 1989.

11 **Sec. 61. 12 MRSA §6024, sub-§1-A,** as enacted by PL 1989, c. 8,  
12 §2, is amended to read:

13 **1-A. Appointment; composition; term; compensation.** The  
14 advisory council, established by Title 5, section ~~12004-F~~  
15 12004-G, subsection ~~58 27~~, shall consist of 9 members. The chair  
16 of the Lobster Advisory Council shall be an ex officio member of  
17 the council. Each other member shall be appointed by the  
18 Governor and shall be subject to review by the joint standing  
19 committee of the Legislature having jurisdiction over marine  
20 resources and to confirmation by the Legislature. Seven of the  
21 appointed members shall be selected from persons directly engaged  
22 in commercial activities or industries based on marine  
23 resources. These 7 members shall be selected so as to adequately  
24 represent, together with the chair of the Lobster Advisory  
25 Council, the various aspects of commercial fisheries' activities  
26 over which the department has jurisdiction. One of the appointed  
27 members shall be selected from persons who represent recreational  
28 fishing interests. The composition of the council shall reflect  
29 a geographical distribution along the coast. All appointed  
30 members shall be appointed for a term of 3 years, except a  
31 vacancy shall be filled in the same manner as an original member  
32 for the unexpired portion of the term. No appointed member may  
33 serve for more than 2 consecutive terms at any one time.  
34 Appointed members shall serve until their successors are  
35 appointed. The chair of the Lobster Advisory Council shall serve  
36 until a new chair of the Lobster Advisory Council is chosen.  
37 Members shall be compensated as provided in Title 5, chapter 379.

39 **Sec. 62. Effective date.** The Maine Revised Statutes, Title 12,  
40 section 6024, subsection 1-A, as amended by this Act, shall take  
41 effect November 6, 1989.

43 **Sec. 63. 12 MRSA §6462, sub-§1,** as amended by PL 1983, c. 812,  
44 §84, is further amended to read:

47 **1. Appointment; composition.** The Lobster Advisory Council,  
48 established by Title 5, section ~~12004~~ 12004-I, subsection ~~10 58~~,  
49 shall consist of 11 members. Each member shall be appointed by  
50 the Governor as follows.

51

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1 A. One person who holds a lobster and crab fishing license  
3 shall be appointed from each of the following counties:

- 5 (1) Cumberland;
- 7 (2) Hancock;
- 9 (3) Knox;
- 11 (4) Lincoln;
- 13 (5) Sagadahoc;
- 15 (6) Waldo;
- 17 (7) Washington; and
- 19 (8) York.

21 B. Two persons who hold wholesale seafood licenses and are  
23 primarily dealers in lobsters shall be appointed.

25 C. One person who is a member of the general public and  
27 does not hold any license under this subchapter shall be  
29 appointed.

31 **Sec. 64. 12 MRSA §7033, sub-§1**, as amended by PL 1983, c. 812,  
33 §87, is further amended to read:

35 1. Appointment. The advisory council, established by Title  
37 5, section ~~12004~~ 12004-G, subsection ~~10 20~~, shall consist of one  
39 member representing each of the management units the commissioner  
establishes to administer chapters 701 to 721. Members of the  
advisory council shall be appointed by the Governor, subject to  
review by the ~~Joint-Standing-Committee-on-Fisheries-and-Wildlife~~  
joint standing committee of the Legislature having jurisdiction  
over fisheries and wildlife matters and to confirmation by the  
Legislature. The commissioner shall be a nonvoting member of the  
council ex officio, but may vote to break a tie.

41 **Sec. 65. 12 MRSA §7320, sub-§1**, as enacted by PL 1987, c. 742,  
43 §7, is amended to read:

45 1. Members. The Advisory Board for the Licensing of  
47 Guides, established by Title 5, section ~~12004~~ 12004-I, subsection  
49 ~~10 23~~, shall consist of the following 7 members:

51 A. One subordinate officer of the department designated by  
the commissioner;

B. Two wardens of the department; and



1  
3  
5  
7  
9  
11  
13  
15  
17  
19  
21  
23  
25  
27  
29  
31  
33  
35  
37  
39  
41  
43  
45  
47  
49

C. Four representatives of the public, with no more than 3 holding a license under this subchapter, to be appointed by the Governor for a term of 3 years to reflect a wide diversity of guiding experience. At least 2 members shall be chosen for their expertise in outdoor recreation. The public members shall be compensated as provided in Title 5, chapter 379.

Sec. 66. 12 MRSA §7323, sub-§1, as enacted by PL 1987, c. 742, §7, is amended to read:

1. Board established. The commissioner shall appoint a board of 5 members, to be known as the "Junior Maine Guides and Trip Leaders Curriculum Advisory Board" as authorized by Title 5, section ~~12004~~ 12004-I, subsection ~~10 24~~.

Sec. 67. 12 MRSA §7367, sub-§2, as amended by PL 1983, c. 812, §91, is further amended to read:

2. Whitewater Safety Committee. The Whitewater Safety Committee established by Title 5, section ~~12004~~ 12004-I, subsection ~~10 70~~ shall advise the commissioner in establishing and reviewing safety requirements for whitewater trips, developing a safety information program and reviewing the safety record of whitewater guides and outfitters. The committee shall submit a written report annually on each outfitter's safety record to the Whitewater Advisory Committee, while the advisory committee remains in existence.

A. The Whitewater Safety Committee shall be composed of 8 members: Two members of the whitewater guides board designated by the board; 2 commercial whitewater outfitters and 2 whitewater guides designated by the Governor; and 2 members from the general public, one designated by the President of the Senate and one designated by the Speaker of the House of Representatives.

B. Terms of members of the Whitewater Safety Committee shall be for 2 years, expiring on December 31st, except that initially the members shall draw lots for a one-year or a 2-year term. Terms shall be staggered so that the term of one member in each category expires each year. Members shall serve until their successors are nominated and qualified. Members appointed to fill a vacancy created by the resignation, death or incapacity of a member shall complete the term of the vacancy and be eligible for reappointment. Members shall be compensated as provided in Title 5, chapter 379 for no more than 4 meetings a year.

1           **Sec. 68. 12 MRSA §7369-A, first ¶**, as amended by PL 1983, c.  
2           812, §92, is further amended to read:

3  
4           The Whitewater Advisory Committee is established by Title  
5           5, section ~~12004~~ 12004-I, subsection ~~10~~ 69, to advise the  
6           department and report to the Legislature on the implementation of  
7           the allocation process and other aspects of the operation of the  
8           industry which relate to the purposes of this subchapter.

9  
10           **Sec. 69. 13 MRSA §1956, sub-§1**, as repealed and replaced by PL  
11           1983, c. 812, §95, is amended to read:

12           1. **Board.** The Maine Agricultural Bargaining Board,  
13           established by Title 5, section ~~12004~~ 12004-B, subsection ~~3~~ 7,  
14           and located in the Department of Agriculture, Food and Rural  
15           Resources, shall administer this ~~Article~~ article.

16  
17           **Sec. 70. 13 MRSA §1956, sub-§2**, as repealed and replaced by PL  
18           1987, c. 155, §2, is amended to read:

19  
20           2. **Membership.** The Maine Agricultural Bargaining Board  
21           established by Title 5, section ~~12004~~ 12004-B, subsection ~~3~~ 7,  
22           shall consist of 5 members and 2 alternates, who shall be  
23           appointed by the Governor. One member and one alternate shall be  
24           appointed from a list of names submitted by agricultural producer  
25           organizations organized under this subchapter and chapter 81.  
26           One member and one alternate shall be appointed from a list of  
27           names submitted by processors of agricultural products. In  
28           appointing these members and alternates, the Governor shall seek  
29           to represent as many different agricultural products as possible  
30           and a member and the alternate for that member shall not be  
31           associated with the same agricultural product, unless suitable  
32           persons cannot otherwise be appointed. An alternate shall serve  
33           when for any reason the respective member is unable to serve.  
34           Three members shall be representatives of the public.

35  
36           A. The term of office for all members and alternates shall  
37           be 3 years. Members selected from lists submitted by  
38           agricultural producer organizations and by processors of  
39           agricultural products may serve no more than 2 terms in  
40           succession, not to include the current term of a member  
41           serving at the time this section becomes effective. The  
42           limitation to 2 successive terms shall not apply to the  
43           public members or to alternates.

44  
45           B. Board members serving at the time this section becomes  
46           effective shall continue as members for the duration of  
47           their present terms. The Governor shall appoint 2 alternate  
48           members in accordance with this subsection. The initial  
49           terms of these alternates shall expire at the same time as  
50           that of the current respective members. The Governor shall  
51

1 designate one of the public members to be the board's  
2 chairman chair. In the event of a vacancy, the Governor  
3 shall, within one month, appoint a successor to fill the  
4 unexpired term. All appointments to the board shall be made  
5 in conformity with the foregoing plan. Members shall take  
6 the oath of office prescribed for state officers.

7  
8 **Sec. 71. 17-A MRSA §1351**, as repealed and replaced by PL  
9 1983, c. 812, §99, is amended to read:

11 **§1351. Establishment**

13 The Criminal Law Advisory Commission, established by Title  
14 5, section 12004 12004-I, subsection 10 52, is created for the  
15 purpose of conducting a continuing study of the criminal law of  
16 Maine.

17  
18 **Sec. 72. 20-A MRSA §401, first ¶**, as amended by PL 1987, c.  
19 851, §1, is further amended to read:

21 The State Board of Education is established by Title 5,  
22 section 12004 12004-C, subsection 8 1. The State Board of  
23 Education shall be an autonomous body and shall maintain an  
24 office in Augusta. The appointments, terms and expenses of the  
25 State Board of Education members shall be as follows.

27 **Sec. 73. 20-A MRSA §603, sub-§1**, as amended by PL 1983, c.  
28 812, §103, is further amended to read:

29  
30 1. **Commission established.** The Education Commission of the  
31 States, hereafter in this chapter called "the commission," is  
32 authorized by Title 5, section 12004 12004-K, subsection 12 1.

33  
34 **Sec. 74. 20-A MRSA §651, sub-§1**, as amended by PL 1983, c.  
35 812, §104, is further amended to read:

36  
37 1. **Council established.** The Maine Education Council,  
38 established by Title 5, section 12004 12004-I, subsection 10 12,  
39 shall be composed of the members of the Education Commission of  
40 the States representing this State, and 7 other persons appointed  
41 by the Governor.

42  
43 **Sec. 75. 20-A MRSA §9002, first ¶**, as amended by PL 1987, c.  
44 124, §4, is further amended to read:

45  
46 An advisory committee, the Committee for the Training of  
47 Firefighters, established by Title 5, section 12004 12004-I,  
48 subsection 10 9, shall advise the executive director in the  
49 administration of the Maine Fire Training and Education Program.

1           **Sec. 76. 20-A MRSA §11002, sub-§1**, as repealed and replaced by  
PL 1983, c. 812, §110, is amended to read:

3  
4           1. **Creation.** The New England Board of Higher Education,  
5 established by Title 5, section ~~12004 12004-K~~, subsection ~~12 2~~,  
6 and referred to as the "board," shall be an agency of each state  
7 party to the compact.

9           **Sec. 77. 20-A MRSA §11801, sub-§3**, as amended by PL 1983, c.  
812, §111, is further amended to read:

11  
12           3. **Advisory committee.** The Advisory Committee on Medical  
13 Education, established by Title 5, section ~~12004 12004-I~~,  
14 subsection ~~10 7~~, shall assist the commissioner in planning and  
15 administration of the professional health program and  
16 particularly in the development of clinical education sites and  
17 continuing education, which are funded primarily by sources other  
18 than patient charges.

19           **Sec. 78. 20-A MRSA §15704, sub-§1**, as amended by PL 1983, c.  
20 812, §113, is further amended to read:

21  
22           1. **Establishment.** The Maine School Building Authority,  
23 established by Title 5, section ~~12004 12004-F~~, subsection 7,  
24 shall be a public instrumentality of the State. The exercise by  
25 the authority of the powers conferred by this chapter shall be  
26 the performance of essential governmental functions.

27  
28           **Sec. 79. 22 MRSA §307, sub-§2-A**, as repealed and replaced by  
29 PL 1985, c. 737, Pt. A, §48, is amended to read:

30  
31           2-A. **Certificate of Need Advisory Committee.** The  
32 Certificate of Need Advisory Committee, established by Title 5,  
33 section ~~12004 12004-I~~, subsection ~~10 38~~, and created within the  
34 Department of Human Services, shall participate with the  
35 department in the public hearing process.

36  
37           A. The committee shall be composed of 10 members, 9 of whom  
38 shall be appointed by the Governor. The Commissioner of  
39 Human Services shall name his a designee to serve as an ex  
40 officio nonvoting member of the committee. The 9 members  
41 appointed by the Governor shall be selected in accordance  
42 with the following requirements.

43  
44           (1) Four members shall be appointed to represent the  
45 following.

46           (a) One member shall represent the hospitals.

47  
48           (b) One member shall represent the nursing home  
49 industry.

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1  
3  
5  
7  
9  
11  
13  
15  
17  
19  
21  
23  
25  
27  
29  
31  
33  
35  
37  
39  
41  
43  
45  
47  
49  
51

(c) One member shall represent major 3rd-party payors.

(d) One member shall represent physicians.

In appointing these representatives, the Governor shall consider recommendations made by the Maine Hospital Association, the Maine Health Care Association, the Maine Medical Association, the Maine Osteopathic Association and other representative organizations.

(2) Five public members shall be appointed as consumers of health care. One of these members shall be designated on an annual basis by the Governor as ~~chairman~~ chair of the committee. Neither the public members nor their spouses or children may, within 12 months preceding the appointment, have been affiliated with, employed by, or have had any professional affiliation with any health care facility or institution, health product manufacturer or corporation or insurer providing coverage for hospital or medical care, and provided that neither membership in or subscription to a service plan maintained by a nonprofit hospital and medical service organization, nor enrollment in a health maintenance organization, nor membership as a policyholder in a mutual insurer or coverage under such a policy, nor the purchase of or coverage under a policy issued by a stock insurer may disqualify a person from serving as a public member.

B. Appointed members of the committee shall serve for terms of 4 years. Members shall hold office until the appointment and confirmation of their successors. Of the members first appointed by the Governor, the member representing hospitals and 2 public members shall hold office for 4 years, the member from the nursing home industry and one public member shall hold office for 3 years, the member from the insurance field and one public member shall hold office for 2 years and the physician and one public member shall hold office for one year.

C. Vacancies among appointed members shall be filled by appointment by the Governor for the unexpired term. A vacancy in the office of the ~~chairman~~ chair shall be filled by the Governor, who shall designate a new ~~chairman~~ chair for the balance of the member's term as ~~chairman~~ chair. The Governor may remove any appointed member who becomes disqualified by virtue of the requirements of paragraph A, or for neglect of any duty required by law, or for incompetency or dishonorable conduct.

1  
3  
5  
7  
9  
11  
13  
15  
17  
19  
21  
23  
25  
27  
29  
31  
33  
35  
37  
39  
41  
43  
45  
47  
49  
51

D. Each appointed member of the committee shall be compensated according to Title-5, chapter 379.

E. Five members of the committee shall constitute a quorum. Actions of the committee shall be by majority vote.

**Sec. 80. 22 MRSA §383, sub-§1**, as amended by PL 1983, c. 812, §116, is further amended to read:

1. **Establishment.** The Maine Health Care Finance Commission, established by Title 5, section ~~12004~~ 12004-E, subsection 4 1, is defined as follows.

A. The Maine Health Care Finance Commission shall function as an independent executive agency.

B. The commission shall be composed of 5 members, who shall be appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over health and institutional services and confirmation by the Legislature.

Persons eligible for appointment to, or to serve on, the commission shall be individuals conversant with the organization, delivery or financing of health care. At least 4 of the 5 members shall be consumers. At least one of the 5 members, whether or not a consumer member, shall be an individual who, within the 10 years preceding appointment, has had at least 5 years' experience as either a hospital trustee or a hospital official. For purposes of this section, "consumer" means a person who is neither affiliated with nor employed by any 3rd-party payor, any provider of health care, as defined in section 382, subsection 14, or any association representing these providers; provided that neither membership in nor subscription to a service plan maintained by a nonprofit hospital and medical service organization, nor enrollment in a health maintenance organization, nor membership as a policyholder in a mutual insurer or coverage under a policy issued by a stock insurer, nor service on a governmental advisory committee, nor employment by, or affiliation with, a municipality, may disqualify a person from serving as a consumer member of the commission.

C. The terms of the members shall be staggered. Of the initial appointees, 2 shall be appointed for terms of 4 years, 2 for terms of 3 years and one for a term of 2 years. Thereafter, all appointments shall be for a term of 4 years each, except that a member appointed to fill a vacancy in an unexpired term shall serve only for the remainder of that

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1 term. Members shall hold office until the appointment and  
confirmation of their successors. No member may be appointed  
3 to more than 2 consecutive 4-year terms.

5 D. The Governor may remove any member who would no longer be  
eligible to serve on the commission by virtue of the  
7 requirements of paragraph B or who becomes disqualified for  
neglect of any duty required by law.

9 E. The Governor shall appoint a ~~chairman~~ chair and a  
11 ~~vice-chairman~~ vice-chair, who shall serve in these  
capacities at ~~his~~ the Governor's pleasure.

13 **Sec. 81. 22 MRSA §396-P, sub-§1**, as amended by PL 1983, c.  
15 812, §118, is further amended to read:

17 1. **Establishment.** ~~The commission, authorized by Title 5,~~  
~~section 12004, subsection 10,~~ shall, after consultation with  
19 representative groups, appoint the following advisory committees.

21 A. The commission shall appoint a Professional Advisory  
Committee, authorized by Title 5, section 12004-I,  
23 subsection 47, consisting of 2 allopathic physicians, 2  
osteopathic physicians, 2 nurses and one hospital employee,  
25 other than a nurse or physician, directly involved in the  
provision of patient care. This committee shall advise the  
27 commission and its staff with respect to the effects of the  
health care financing system established under this  
29 subchapter on the quality of care provided by hospitals.

31 B. The commission shall appoint a Hospital Advisory  
Committee, authorized by Title 5, section 12004-I,  
33 subsection 45, consisting of 2 representatives of hospitals  
which have 55 or fewer beds, 2 representatives of hospitals  
35 which have 56 to 110 beds and 2 representatives of hospitals  
which have more than 110 beds. This committee shall advise  
37 the commission and its staff with respect to analytical  
techniques, data requirements, financial and other  
39 requirements of hospitals, and the effects of the health  
care financing system established under this subchapter on  
41 the hospitals of the State.

43 C. The commission shall appoint a Payor Advisory Committee,  
authorized by Title 5, 12004-I, subsection 46, consisting of  
45 one representative of nonprofit hospital and medical service  
corporations, one representative of commercial insurance  
47 companies, one representative of self-insured groups and one  
representative of the department. This committee shall  
49 advise the commission and its staff with respect to

1            analytical techniques, data requirements and other technical  
2            matters involved in implementing and administering the  
3            health care financing system established under this  
4            subchapter.

5  
6            **Sec. 82. 22 MRSA §1405, first ¶,** as enacted by PL 1987, c. 542,  
7            Pt. E, §§2 and 3, is amended to read:

8            The Cancer Prevention and Control Advisory Committee,  
9            established by Title 5, section ~~12004~~ 12004-I, subsection ~~10~~ 37,  
10           shall be appointed by the commissioner and shall consist of a  
11           committee of representatives to serve as an advisory body to the  
12           Department of Human Services on the operation of the Cancer  
13           Registry Program and on the development and maintenance of a  
14           coordinated statewide approach to cancer prevention and control.

15  
16            **Sec. 83. 22 MRSA §1471-B, sub-§1,** as amended by PL 1987, c.  
17            702, §2, is further amended to read:

18  
19            1. Board established. The Board of Pesticides Control is  
20            established by Title 5, section ~~12004~~ 12004-D, subsection ~~5~~ 3,  
21            within the Department of Agriculture, Food and Rural Resources.  
22            Except as provided in this chapter, the board shall be composed  
23            of 7 members, appointed by the Governor, subject to approval by  
24            the joint standing committee of the legislature having  
25            jurisdiction over the subject of agriculture and confirmation by  
26            the Legislature. To provide the knowledge and experience  
27            necessary for carrying out the duties of the board, one person  
28            shall be appointed who has practical experience and knowledge in  
29            chemical use in the field of agriculture, one who has practical  
30            experience and knowledge in chemical use in the field of forest  
31            management, a commercial applicator, a person from the medical  
32            community, a scientist from the University of Maine System  
33            specializing in agronomy or entomology having practical  
34            experience and knowledge of integrated pest management and 2  
35            persons appointed to represent the public. The 2 members  
36            appointed to represent the public shall be selected to represent  
37            different geographic areas of the State. The term shall be for 4  
38            years, except that of the initial appointees, 2 shall serve  
39            4-year terms, 2 shall serve 3-year terms, 2 shall serve 2-year  
40            terms and one shall serve a one-year term. Any vacancy shall be  
41            filled by an appointment for the remainder of the unexpired term.

42  
43            **Sec. 84. 22 MRSA §1693,** as amended by PL 1983, c. 812, §121,  
44            is further amended to read:

45  
46            **§1693. Environmental Health Advisory Committee**

47  
48            The commissioner shall appoint a committee of  
49            representatives of the public and private sectors to be known as  
50            the Environmental Health Advisory Committee to serve as an  
51



COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1 advisory body to the Environmental Health Program, as authorized  
2 by Title 5, section 12004 12004-I, subsection 10 43. The  
3 committee shall advise, assist and consult with the commissioner  
4 regarding the public health implications of hazardous elements in  
5 the environment. The committee may make recommendations to the  
6 commissioner, concerning the steps which should be taken to make  
7 for a healthful environment. The committee shall be solely  
8 advisory in nature. It shall be composed of not less than 11  
9 members, of whom 3 shall be public members. The members shall  
10 serve for 3-year terms, except that initially 4 shall be  
11 appointed for 3 years, 4 for 2 years and 3 for one year. The  
12 members shall include individuals with training and experience in  
13 any of the following, or related fields: Environmental medicine;  
14 epidemiology; toxicology; human genetics; or biomedical research.  
15 The commissioner shall appoint the ~~chairman~~ chair of the  
16 committee. Members of the committee shall be compensated  
17 according to the provisions of Title 5, chapter 379. The  
18 committee shall meet at least once annually in Augusta.

19  
20 **Sec. 85. 22 MRSA §1693-A, sub-§1**, as amended by PL 1983, c.  
21 862, §69, is further amended to read:

22  
23 1. **Created.** The department shall establish a 7-member  
24 Scientific Advisory Panel as authorized by Title 5, section 12004  
25 12004-I, subsection 10 44 within the Bureau of Health. The  
26 commissioner shall appoint members of the panel from academic,  
27 medical, industrial or governmental occupations, who shall serve  
28 for 3-year terms, except that initially 3 members shall be  
29 appointed for 3 years, 2 members for 2 years and 2 members for  
30 one year. The commissioner shall consult with the Commissioner  
31 of Environmental Protection and may consult with other  
32 departments on the selection of panel members. Each member shall  
33 have professional expertise in a scientific discipline directly  
34 related to the study of health effects of hazardous pollutants,  
35 such as: Epidemiology, toxicology, genetic toxicology,  
36 biostatistics, oncology, respiratory medicine, industrial  
37 hygiene, occupational medicine and atmospheric chemistry. The  
38 commissioner shall determine the term of each appointee with the  
39 restrictions provided by this section. The commissioner shall  
40 appoint the ~~chairman~~ chair of the panel who shall ~~service~~ serve  
41 for a one-year term.

42 Panel members shall be compensated according to the provisions of  
43 Title 5, chapter 379.

44  
45 **Sec. 86. 22 MRSA §1693-A, sub-§2**, as amended by PL 1983, c.  
46 862, §70, is further amended to read:

47  
48 2. **Purpose and duties.** The purpose of this section is to  
49 establish a Scientific Advisory Panel as authorized by Title 5,  
50 section 12004 12004-I, subsection 10 44 within the Department of

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1 Human Services, Bureau of Health, which provides professional  
2 scientific peer review and advice in order to assist the  
3 Environmental Health Unit in carrying out its responsibilities in  
4 the Hazardous Air Pollution Program and other related duties  
5 regarding the public health impact of chemical hazards in the  
6 environment.

7  
8 The panel may review and evaluate potential health risks  
9 associated with pollutants other than those in the air. Requests  
10 for such a review shall be made to the Director of the Bureau of  
11 Health. If the director determines that the request is  
12 justified, the request shall be forwarded to the panel. The  
13 director may assess any reasonable costs to the party making the  
14 request.

15  
16 **Sec. 87. 22 MRSA §1696-H, sub-§1**, as enacted by PL 1987, c.  
17 763, §2, is amended to read:

18  
19 1. **Commission established.** The State Emergency Response  
20 Commission, as established by Title 5, section ~~12004~~ 12004-G,  
21 subsection 13-A, shall be responsible for overseeing the  
22 implementation of a comprehensive program of planning and  
23 training for effective emergency response to releases of  
24 hazardous chemicals. The commission is composed of 9 to 11  
25 members as follows:

26  
27 A. The Commissioner of Environmental Protection or the  
28 commissioner's designee;

29  
30 B. The Commissioner of Human Services or the commissioner's  
31 designee;

32  
33 C. The Director of the Division of Disease Control,  
34 Department of Human Services;

35  
36 D. The Commissioner of Transportation or the commissioner's  
37 designee;

38  
39 E. The Director of the Maine Emergency Management Agency,  
40 who shall serve as ~~chairman~~ chair;

41  
42 F. The Chief of the State Police;

43  
44 G. A representative, appointed by the Governor, of the  
45 Maine Fire Chiefs Association;

46  
47 H. A representative, appointed by the Governor, of  
48 municipal government; and

49  
50 I. A representative, appointed by the Governor, of private  
51 commerce and industry.

R. of S.

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1  
3  
5  
7  
9  
11  
13  
15  
17  
19  
21  
23  
25  
27  
29  
31  
33  
35  
37  
39  
41  
43  
45  
47  
49

The Governor may appoint up to 2 additional members to represent the general public. All members appointed by the Governor to serve on the commission shall serve for a term of 4 years.

**Sec. 88. 22 MRSA §2026, first ¶**, as amended by PL 1987, c. 211, §9, is further amended to read:

The Maine Medical Laboratory Commission, established by Title 5, section ~~12004~~ 12004-G, subsection 8 ~~18~~, shall consist of 11 members who are residents of the State. The commissioner of the department or a person appointed by him the commissioner shall be a member and is hereby designated and shall serve as the ~~chairman~~ chair. The Maine Osteopathic Association and the Maine Medical Association shall each nominate one person, which nominees shall be appointed to the commission by the Governor. The remaining 8 members shall be appointed by the Governor and 3 of these members shall be certified by the American Board of Pathology and one member shall be certified by the American Osteopathic Board of Pathology. If persons possessing such qualifications are unavailable or unable to serve, the Governor may substitute any allopathic physician licensed in the State in lieu of an individual certified by the American Board of Pathology and any osteopathic physician licensed by the State in lieu of the individual certified by the American Osteopathic Board of Pathology. Three members shall be public members who shall not derive any significant part of their income from the medical care industry. The remaining member shall be a technologist as defined in 42 Code of Federal Regulations, Chapter IV, Part 405.1315, Subpart M.

**Sec. 89. 22 MRSA §2096**, as repealed and replaced by PL 1983, c. 812, §126, is amended to read:

**§2096. Council**

The Maine Dental Health Council, established by Title 5, section ~~12004~~ 12004-I, subsection 10 ~~41~~, is created within the Department of Human Services.

**Sec. 90. 22 MRSA §3723, sub-§1**, as enacted by PL 1987, c. 402, Pt. A, §142, is amended to read:

1. **Establishment.** The Board of the Maine Children's Trust Fund is established pursuant to Title 5, section ~~12004~~ 12004-G, subsection 8 ~~16~~.

**Sec. 91. 22 MRSA §3773, sub-§1**, as repealed and replaced by PL 1985, c. 737, Pt. A, §54, is amended to read:

R. of S.

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1 1. Committee established. The Maine Aid to Families with  
2 Dependent Children Coordinating Committee established by Title 5,  
3 section 12004 12004-I, subsection 10 35, shall consist of the  
4 Commissioner of Human Services, the Commissioner of Labor and the  
5 Commissioner of Educational and Cultural Services or their  
6 designees.

7  
8 **Sec. 92. 22 MRSA §3773, sub-§3, ¶C,** as repealed and replaced by  
9 PL 1985, c. 737, Pt. A, §55, is amended to read:

11 C. Establishment of ~~an--advisory--council~~ the Advisory  
12 Council to Maine Aid to Families with Dependent Children  
13 Coordinating Committee, authorized by Title 5, section 12004  
14 12004-I, subsection 10 36;

15  
16 **Sec. 93. 22 MRSA §5313, sub-§1,** as amended by PL 1983, c. 812,  
17 §134, is further amended to read:

18  
19 1. Council established. There shall be within State  
20 Government the Maine Human Services Council, as established by  
21 Title 5, section 12004 12004-J, subsection 11 3. The council  
22 shall be an independent board, separate and distinct from any  
23 other organizational unit of State Government.

24  
25 **Sec. 94. 22 MRSA §7107,** as amended by PL 1983, c. 812, §136,  
26 is further amended to read:

27 **§7107. Maine Council on Alcohol and Drug Abuse Prevention and**  
28 **Treatment**

29  
30  
31 The Maine Council on Alcohol and Drug Abuse Prevention and  
32 Treatment, established by Title 5, section 12004 12004-I,  
33 subsection 10 39, in this chapter shall be referred to as the  
34 "council." The council may appoint from its membership  
35 subcommittees relating to particular problem areas or to other  
36 matters, provided that by January 1, 1975, the council shall  
37 function as an integrated committee. The planning committee shall  
38 provide the council any administrative or financial assistance  
39 that from time to time may be reasonably required to carry out  
40 its activities. Any reasonable and proper expenses of the council  
41 shall be borne by the planning committee out of currently  
42 available state or federal funds. The Maine Commission on Drug  
43 Abuse, as heretofore established by Title 5, chapter 317, as  
44 amended, and the advisory councils on alcoholism as heretofore  
45 established in the department and by section 1367, shall, by this  
46 chapter and implementation of it, be reconstituted and unified  
47 into a single unit.

48  
49 **Sec. 95. 22 MRSA §7207, sub-§1,** as amended by PL 1987, c. 773,  
50 §§11 and 12, is further amended to read:

51

K. O. S.

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1           1. The Driver Education Evaluation Program Appeals Board.  
The Driver Education Evaluation Program Appeals Board,  
3 established by Title 5, section ~~12004~~ 12004-G, subsection 8 15-A,  
shall be referred to as the "board" in this chapter.

5           **Sec. 96. Repeal date.** The Maine Revised Statutes, Title 22,  
7 section 7207, as amended by this Act, is repealed on August 1,  
1990.

9           **Sec. 97. 22 MRSA §8154**, as repealed and replaced by PL 1987,  
11 c. 432, §3, is amended to read:

13   **§8154. Residential Treatment Centers Advisory Group**

15           The Residential Treatment Centers Advisory Group, as  
established by Title 5, section ~~12004~~ 12004-I, subsection 10 65,  
17 shall consist of a representative from each residential treatment  
center and 2 members who represent community mental health  
19 services. Additional members may be added at the request of the  
Children's Residential Treatment Committee. All members shall be  
21 selected annually by July 1st by the committee. The committee  
shall meet with the advisory group at least 4 times each year to  
23 review rate and placement policies and procedures.

25           **Sec. 98. 23 MRSA §152, first ¶**, as repealed and replaced by PL  
1987, c. 395, Pt. A, §92, is amended to read:

27           The State Claims Commission, established by Title 5, section  
29 ~~12004~~ 12004-B, subsection 3 5, shall consist of 5 members. Four  
of the members shall be appointed by the Governor, 2 of whom  
31 shall be qualified appraisers and 2 of whom shall be  
attorneys-at-law. The Governor shall designate one of the  
33 attorneys-at-law to be ~~chairman~~ chair. The members of the  
commission appointed by the Governor shall serve for terms of 4  
35 years. They shall be sworn, and for inefficiency, willful neglect  
of duty or for malfeasance in office may, after notice and  
37 hearing, be removed by the Governor on the address of both  
branches of the Legislature or by impeachment. In case of a  
39 vacancy occurring through death, resignation or removal, the  
Governor shall appoint a successor for the whole term of the  
41 member whose place he that successor takes, subject to removal as  
provided in this section.

43           **Sec. 99. 23 MRSA §1904, sub-§1**, as amended by PL 1983, c. 812,  
45 §140, is further amended to read:

47           1. **Creation.** The Travel Information Advisory Council,  
established by Title 5, section ~~12004~~ 12004-I, subsection 10 86,  
49 shall advise the commissioner with respect to the administration  
of this chapter. The commissioner shall cooperate with the  
51 council by providing necessary assistance.

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1  
3  
5  
7  
9  
11  
13  
15  
17  
19  
21  
23  
25  
27  
29  
31  
33  
35  
37  
39  
41  
43  
45  
47  
49  
51

Sec. 100. 23 MRSA §1965, sub-§1, as amended by PL 1987, c. 793, Pt. A, §7, is further amended to read:

1. Powers. The Maine Turnpike Authority, as created by Private and Special Law 1941, chapter 69 and as authorized by Title 5, section ~~12004~~ 12004-F, subsection 7 4, is and shall continue to be a body both corporate and politic in the State and may:

A. Sue and be sued;

B. Have a seal and alter the seal at pleasure;

C. Adopt from time to time and amend bylaws covering its procedure and rules governing use of the turnpike and any of the other services made available in connection with the turnpike; develop and adopt, in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, rules governing the use of the turnpike and other services; publish those bylaws, rules as publication is necessary or advisable; and cause records of its proceedings to be kept;

D. Construct, maintain, reconstruct and operate a toll turnpike from a point at or near York in York County to a point at or near Augusta in Kennebec County, except that the traveled way shall not be widened or expanded beyond 3 lanes for each direction of travel from Exit 1 to and including Exit 6A and beyond 2 lanes for each direction of travel elsewhere on the turnpike without the express approval of the Legislature;

E. Acquire, hold and dispose of personal property for its purposes;

F. Acquire in the name of the authority by purchase, eminent domain, lease or otherwise, real property and rights or easements therein deemed by it necessary or desirable for its purposes, and use that property;

G. Acquire any such real property by the exercise of the power of eminent domain in the manner provided by section 1967;

H. Charge and collect fees, fares and tolls for the use of the turnpike and other services made available in connection with the turnpike and use the proceeds of such fees, fares and tolls for the purposes provided in this chapter, both as subject to and in accordance with such agreement with bondholders as may be made as provided in this chapter;

R. 1019

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

- 1 I. Make contracts with the United States or any  
2 instrumentality or agency of the United States, this State  
3 or any of its agencies or instrumentalities, municipalities,  
4 public corporations, or bodies existing therein, private  
5 corporations, partnerships, associations and individuals;
  
- 7 J. Accept grants and the cooperation of the United States  
8 or any agency thereof in the construction, maintenance,  
9 reconstruction, operation and financing of the turnpike and  
10 do any and all things necessary in order to avail itself of  
11 that aid and cooperation and repay any such grant or portion  
12 thereof;
  
- 13 K. Employ such assistants, agents and servants,  
14 engineering, traffic, architectural and construction experts  
15 and inspectors and attorneys and such other employees as it  
16 deems necessary or desirable for its purposes;
  
- 19 L. Exercise any of its powers in the public domain of the  
20 United States, unless the exercise of those powers is not  
21 permitted by the laws of the United States;
  
- 23 M. Borrow money, make, issue and sell at public or private  
24 sale negotiable notes, bonds and other evidences of  
25 indebtedness or obligations of the authority for the  
26 purposes set forth in this chapter and secure the payment of  
27 that obligation or any part thereof by pledge of all or any  
28 part of the operating revenues of the turnpike;
  
- 29 N. Enter into loan or security agreements with one or more  
30 lending institutions, including, but not limited to, banks,  
31 insurance companies and pension funds, or trustees for those  
32 institutions for purposes for which bonds may be issued and  
33 to exercise with respect to such loan or security agreements  
34 all of the powers delineated in this chapter for the  
35 issuances of bonds;
  
- 37 O. Provide an annual amount not to exceed a maximum of  
38 \$8,700,000 subject to the limitations in section 1961 as the  
39 department shall request and the authority shall determine  
40 pursuant to section 1974, subsection 4, to be necessary for  
41 the use of the department each year for the construction,  
42 operation and maintenance of access roads and costs related  
43 thereto, after money has been set aside or adequate  
44 provision has been made, to pay operating expenses and to  
45 meet the requirements of any resolution authorizing bonds of  
46 the authority;
  
- 49 P. Provide from revenues to or for the use of the  
50 department funds for the maintenance, construction or  
51 reconstruction of interchanges determined pursuant to

11 of 13

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1 section 1974, subsection 3, for which the authority has not  
3 otherwise provided;

5 Q. Use toll revenues to provide payment of obligations, if  
7 any, as may be due to the United States in order to continue  
9 the use of the turnpike as a toll type facility;

11 R. Issue revenue bonds in accordance with this chapter for  
13 the purpose of payment to the Federal Government for any  
15 funds owed by the State as the result of maintaining tolls  
17 on the turnpike and issue additional revenue bonds for the  
19 construction and reconstruction of interchanges and related  
21 access roads and the reconstruction of the turnpike. The  
23 additional revenue bonds so issued shall not exceed the  
25 amount set forth in section 1968, subsection 1;

27 S. Prior to the issuance of any bonds, ~~the authority may~~  
29 issue interim certificates in such manner and with such  
31 conditions as the authority may determine to be exchanged  
33 for those bonds when issued; and

35 T. Take all other lawful action necessary and incidental to  
37 these powers.

39 **Sec. 101. 23 MRSA §4261**, as enacted by PL 1987, c. 769, Pt.  
41 A, §86, is amended to read:

43 **§4261. Commission**

45 The Maine Transportation Capital Improvement Planning  
47 Commission, as established in Title 5, section ~~12004~~ 12004-I,  
49 subsection ~~10~~ 85, shall be within the Department of  
51 Transportation.

53 **Sec. 102. 23 MRSA §4301**, as amended by PL 1983, c. 812, §145,  
55 is further amended to read:

57 **§4301. Board established**

59 The Maine State Ferry Advisory Board, established by Title  
61 5, section ~~12004~~ 12004-I, subsection ~~10~~ 82, and in this section  
63 called "the board," shall be a board within the Department of  
65 Transportation.

67 **Sec. 103. 23 MRSA §4420**, as amended by PL 1983, c. 812, §146,  
69 is further amended to read:

71 **§4420. Purpose**

73 The Maine Port Authority, as established by Title 5, section  
75 ~~12004~~ 12004-F, subsection ~~7~~ g, is constituted a public agency of



COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1 the State for the general purpose of acquiring, constructing and  
2 operating any kind of port terminal facility within the State  
3 with all the rights, privileges and power necessary. Oil  
4 pipelines and other oil off-loading facilities shall be limited  
5 to sites in Portland harbor.

7 **Sec. 104. 24 MRSA §2325-B, sub-§1**, as enacted by PL 1987, c.  
8 480, §3, is amended to read:

9  
10 **1. Appointment; membership.** The Mandated Benefits Advisory  
11 Commission, as established by Title 5, section ~~12004~~ 12004-I,  
12 subsection ~~10~~ 50, shall be comprised of 11 members to be  
13 appointed by the Governor within 90 days of the effective date of  
14 this legislation. The Governor shall notify the President of the  
15 Senate, the Speaker of the House of Representatives and the  
16 Executive Director of the Legislative Council of the appointment  
17 as soon as they are made.

18 The membership shall include the following:

21 A. Two health insurance consumers who are not otherwise  
22 affiliated with the provision or financing of health care;

23 B. One representative of a labor organization;

25 C. One representative of a commercial health insurance  
26 company;

27 D. One representative of a nonprofit hospital or medical  
28 service organization;

30 E. One representative of a licensed alcohol and substance  
31 abuse treatment program;

32 F. One representative of a licensed mental health treatment  
33 program;

34 G. One representative of small business;

35 H. One representative of a major industry and business  
36 trade association;

37 I. One physician; and

38 J. One representative of the hospital industry.

39  
40 **Sec. 105. 25 MRSA §2801, first ¶**, as amended by PL 1983, c. 812,  
41 §151, is further amended to read:

42  
43 There is created within the Department of Public Safety a  
44 law enforcement and criminal justice training facility to be  
45

R. of S.

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1 known as the "Maine Criminal Justice Academy," as authorized by  
2 Title 5, section 12004 12004-C, subsection 8 5, which shall be  
3 established at some convenient and suitable place in the Augusta  
4 area.

5  
6 **Sec. 106. 25 MRSA §2902, sub-§4**, as repealed and replaced by  
7 PL 1987, c. 769, Pt. A, §104 and Pt. B, §6, is amended to read:

8  
9 **4. Maine Highway Safety Commission.** The Maine Highway  
10 Safety Commission, as authorized by Title 5, section 12004  
11 12004-I, subsection 10 83, shall be under the direction of the  
12 Commissioner of Public Safety and advisory to the Governor. The  
13 commission shall consist of not more than 25 members selected by  
14 the Governor from state, civic and industrial organizations and  
15 individuals with interests relating to highway safety. The  
16 Commissioner of Public Safety, the Commissioner of  
17 Transportation, the Commissioner of Human Services and the  
18 Commissioner of Educational and Cultural Services, the Secretary  
19 of State and the Attorney General shall serve as ex officio  
20 members. The ex officio members shall appoint persons in major  
21 policy-influencing positions as their designees to represent them  
22 at meetings of the commission with voting privileges. The  
23 commission members shall serve at the pleasure of the Governor  
24 and shall be compensated in accordance with Title 5, chapter  
25 379. The commission shall stimulate active support for highway  
26 safety measures and programs and shall advise the Department of  
27 Public Safety regarding these issues. The commission shall  
28 annually report its findings and recommendations, including any  
29 necessary implementing legislation, to the Governor and to the  
30 joint standing committee of the Legislature having jurisdiction  
31 over state and local government; and

32  
33 **Sec. 107. 25 MRSA §2925, first ¶**, as enacted by PL 1987, c. 840,  
34 §3, is amended to read:

35  
36 Beginning January 1, 1989, the E-9-1-1 Advisory Committee,  
37 established in Title 5, section 12004 12004-I, subsection 74-A,  
38 shall advise and assist the department in the implementation of  
39 the E-9-1-1 system.

40  
41 **Sec. 108. 26 MRSA §171**, as amended by PL 1983, c. 812, §155,  
42 is further amended to read:

43 **§171. Board of Boiler Rules**

44  
45 The board of appeals, heretofore created, shall be known as  
46 the "Board of Boiler Rules," as established by Title 5, section  
47 12004 12004-A, subsection 1 7, and shall consist of 7 members, 6  
48 of whom shall be appointed by the director, with the approval of  
49 the Governor. At the expiration of their respective terms of  
50 office their successors shall be appointed for terms of 4 years  
51

R. of S.

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1 each. In the event of a vacancy by reason of the death or  
2 resignation of any of the appointed members, or otherwise, the  
3 director shall fill such vacancy for the remainder of the term  
4 with a representative of the same class. Of these 6 appointed  
5 members, 2 shall be representatives of labor within this State  
6 who are boilermakers or have boiler licenses, one shall be a  
7 representative of the owners and users of steam boilers within  
8 this State, one a representative of the boiler manufacturers  
9 within this State, one a representative of the operating steam  
10 engineers in this State and one a representative of a boiler  
11 inspection and insurance company licensed to do business within  
12 the State. The 7th member shall be the director, who shall be  
13 ~~chairman~~ chair of the board. The board shall meet at least twice  
14 yearly at the State Capitol or other place designated by the  
15 board.

17 **Sec. 109. 26 MRSA §968, sub-§1**, as amended by PL 1983, c. 812,  
18 §162, is further amended to read:

19

20 1. **Maine Labor Relations Board.** The Maine Labor Relations  
21 Board established by Title 5, section ~~12004~~ 12004-B, subsection  
22 4- 2, shall consist of 3 members and 6 alternates to be appointed  
23 by the Governor, subject to review by the ~~Joint--Standing~~  
24 ~~Committee-on-Labor~~ joint standing committee of the Legislature  
25 having jurisdiction over labor matters and to confirmation by the  
26 Legislature. The Governor, in making his appointments, shall name  
27 one member and 2 alternates to represent employees, one member  
28 and 2 alternates to represent employers and one member and 2  
29 alternates to represent the public. The member representing the  
30 public shall be the board's ~~chairman~~ chair and the alternate  
31 representing the public shall be an alternate ~~chairman~~ chair.  
32 Members of the board shall be compensated according to the  
33 provisions of Title 5, chapter 379. The alternates shall be  
34 compensated at the same per diem rate as the member that the  
35 alternate replaces. The term of each member and each alternate  
36 shall be for a period of 4 years; provided that of the members  
37 and alternates first appointed, one member and 2 alternates shall  
38 be appointed for a period of 4 years, one member and 2 alternates  
39 shall be appointed for a period of 3 years and one member and 2  
40 alternates shall be appointed for a period of 2 years. The  
41 members of the board, its alternates and its employees shall  
42 receive necessary expenses. The executive director and legal or  
43 professional personnel employed by the board shall be members of  
44 the unclassified service.

45

46 **Sec. 110. 26 MRSA §1002, first ¶**, as amended by PL 1983, c. 812,  
47 §163, is further amended to read:

48 The State Apprenticeship and Training Council, as  
49 established by Title 5, section ~~12004~~ 12004-G, subsection ~~8~~ 25,  
50 shall be composed of 11 members to be appointed by the Governor

R. of S

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1 and made up as follows: 4 members shall be representatives of  
 2 employees and shall be bona fide members of a recognized major  
 3 labor organization; 4 members shall be representatives of  
 4 employers and shall be bona fide employers or authorized  
 5 representatives of bona fide employers; and 3 members shall be  
 6 representatives of the public and shall be selected from neither  
 7 industrial employers nor employees, nor shall they be directly  
 8 concerned with any particular industrial employer or employee.  
 9 The appointments shall be made so that the term of one member of  
 10 each group shall expire each year. Each member shall hold office  
 11 until his a sucessor is appointed and qualified, and any vacancy  
 12 shall be filled by appointment for the unexpired portion of the  
 13 term. The chairman chair and secretary of the council shall be  
 14 named by the members of the council and the chairman chair shall  
 15 be a member of the council. The Associate Commissioner of  
 16 Vocational Education, the Director of the Bureau of Labor  
 17 Standards and the Commissioner of Labor shall be ex officio  
 18 members of the council without vote. The members of the council  
 19 shall be compensated according to the provisions of Title 5,  
 20 chapter 379.

21 **Sec. 111. 26 MRSA §1082, sub-§5,** as amended by PL 1983, c.  
 22 812, §164, is further amended to read:

23  
 24  
 25 5. **Advisory council.** The Commissioner of Labor shall  
 26 appoint a state advisory council, as established by Title 5,  
 27 section ~~12004~~ 12004-I, subsection ~~10 53~~, consisting of not more  
 28 than 9 members composed of an equal number of employer  
 29 representatives and employee representatives who may fairly be  
 30 regarded as representative because of their vocation, employment  
 31 or affiliations and an equal number of members representing the  
 32 general public. ~~Sueh~~ The council shall meet no less than 4 times  
 33 a year and shall aid the commissioner in formulating policies and  
 34 discussing problems related to the administration of this chapter  
 35 and in assuring impartiality and freedom from political influence  
 36 in the solution of such problems. The advisory council may also  
 37 make recommendations to the Legislature for such changes in this  
 38 chapter as in their opinion will aid in accomplishing the  
 39 objectives of this chapter. Each member of the advisory council  
 40 shall be compensated according to the provisions of Title 5,  
 41 chapter 379.

42 **Sec. 112. 26 MRSA §1604, sub-§1,** as amended by PL 1983, c.  
 43 812, §166, is further amended to read:

44  
 45  
 46 1. **Membership.** The Displaced Homemakers Advisory Council,  
 47 established by Title 5, section ~~12004~~ 12004-I, subsection ~~10 54~~,  
 48 and in this chapter called the "council," shall be composed of  
 49 the following individuals:

50  
 51 A. The Commissioner of Labor or the commissioner's  
 designee; and

1  
2 B. Nine individuals who have experience with the problems  
3 of displaced homemakers, career counseling or adult  
4 vocational education. The members shall be appointed by the  
5 Governor. The council shall elect its own chairman chair.

7 **Sec. 113. 27 MRSA §82**, as amended by PL 1983, c. 812, §167,  
8 is further amended to read:

9  
10 **§82. Maine State Museum Commission**

11  
12 The Governor shall appoint a Maine State Museum Commission,  
13 as established by Title 5, section 12004 12004-G, subsection 8  
14 10, consisting of 15 members especially qualified and interested  
15 in the several fields of museum activity. Of those members first  
16 appointed, 5 shall be appointed for terms of 2 years, 5 for 4  
17 years and 5 for 6 years. Their successors shall be appointed for  
18 6 years. Each member shall serve for the term of his the  
19 appointment and thereafter until his a successor is appointed and  
20 qualified. In case of the termination of a member's service  
21 during his the term, the Governor shall appoint a successor for  
22 the unexpired term. Members shall be compensated according to the  
23 provisions of Title 5, chapter 379.

25 **Sec. 114. 27 MRSA §111, sub-§1**, as amended by PL 1983, c. 812,  
26 §168, is further amended to read:

27  
28 1. **Maine Library Commission.** There shall be created within  
29 the Department of Educational and Cultural Services a library  
30 commission which shall be designated as the Maine Library  
31 Commission, as established by Title 5, section 12004 12004-I,  
32 subsection 10 14. It shall consist of 15 members appointed by the  
33 Governor. The library commission shall be broadly representative  
34 of the state's libraries and shall consist of a representative  
35 from public, school, academic, special, institutional and  
36 handicapped libraries, a trustee representative, one  
37 representative from each of the library districts as they are  
38 formed and 3 representatives from the State at large of whom one  
39 shall be representative of the disadvantaged.

41 The term of each appointed member shall be 5 years or until his a  
42 successor is appointed and qualified. Of the members first  
43 appointed, 3 shall be for one year, 3 for 2 years, 3 for 3 years,  
44 3 for 4 years and 3 for 5 years. Subsequent appointments shall be  
45 for the full term of 5 years. No members shall may serve more  
46 than 2 successive terms. In the case of a vacancy other than the  
47 expiration of a term, the appointment of a successor shall be  
48 made in like manner for the balance of the term.

49  
50 In addition to the 15 appointed members, the directors of the  
51 area reference and resource centers shall serve as permanent,  
nonvoting ex officio members of the Maine Library Commission.

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1 The commission shall meet at least 4 times a year. It shall elect  
3 a chairman chair for a term of 2 years and frame and modify  
5 bylaws for its internal organization and operation. The State  
7 Librarian shall serve as secretary to the commission. The members  
of the commission shall be compensated according to the  
provisions of Title 5, chapter 379.

9 **Sec. 115. 27 MRSA §401**, as amended by PL 1985, c. 763, Pt. A,  
11 §81, is further amended to read:

13 **§401. Commission**

15 A state commission, to be known as the "Maine Arts  
17 Commission," as established by Title 5, section ~~12004~~ 12004-G,  
19 subsection ~~10 9~~, shall consist of not less than 15 nor more than  
21 members, each of whom shall have a continuing interest in the  
23 fields of art and culture in the State, to be appointed by the  
Governor from among citizens of Maine. In making such  
appointments, due consideration shall be given to the  
21 recommendations made by representative civic, educational and  
professional associations and groups concerned with or engaged in  
artistic and cultural fields generally.

25 **Sec. 116. 27 MRSA §501**, as amended by PL 1983, c. 812, §171,  
27 is further amended to read:

29 **§501. Declaration of policy**

31 The Legislature declares it is the policy of the State that  
33 in order to preserve the architectural, historic and  
35 environmental heritage of the people of the State, and to develop  
and promote the cultural, educational and economic benefits of  
these resources, the Maine Historic Preservation Commission, as  
established by Title 5, section ~~12004~~ 12004-I, subsection ~~10 13~~,  
shall work to implement this policy.

37 **Sec. 117. 28-A MRSA §51, sub-§1**, as enacted by PL 1987, c. 45,  
39 Pt. A, §4, is amended to read:

41 1. **Administration by commission.** The State Liquor  
43 Commission, as established by Title 5, section ~~12004~~ 12004-E,  
subsection ~~6 3~~, shall administer the state liquor laws.

45 **Sec. 118. 32 MRSA §59**, as enacted by PL 1985, c. 297, is  
47 amended to read:

49 **§59. Temporary licenses**

51 If a person holds a valid license issued by an occupational  
or professional licensing board established in Title 5, section

R. of S.

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1 ~~12004,--subsection-1,--paragraph-A~~ 12004-A, at the time of his  
3 initial enlistment in the United States Armed Forces and the  
license lapses during the licensee's initial enlistment, that  
5 person may obtain a temporary license if he that person meets all  
requirements for issuance of that license except examination by  
7 payment of a \$5 fee, provided that his the application for the  
temporary license is made not later than 90 days after the date  
9 of his discharge. This temporary license shall continue in force  
until the results of the next licensing examination are  
11 available. The terms of this section shall apply notwithstanding  
any contrary provision contained in the statutes governing these  
licensing boards.

13  
15 **Sec. 119. 32 MRSA §63-A, sub-§1**, as enacted by PL 1985, c.  
233, §6, is amended to read:

17 1. Membership. The Nursing Home Administrators Licensing  
19 Board, as established by Title 5, section ~~12004~~ 12004-A,  
subsection ~~1,--paragraph-A,--subparagraph-(22)~~ 23, shall consist of  
21 7 members appointed by the Governor. The members shall be  
citizens of the United States and residents of this State. One  
23 member shall be a hospital administrator with not less than 5  
years of active practice in the State as a hospital  
25 administrator. One member shall be a registered nurse with not  
less than 5 years of active practice in nursing homes in the  
27 State. Two members shall be ~~a-representative~~ representatives  
of the public. Three members shall be administrators of nursing  
29 homes with not less than 5 years of active experience in the  
State.

31 **Sec. 120. 32 MRSA §88, first ¶**, as amended by PL 1985, c. 730,  
§§12 and 16, is further amended to read:

33 The Emergency Medical Services' Board, as established by  
35 Title 5, section ~~12004~~ 12004-A, subsection ~~10~~ 15, shall be  
responsible for the emergency medical services' program.

37  
39 **Sec. 121. 32 MRSA §211, first ¶**, as amended by PL 1987, c. 395,  
Pt. A, §108, is further amended to read:

41 The Maine State Board for Licensure of Architects and  
Landscape Architects, as established by Title 5, section ~~12004~~  
43 12004-A, subsection ~~1~~ 4, shall administer this chapter. The  
board shall consist of 8 members appointed by the Governor, of  
45 which 5 shall be licensed and practicing architects, one of whom  
may be a professor of architecture; 2 shall be registered and  
47 practicing landscape architects; and one shall be a  
representative of the public.

49  
51 **Sec. 122. 32 MRSA §271, first ¶**, as repealed and replaced by PL  
1985, c. 748, §30, is amended to read:

1  
3  
5  
7  
9  
11  
13  
15  
17  
19  
21  
23  
25  
27  
29  
31  
33  
35  
37  
39  
41  
43  
45  
47  
49  
51

The Board of Licensing of Auctioneers, as established by Title 5, section ~~12004~~ 12004-A, subsection ~~4~~ 5, shall be composed of 3 members, 2 of whom shall be auctioneers and one of whom shall be a public member. Members shall be compensated according to Title 5, chapter 379.

**Sec. 123. 32 MRSA §351, sub-§1**, as amended by PL 1987, c. 395, Pt. A, §127, is further amended to read:

**1. Membership.** The State Board of Barbers, as established by Title 5, section ~~12004~~ 12004-A, subsection ~~4~~ 6, and in this chapter designated as the "board," shall consist of 4 members who shall be citizens of this State, 3 of whom shall have been engaged in the practice of barbering for at least 3 years immediately prior to their appointment and one of whom shall be a representative of the public.

The 4 members of the board shall be appointed by the Governor and their terms shall be for 3 years. None of them shall ~~may~~ be eligible to serve more than 3 consecutive 3-year terms. The barber members shall at all times be licensed barbers.

Any vacancy in the board shall be filled by the appointment by the Governor of a person to hold office during the unexpired term. The person appointed shall be qualified in the same manner as the board member being replaced. No person operating or employed by a school of barbering may be appointed as a member of the board. If any member of the board, after appointment, shall become affiliated in any way with any such school, that person's membership on the board shall immediately terminate and the unexpired term of that member shall be filled by the Governor.

**Sec. 124. 32 MRSA §501**, as amended by PL 1983, c. 812, §198, is further amended to read:

**§501. Membership; qualifications; term; removal**

The Board of Chiropractic Examination and Registration, as established by Title 5, section ~~12004~~ 12004-A, subsection ~~4~~ 8, and in this chapter called the "board," shall consist of 6 persons, who shall be appointed by the Governor. Said persons shall be residents of this State, 5 shall be graduates of a legally chartered chiropractic school, college or university having the power to confer degrees in chiropractic and shall have been at the time of their appointment actively engaged in the practice of their profession for a period of at least 3 years in this State and one shall be a representative of the public. Each appointment shall be for the period of 5 years as the terms of the present members expire. Any vacancy in said board caused by death, resignation or for any other cause, except completion of a



1 full term of service, shall be filled by the like appointment of  
2 a person qualified as aforesaid to hold office during the  
3 unexpired term of the member whose place he that person fills.  
4 Any member of said board may be removed from office for cause by  
5 the Governor.

7 **Sec. 125. 32 MRSA §1151, first ¶**, as amended by PL 1987, c. 735,  
8 §50, is further amended to read:

9  
10 The Electricians' Examining Board, as established by Title  
11 5, section 12004 12004-A, subsection 1 13, and in this chapter  
12 called the "board," shall consist of 6 members appointed by the  
13 Governor, called the "appointive members," and the Commissioner  
14 of Professional and Financial Regulation or a representative  
15 appointed by the commissioner.

17 **Sec. 126. 32 MRSA §1301, first ¶**, as amended by PL 1983, c. 812,  
18 §204, is further amended to read:

19  
20 The State Board of Registration for Professional Engineers,  
21 as established by Title 5, section 12004 12004-A, subsection 1  
22 16, shall administer this chapter. The board shall consist of 6  
23 members appointed by the Governor, of which 5 shall be  
24 professional engineers who have the qualifications required by  
25 section 1302 and one shall be a representative of the public.  
26 Nominees for appointment may be recommended to the Governor by  
27 representative engineering societies in the State.

29 **Sec. 127. 32 MRSA §1451, first ¶**, as amended by PL 1983, c. 812,  
30 §206, is further amended to read:

31  
32 The State Board of Funeral Service, as established by Title  
33 5, section 12004 12004-A, subsection 1 18, and in this chapter  
34 called the "board," shall consist of 7 members, 6 of whom shall  
35 be persons licensed for the practice of funeral service for 10  
36 consecutive years or who have had 10 consecutive years'  
37 experience as an embalmer or funeral director in this State  
38 immediately preceding their appointment and one of whom shall be  
39 a representative of the public. Members shall be appointed by the  
40 Governor for a term of 4 years, except that no more than 2  
41 members' terms may expire in any one calendar year and  
42 appointments for terms of less than 4 years may be made in order  
43 to comply with this limitation. Upon expiration of a member's  
44 term, he that member shall serve until his a successor is  
45 qualified and appointed. The successor's term shall be 4 years  
46 from the date of the expiration, regardless of the date of his  
47 appointment. Any vacancy in the board shall be filled by  
48 appointment of a person, qualified as was the board member being  
49 replaced, to hold office during the unexpired term. No person  
may be eligible to serve more than 2 full consecutive terms,

R. of S.

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1 provided that for this purpose only a period actually served  
2 which exceeds 1/2 of the 4-year term shall be deemed a full  
3 term. A board member may be removed by the Governor for cause.

5 **Sec. 128. 32 MRSA §1601, sub-§1**, as amended by PL 1987, c.  
6 395, Pt. A, §150, is further amended to read:

7  
8 1. **Membership.** The State Board of Cosmetology, as  
9 established by Title 5, section ~~12004~~ 12004-A, subsection ~~1~~ 9,  
10 and in this chapter designated as the "board," shall consist of 7  
11 members who shall be citizens of this State, 5 of whom shall have  
12 been engaged in the practice of cosmetology for at least 3 years  
13 immediately prior to their appointment and one of whom shall be a  
14 representative of the public.

15  
16 The members of the board shall be appointed by the Governor and  
17 their terms shall be for 3 years. None of them may be eligible to  
18 serve more than 3 consecutive 3-year terms or to serve more than  
19 9 years consecutively, provided that for this purpose only a  
20 period actually served which exceeds 1/2 of the 3-year term shall  
21 be deemed a full term. Upon expiration of a member's term, he  
22 that member shall serve until ~~his~~ a successor is qualified and  
23 appointed. The successor's term shall be 3 years from the date  
24 of the expiration, regardless of the date of ~~his~~ appointment. The  
25 cosmetologist members shall at all times be registered  
26 cosmetologists and shall be actively engaged in the practice  
27 during their membership on the board. A board member may be  
28 removed by the Governor for cause.

29  
30 Any vacancy in the board shall be filled by the appointment by  
31 the Governor of a person, qualified as was the board member being  
32 replaced, to hold office during the unexpired term of the member  
33 whose place is thus filled.

34  
35 No person operating or employed by a school of cosmetology may be  
36 appointed as a member of the board. If any member of the board,  
37 after appointment, shall become affiliated in any way with any  
38 such school, that person's membership on the board shall  
39 immediately terminate and the unexpired term of that member shall  
40 be filled by the Governor.

41  
42 **Sec. 129. 32 MRSA §1658, sub-§1**, as amended by PL 1983, c.  
43 812, §209, is further amended to read:

44  
45 1. **Board.** "Board" means the Board of Hearing Aid Dealers  
46 and Fitters, as established by Title 5, section ~~12004~~ 12004-A,  
47 subsection ~~1~~ 20.

48  
49 **Sec. 130. 32 MRSA §1660-A, sub-§1**, as amended by PL 1983, c.  
50 812, §210, is further amended to read:

51

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1 Board. The Board of Hearing Aid Dealers and Fitters is  
established by Title 5, section ~~12004~~ 12004-A, subsection ~~1~~ 20.

3  
5 **Sec. 131. 32 MRSA §1671, first ¶**, as amended by PL 1983, c. 812,  
§212, is further amended to read:

7 The State Board of Registration for Land Surveyors, as  
established by Title 5, section ~~12004~~ 12004-A, subsection ~~1~~ 21,  
9 shall administer this chapter. The board shall consist of 6  
members appointed by the Governor, of which 5 shall be land  
11 surveyors who have the qualifications required by section 1672  
and one shall be a representative of the public.

13  
15 **Sec. 132. 32 MRSA §2001, first ¶**, as amended by PL 1987, c. 735,  
§60, is further amended to read:

17 The Arborist Examining Board, as established by Title 5,  
section ~~12004~~ 12004-A, subsection ~~1~~ 2, within the Department of  
19 Professional and Financial Regulation and called "the board,"  
shall administer this chapter and shall consist of 6 members.  
21 The Governor shall appoint 6 members as follows: Two members  
shall be licensed commercial arborists, each of whom shall have  
23 been continuously engaged in practice as licensed commercial  
arborists for a period of 10 years prior to appointment; one  
25 member shall be a plant pathologist who is either on the state or  
University of Maine System staff and part of whose work is  
27 concerned with trees; one member shall be a representative of the  
public; one member, whose work is concerned partially with urban  
29 forestry, shall be appointed from the Bureau of Forestry; and one  
member, whose work is partially concerned with state registration  
31 of pesticides, shall be appointed from the Department of  
Agriculture, Food and Rural Resources.

33  
35 **Sec. 133. 32 MRSA §2151**, as amended by PL 1987, c. 195, §6,  
is further amended to read:

37 **§2151. Appointment; term; removal**

39 A State Board of Nursing, as established by Title 5, section  
~~12004~~ 12004-A, subsection ~~1~~ 25, shall consist of 9 members who  
41 shall be appointed by the Governor. Five members of the board  
shall be professional nurses. Two members shall be licensed  
43 practical nurses. One of the nurse members of the board must be  
a nurse who is currently practicing long-term care nursing. Two  
45 members shall be representatives of the public. Except to fill  
vacancies in unexpired terms, all appointments shall be for a  
47 term of 5 years after such appointment or until their successors  
have been duly appointed and qualified. No person may be  
49 eligible for more than one reappointment. Any vacancy on the  
board shall be filled for the unexpired term by the appointment  
51 of another member by the Governor. Any members of the board may  
be removed from office for cause by the Governor.

R. of S.

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1  
3  
5  
7  
9  
11  
13  
15  
17  
19  
21  
23  
25  
27  
29  
31  
33  
35  
37  
39  
41  
43  
45  
47  
49  
51

Sec. 134. 32 MRSA §2273, sub-§1, as amended by PL 1983, c. 862, §76, is further amended to read:

1. Establishment and membership. There is established with within the Department of ~~Business-Occupational--and~~ Professional and Financial Regulation, in accordance with Title 5, section ~~12004~~ 12004-A, subsection ~~1~~ 26, a Board of Occupational Therapy Practice. The board shall consist of 5 members appointed by the Governor. The persons appointed to the board, other than the public member, must have been engaged in rendering occupational therapy services to the public, teaching or research in occupational therapy for at least 2 years immediately preceding their appointments. At least 3 board members shall be occupational therapists. The 4th member shall be either an occupational therapist or an occupational therapy assistant, if available. These members shall at all times be holders of valid licenses for the practice of occupational therapy in the State, except for the members of the first board, all of whom shall fulfill the requirements for licensure of this chapter. The remaining member shall be a representative of the public.

Sec. 135. 32 MRSA §2351, first ¶, as amended by PL 1987, c. 395, Pt. A, §169, is further amended to read:

An Oil and Solid Fuel Board, as established by Title 5, section ~~12004~~ 12004-A, subsection ~~1~~ 27, and in this chapter called the "board," shall consist of the Commissioner of Professional and Financial Regulation or a representative appointed by the commissioner, the Commissioner of Public Safety or a representative and 5 other members, called in this chapter the "appointive members," who shall be appointed by the Governor.

Sec. 136. 32 MRSA §2415, as amended by PL 1983, c. 812, §220, is further amended to read:

§2415. Appointment; tenure; vacancies; removal

The State Board of Optometry, as established by Title 5, section ~~12004~~ 12004-A, subsection ~~1~~ 28, and in this chapter called the "board," shall consist of 6 persons appointed by the Governor. Five of such persons shall have been resident optometrists engaged in the actual practice of optometry in this State for a period of at least 5 years prior to their appointment and one of such persons shall be a consumer member who shall be a resident of this State and shall have no pecuniary interest in optometry or in the merchandising of optical products. They shall be appointed for terms as the terms of the present members expire, so that eventually the term of one member shall expire each year and each shall hold office for a term of 5 years and until his a successor is appointed and qualified. Any vacancy in

1 said board shall be filled by the appointment of a person,  
2 qualified as aforesaid, to hold office during the unexpired term  
3 of the member whose place he-fills is filled. Any member of said  
4 board may be removed from office for cause by the Governor. The  
5 board shall have a common seal.

7 **Sec. 137. 32 MRSA §2561**, as amended by PL 1983, c. 812, §222,  
8 is further amended to read:

9 **§2561. Membership; qualifications; tenure; vacancies**

11 The Board of Osteopathic Examination and Registration, as  
12 established by Title 5, section 12004 12004-A, subsection 1 29,  
13 and in this chapter called the "board," shall consist of 6  
14 persons appointed by the Governor. Said persons shall be  
15 residents of this State. Five of said persons shall be graduates  
16 of a legally chartered college of osteopathic medicine or  
17 university having the power to confer degrees in osteopathic  
18 medicine and shall have been at the time of their appointment  
19 actively engaged in the practice of their profession in Maine for  
20 a period of at least 5 years, and one of said persons shall be a  
21 representative of the public. Each appointment shall be for a  
22 period of 5 years as the terms of the present members expire. Any  
23 vacancy in said board caused by death, resignation or for any  
24 other cause, except completion of a full term of service, shall  
25 be filled by the appointment of a person qualified as was the  
26 member whose place he-fills is filled to hold office during the  
27 unexpired term of such member. Any member of said board may be  
28 removed from office, for cause, by the Governor. Members of the  
29 board on October 4, 1973 shall continue in office to the date of  
30 expiration of their current terms.

33 **Sec. 138. 32 MRSA §3112, first ¶**, as repealed and replaced by PL  
34 1983, c. 812, §226, is amended to read:

35 The Board of Examiners in Physical Therapy, as established  
36 by Title 5, section 12004 12004-A, subsection 1 31, and within  
37 the Department of ~~Business,--Occupational--and~~ Professional and  
38 Financial Regulation, shall consist of 2 physical therapists, one  
39 physical therapist assistant, one physician and one public member.

41 **Sec. 139. 32 MRSA §3263, first ¶**, as amended by PL 1983, c. 812,  
42 §228, is further amended to read:

43 The Board of Registration in Medicine, as established by  
44 Title 5, section 12004 12004-A, subsection 1 24, and in this  
45 chapter called the "board," shall consist of 9 persons who are  
46 residents of this State, appointed by the Governor. Two persons  
47 shall be representatives of the public. Seven persons shall be  
48 graduates of a legally chartered medical college or university  
49 having authority to confer degrees in medicine and shall have  
50

K. of S.

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1 been actively engaged in the practice of their profession in this  
2 State for a continuous period of 5 years preceding their  
3 appointments to the board. Three persons, qualified as  
4 aforesaid, including at most one public representative, shall be  
5 appointed members of the board on or before July 1st of every  
6 uneven-numbered year, each to hold office for 6 years from July  
7 1st following his appointment. Any vacancy in the board shall be  
8 filled by the appointment of a person, qualified as was the  
9 member whose place he-fills is filled, to hold office during the  
10 unexpired term of that member. Any member of the board may be  
11 removed from office for cause by the Governor.

13 **Sec. 140. 32 MRSA §3401, first ¶,** as repealed and replaced by PL  
14 1987, c. 597, §9, is amended to read:

15 A Plumbers' Examining Board, as established by Title 5,  
16 section ~~12004~~ 12004-A, subsection ~~1~~ 32, shall consist of 5  
17 members, who shall be appointed by the Governor. One of the  
18 members shall be a representative of the public, 2 shall be  
19 master plumbers as defined in section 3301, and 2 shall be  
20 journeyman plumbers as defined in section 3301, both of whom have  
21 been engaged in the business of plumbing for at least 2 years.

23 **Sec. 141. 32 MRSA §3601,** as amended by PL 1983, c. 812, §230,  
24 is further amended to read:

27 **§3601. Appointment**

28 The Board of Examiners of Podiatrists, as established in  
29 Title 5, section ~~12004~~ 12004-A, subsection ~~1~~ 33, and in this  
30 chapter called the "board," shall be 2 members of the Board of  
31 Registration in Medicine together with 2 podiatrists and a  
32 representative of the public appointed by the Governor. One of  
33 the members shall be chosen by a majority of the members to act  
34 as ~~chairman~~ chair of the board for a term of 2 years and the  
35 secretary-treasurer of the Board of Registration in Medicine  
36 shall act as secretary-treasurer of the board. The podiatrists  
37 appointed by the Governor shall be appointed for a term of 4  
38 years from nominations submitted by the Podiatry Association of  
39 Maine and by other organizations and individuals, except that the  
40 first appointment of the new member shall be for a term of 2  
41 years. The podiatrists selected shall at the time of their  
42 appointment have been actively engaged in the practice of  
43 podiatry for a period of at least 2 years. The representative of  
44 the public shall be appointed for a term of 4 years.

47 **Sec. 142. 32 MRSA §3821,** as amended by PL 1985, c. 481, Pt.  
48 A, §57, is further amended to read:

49 **§3821. Membership; terms; vacancies**

51

R. of S

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1           The State Board of Examiners of Psychologists, as  
 2 established by Title 5, section 12004 12004-A, subsection 1 34,  
 3 and called the "board," shall consist of 9 members who shall be  
 4 appointed by the Governor to serve a term of 3 years. Two members  
 5 of the board shall be representatives of the public. Seven  
 6 members of the board shall be licensed psychologists or  
 7 psychological examiners with at least one member licensed as a  
 8 psychological examiner. These 7 members shall be representative  
 9 of the field of psychology insofar as possible. Any vacancy  
 10 occurring on the board shall be filled by the Governor for the  
 11 unexpired term by a person qualified and selected as was the  
 12 member ~~he is replacing~~ being replaced. No person may be eligible  
 13 to serve more than 2 full consecutive terms at any one time.  
 14 Upon expiration of a member's term, ~~he~~ that member shall serve  
 15 until ~~his~~ a successor is qualified and appointed. The  
 16 successor's term shall be 3 years from the date of that  
 17 expiration, regardless of the date of his appointment. Prior to  
 18 the filling of any vacancies of professional or public members,  
 19 the Governor shall solicit recommendations. A board member may be  
 20 removed by the Governor for cause.

21           **Sec. 143. 32 MRSA §4152, first ¶**, as amended by PL 1983, c. 812,  
 22 **§240**, is further amended to read:

23           The Maine Sardine Council, as established by Title 5,  
 24 section 12004 12004-H, subsection 9 8, shall meet with the  
 25 commissioner at regular intervals to be determined by it and more  
 26 often if called by the commissioner.

27           **Sec. 144. 32 MRSA §4854**, as amended by PL 1985, c. 748, **§42**,  
 28 is further amended to read:

29           **§4854. Board of Veterinary Medicine**

30           The State Board of Veterinary Medicine, as established by  
 31 Title 5, section 12004 12004-A, subsection 1 42, within the  
 32 Department of Professional and Financial Regulation, shall  
 33 consist of 6 members, appointed by the Commissioner of  
 34 Professional and Financial Regulation, 5 of whom shall be  
 35 licensed Maine Veterinarians veterinarians who are residents of  
 36 this State, graduates of a veterinary school and who have been  
 37 licensed to practice veterinary medicine in Maine for the 5 years  
 38 preceding their appointment and one member who shall be a  
 39 representative of the public. At least 30 days before the  
 40 appointment of any licensed Maine veterinarian to the board, the  
 41 State Veterinary Medical Association shall forward to the  
 42 commissioner for his consideration the names of 3 or more  
 43 qualified veterinarians. The term of office of each present  
 44 member of the board shall expire as now provided. One new member  
 45 to be appointed to the board shall serve a 3-year term. One new  
 46 member to be appointed to the board shall serve a 4-year term.

1 The public member to be appointed to the board shall serve a  
5-year term. Thereafter, all members shall be appointed for  
3 5-year terms. No person shall may serve 2 consecutive 5-year  
5 ~~sueeed-himself~~ serve a successive term. No person may serve on  
the board who is, or has been during the 2 years preceding his  
7 appointment, a trustee or a member of the faculty or advisory  
board of a veterinary school.

9  
11 **Sec. 145. 32 MRSA §4907, first ¶,** as amended by PL 1987, c.  
395, Pt. A, §175, is further amended to read:

13 The S147. Board of Certification for Geologists and Soil  
15 Scientists as established by Title 5, section ~~12004~~ 12004-A,  
subsection ~~1 19~~, shall administer this chapter and its office  
17 shall be within the Department of Professional and Financial  
Regulation. The board shall consist of 7 members, 5 of whom shall  
19 be appointed by the Governor from the following categories: One  
academic geologist; one independent consultant or salaried  
21 geologist; one independent consultant or salaried soil scientist;  
one other soil scientist; and a representative of the public. The  
23 6th and 7th members shall be the State Soil Scientist with the  
Maine Soil and Water Conservation Commission, ex officio, and the  
25 State Geologist or ~~his~~ the State Geologist's designee, who shall  
be a geologist employed in State Government, ex officio. No  
27 person, except the representative of the public, may be eligible  
for appointment to the board unless certified under this chapter.

29 **Sec. 146. 32 MRSA §5004,** as amended by PL 1987, c. 395, Pt.  
A, §182, is further amended to read:

31 **§5004. State Board of Licensure**

33  
35 A State Board of Licensure for Professional Foresters within  
the Department of Professional and Financial Regulation, as  
37 established by Title 5, section ~~12004~~ 12004-A, subsection ~~1 17~~,  
shall administer the provisions of this chapter. The board shall  
39 consist of 5 professional foresters and one public member who  
shall be selected and appointed by the Governor, and the forester  
41 members shall be qualified as required by section 5005.  
Appointments shall be for 5-year terms, except that no more than  
43 one forester member's term may expire in any one calendar year  
and appointments for terms of less than 5 years may be made in  
order to comply with this limitation. Upon expiration of a  
45 member's term, ~~he~~ that member shall serve until ~~his~~ a successor  
is qualified and appointed. The successor's term shall be 4  
47 years from the date of the expiration, regardless of the date of  
~~his~~ appointment. No person may be eligible to serve more than 2  
49 full consecutive terms, provided that for this purpose only a  
period actually served which exceeds 1/2 of the 5-year term shall  
51 be deemed a full term.



R. O. S.

COMMITTEE AMENDMENT "F" to S.P. 630, L.D. 1724

1  
3  
5  
7  
9  
11  
13  
15  
17  
19  
21  
23  
25  
27  
29  
31  
33  
35  
37  
39  
41  
43  
45  
47  
49  
51

**Sec. 147. 32 MRSA §6010, first ¶**, as amended by PL 1983, c. 812, §247, is further amended to read:

The Board of Examiners on Speech Pathology and Audiology, as established by Title 5, section ~~12004~~ 12004-A, subsection ~~1~~ 39, shall consist of 7 members appointed by the Governor. All members shall have been residents of this State for at least one year immediately preceding their appointment. Two members shall have been engaged full time in the practice of speech pathology for at least one year immediately preceding their appointment. Two members shall have been engaged full time in the practice of audiology for at least one year immediately preceding their appointment. All such professional members shall at all times be holders of valid licenses for the practice of speech pathology or audiology. The additional members shall consist of a physician, licensed pursuant to chapter 48, with specialized training in the field of ~~otolaryngology~~ otolaryngology and of 2 representatives of the public.

**Sec. 148. 32 MRSA §6201**, as amended by PL 1987, c. 395, Pt. A, §192, is further amended to read:

**§6201. State Board of Substance Abuse Counselors**

The State Board of Substance Abuse Counselors within the Department of Professional and Financial Regulation as established by Title 5, section ~~12004~~ 12004-A, subsection ~~1~~ 41, shall carry out the purposes of this chapter.

**Sec. 149. 32 MRSA §6208-A, sub-§1**, as amended by PL 1987, c. 395, Pt. A, §200, is further amended to read:

**1. Membership.** The State Board of Substance Abuse Counselors, as established by Title 5, section ~~12004~~ 12004-A, subsection ~~1~~ 41, shall consist of 9 members appointed by the Governor. Seven members shall be licensed, certified or registered substance abuse counselors. Two members shall be nonproviders, one of whom shall be a consumer of substance abuse services.

**Sec. 150. 32 MRSA §7026, first ¶**, as amended by PL 1987, c. 395, Pt. B, §12, is further amended to read:

The State Board of Social Worker Licensure, as established by Title 5, section ~~12004~~ 12004-A, subsection ~~1~~ 38, and within the Department of Professional and Financial Regulation, shall administer this chapter. The board shall consist of 7 members appointed by the Governor. Three members of the board shall be licensed clinical social workers, licensed master social workers or certified social workers - independent practice, at least one

R. of 3

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1 of whom must be practicing social work in a nonclinical setting;  
2 shall be licensed social workers; and there shall be 2 public  
3 members. Each level of licensure shall be represented on the  
4 board. In addition, board members shall meet the qualifications  
5 required under section 7027.

7 **Sec. 151. 32 MRSA §9552, first ¶**, as amended by PL 1983, c. 812,  
8 §254, is further amended to read:

9  
10 The Board of Commercial Driver Education, as established by  
11 Title 5, section ~~12004~~ 12004-A, subsection ~~1~~ 12, shall administer  
12 this chapter and shall be composed of 5 members. The Governor  
13 shall appoint 4 members, as follows: Two members shall be  
14 representatives of Class A schools, as defined in section 9601;  
15 one shall be a representative of Class B schools, as defined in  
16 section 9601; and one member shall be a public representative.  
17 The 5th member shall be the Director of the Division of Motor  
18 Vehicles or ~~his~~ that director's designee. The term of office of  
19 each member shall be 4 years, except that, of the 3 school  
20 members on the first board appointed under this subchapter, one  
21 shall be appointed for 2 years and one shall be appointed for 3  
22 years. Thereafter, appointments shall be for 4-year terms, except  
23 that no more than one school member's term may expire in any one  
24 calendar year and appointments for terms of less than 4 years may  
25 be made in order to comply with this limitation.

27 **Sec. 152. 32 MRSA §9703, sub-§§1 and 4**, as enacted by PL 1985,  
28 c. 288, §3, are amended to read:

29  
30 **1. Establishment and membership.** There is established  
31 within the Department of ~~Business, Occupational and Professional~~  
32 ~~and Financial~~ Regulation, in accordance with Title 5, section  
33 ~~12004~~ 12004-A, subsection ~~1~~ 35, a Board of Respiratory Care  
34 Practitioners. The board shall consist of 5 members appointed by  
35 the Governor as follows:

37 **A.** Three respiratory care practitioners who have been  
38 engaged in the practice of respiratory care for at least 2  
39 years immediately preceding their appointments and who shall  
40 be at all times holders of valid licenses for the practice  
41 of respiratory care in the State, except for the members of  
42 the first board, each of whom shall fulfill the requirements  
43 for licensure of this chapter; and

45 **B.** Two public members who are residents of the State, who  
46 do not hold a license to practice respiratory care, and who  
47 have no direct or indirect financial interest in the  
48 practice or delivery of respiratory care.  
49

H. of S.

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1           4.    **Compensation.**   Members of the board shall receive  
2           compensation and expenses as provided in Title 5, section ~~12004~~  
3           12004-A, subsection ~~1~~, paragraph-A 35.

5           **Sec. 153. 32 MRSA §12201, sub-§1**, as enacted by PL 1987, c.  
6           489, §2, is amended to read:

7  
8           1.    **Board.**    "Board" means the Board of Accountancy  
9           established under Title 5, section ~~12004~~ 12004-A, subsection 1,  
10          or its predecessor under prior law.

11  
12          **Sec. 154. 32 MRSA §12213**, as enacted by PL 1987, c. 489, §2,  
13          is amended to read:

14          **§12213. Appointment**

15  
16          The Board of Accountancy, as established by Title 5, section  
17          ~~12004~~ 12004-A, subsection 1, shall be within the Department of  
18          Professional and Financial Regulation. The board shall consist  
19          of 5 members appointed by the Governor. Each member of the board  
20          shall be a citizen of the United States and a resident of this  
21          State. Three members shall be holders of certificates issued  
22          under section ~~12252~~ 12227 and of currently valid permits issued  
23          under section 12251 and shall have had, as their principal  
24          occupation, active practice as certified public accountants for  
25          at least the 5 preceding years. One member shall hold a  
26          certificate issued under section ~~12273~~ 12239, currently valid  
27          permit issued under section 12251 and shall have had, as his a  
28          principal occupation, active practice as a noncertified public  
29          accountant for at least the 5 preceding years. One member of the  
30          board shall be a representative of the public. Appointments shall  
31          be for 3-year terms and the term of one member, other than the  
32          member registered under section ~~12273~~ 12239 and the public  
33          member's term, shall expire each calendar year and appointments  
34          of less than 3 years may be made in order to comply with this  
35          limitation. Any vacancy occurring during a term shall be filled  
36          by appointment for the unexpired term. Upon the expiration of his  
37          a member's term of office, a that member shall continue to serve  
38          until his a successor has been appointed and has qualified and  
39          the successor's term shall be 3 years from the date of the  
40          expiration, regardless of the date of his appointment. No person  
41          may be eligible to serve more than 3 full consecutive terms  
42          provided that, for this purpose only, a period actually served  
43          which exceeds 1/2 of the 3-year term shall be deemed a full  
44          term. The Governor shall remove any member of the board for  
45          cause.

46  
47          **Sec. 155. 32 MRSA §12401**, as enacted by PL 1987, c. 488, §3,  
48          is amended to read:

49          **§12401. Acupuncture Licensing Board**

4 of 5

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1  
3  
5  
7  
9  
11  
13  
15  
17  
19  
21  
23  
25  
27  
29  
31  
33  
35  
37  
39  
41  
43  
45  
47  
49  
51

The Acupuncture Licensing Board within the Department of Professional and Financial Regulation as established by Title 5, section ~~12004~~ 12004-A, subsection ~~17~~-~~paragraph A~~ 3, shall carry out the purposes of this chapter.

**Sec. 156. 32 MRSA §13062, sub-§1**, as enacted by PL 1987, c. 395, Pt. A, §212, is amended to read:

1. **Real Estate Commission composition.** The Real Estate Commission, established by Title 5, section ~~12004~~ 12004-A, subsection ~~1~~ 37, shall be referred to in this chapter as the "commission." The commission shall consist of 4 industry members and one public member.

**Sec. 157. 32 MRSA §13501, first ¶**, as enacted by PL 1987, c. 395, Pt. A, §212, is amended to read:

The Maine Athletic Commission, established by Title 5, section ~~12004~~ 12004-A, subsection ~~1~~ 44, and in this chapter called "the commission," shall consist of 5 members appointed by the Commissioner of Professional and Financial Regulation, with the advice and consent of the Governor. No member may receive any compensation or remuneration for promoting, competing or otherwise engaging in boxing, wrestling or kick-boxing. Each member of the commission shall be compensated as provided in Title 5, chapter 379.

**Sec. 158. 34-A MRSA §1204, first ¶**, as amended by PL 1983, c. 812, §256, is further amended to read:

The Maine Correctional Advisory Commission, as established by Title 5, section ~~12004~~ 12004-I, subsection ~~10~~ 4, is within the department.

**Sec. 159. 34-A MRSA §3002, sub-§1**, as amended by PL 1983, c. 812, §258, is further amended to read:

1. **Appointment.** The Governor shall appoint a board of 5 visitors for each correctional facility under the department, as authorized by Title 5, section ~~12004~~ 12004-I, subsection ~~10~~ 5.

A. The terms of the members of the boards of visitors are for one year.

B. Members of the boards of visitors are eligible for reappointment at the expiration of their terms.

C. No member of the Legislature may serve on any board of visitors.

R. of S

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1 D. Each member of the boards of visitors shall be  
2 compensated according to the provisions of Title 5, chapter  
3 379.

5 Sec. 160. 34-A MRSA §5201, as amended by PL 1983, c. 812,  
6 §259, is further amended to read:

7 §5201. Establishment

9 There is established, by Title 5, section 12004 12004-G,  
11 subsection 8-and 7, within the Department of Corrections, a State  
12 Parole Board consisting of 5 members.

13 Sec. 161. 34-B MRSA §1209-A, sub-§1, as enacted by PL 1985, c.  
15 645, §3, is amended to read:

17 1. Establishment. The Mental Health Rights Advisory Board  
18 as established pursuant to Title 5, section 12004 12004-I,  
19 subsection 10 63, shall consist of 11 members as follows:

21 A. Six persons who are consumers of mental health services,  
22 including clients, at least 3 of whom have received services  
23 from a state institution or a community mental health  
24 agency, and their families; and

25 B. Five persons concerned with the quality of the delivery  
26 of mental health services, at least 4 of whom are providers  
27 of services in a hospital pursuant to subchapter IV or in a  
28 program or facility administered or licensed by the  
29 department under section 3606.

31 Members shall be appointed by the commissioner for staggered  
32 terms not to exceed 2 years.

35 At least 3 nominations to the commissioner shall be made by  
36 majority vote of the board 30 days before the expiration of a  
37 member's term. If the initial nominations are unacceptable, the  
38 board shall submit 3 alternative nominations. If a member's term  
39 expires and the commissioner has not appointed a successor, the  
40 member may be reelected by majority vote to continue as a member  
41 until the commissioner appoints a successor.

43 Sec. 162. 34-B MRSA §1211, sub-§1, as amended by PL 1983, c.  
44 812, §264, is further amended to read:

46 1. Establishment. The Governor shall establish a State  
47 Planning and Advisory Council on Developmental Disabilities, as  
48 authorized by Title 5, section 12004 12004-I, subsection 10 66.

49 Sec. 163. 34-B MRSA §3901, sub-§1, as enacted by PL 1987, c.  
51 887, §8, is amended to read:

R. of S.

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1  
3  
5  
7  
9  
11  
13  
15  
17  
19  
21  
23  
25  
27  
29  
31  
33  
35  
37  
39  
41  
43  
45  
47  
49  
51

1. Establishment. In order to monitor and evaluate the efficacy and timely implementation of community and institutional reform programs designed to improve opportunities for persons with mental illness in the State, to promote and monitor advocacy programs for persons with mental illness and to review and assess the development and implementation of standards of care and treatment for persons with mental illness, there is established pursuant to Title 5, section 12004-J, subsection 7 an independent commission to be known as the Maine Commission on Mental Health, hereinafter referred to in this chapter as the "commission."

Sec. 164. 34-B MRSA §6241, sub-§1, as enacted by PL 1985, c. 503, §12, is amended to read:

1. Composition. The Maine Advisory Committee on Children with Special Needs, as established by Title 5, section 12004 12004-I, subsection 10 59, shall be constituted as follows.

A. The committee shall consist of 15 members appointed by the Governor. In making the appointments, the Governor shall give due consideration to including parents or relatives of children in need of treatment, providers of services to these children and representatives of state agencies concerned with children.

B. The Governor shall designate one member as chairman ~~chair~~ of the committee.

C. Members of the committee shall serve for terms of 3 years, except that:

(1) Of the members first appointed, 1/3 shall be appointed for terms of 3 years, 1/3 for terms of 2 years and 1/3 for terms of one year; and

(2) Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his ~~his~~ that member's predecessor was appointed shall be appointed only for the remainder of the term.

Sec. 165. 36 MRSA §271, sub-§1, as enacted by PL 1985, c. 764, §8, is amended to read:

1. Organization; meetings. The State Board of Property Tax Review, as established by Title 5, section 12004 12004-B, subsection 2 6, shall consist of 15 members appointed by the Governor for terms of 3 years, except for initial appointments which shall be 1/3 of the membership for one year, 1/3 of the membership for 2 years and 1/3 of the membership for 3 years. Vacancies on the board shall be filled for the remainder of the

R. M. S.

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1 unexpired term. The membership shall be equally divided among  
2 attorneys, real estate brokers, engineers, retired assessors and  
3 public members. The board shall annually elect a chairman chair  
4 and secretary. The secretary need not be chosen from the members  
5 of the board.

7 **Sec. 166. 36 MRSA §4312, first ¶**, as repealed and replaced by PL  
8 1987, c. 402, Pt. A, §186, is amended to read:

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

19 **Sec. 167. 36 MRSA §4312-B, first ¶**, as repealed and replaced by  
20 PL 1985, c. 737, Pt. A, §100, is amended to read:

21  
22 The Maine Blueberry Commission, as established by Title 5,  
23 section ~~12004~~ 12004-H, subsection 9 13, shall be reorganized as  
24 follows.

25  
26 **Sec. 168. 36 MRSA §4503, first ¶**, as amended by PL 1983, c. 812,  
27 §273, is further amended to read:

28  
29 The Maine Dairy Promotion Board, as established by Title 5,  
30 section ~~12004~~ 12004-H, subsection 9 3, shall consist of the  
31 following 5 members: The Commissioner of Agriculture, Food and  
32 Rural Resources or his the commissioner's designee, who shall  
33 serve ex officio, and 4 producers.

35  
36 **Sec. 169. 36 MRSA §4523, first ¶**, as amended by PL 1983, c. 812,  
37 §275, is further amended to read:

38  
39 The Maine Dairy and Nutrition Council, as established by  
40 Title 5, section ~~12004~~ 12004-H, subsection 9 4, within the  
41 Department of Agriculture, Food and Rural Resources, shall  
42 consist of the following 5 members: Four producers and one  
43 dealer to be appointed by the Commissioner of Agriculture, Food  
44 and Rural Resources on recommendation of the various producer and  
45 dealer associations, individuals or unorganized groups of  
46 producers and dealers in this State.

47  
48 **Sec. 170. 36 MRSA §4603, sub-§1**, as enacted by PL 1985, c.  
49 753, §§14 and 15, is amended to read:

50  
51 1. Establishment. The Maine Potato Board, as established  
52 by Title 5, section ~~12004~~ 12004-H, subsection 9 7, is within the

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1 Department of Agriculture, Food and Rural Resources. The board  
2 shall consist of 11 members who, following the transition period  
3 provided for in subsection 11, shall be elected in accordance  
4 with the procedures set forth in this chapter and such additional  
5 procedures as the board may prescribe by rulemaking. Subject to  
6 such staggered terms as the board may provide by rule, board  
7 members shall serve 2-year terms, provided that a board member  
8 may continue to serve until a successor is duly elected and  
9 qualified and that board members may not serve more than 3  
10 consecutive terms.

11

12 **Sec. 171. 36 MRSA §4693, sub-§1**, as enacted by PL 1987, c.  
13 333, §2, is amended to read:

14 1. **Council established.** The Maine Sardine Council, as  
15 established by Title 5, section ~~12004~~ 12004-H, subsection 9 8,  
16 shall consist of not more than 9 nor less than 5 members to be  
17 appointed by the Commissioner of Marine Resources. Fifty-one  
18 percent of the members of the council shall constitute a quorum  
19 and the affirmative vote of at least 51% of the members shall be  
20 necessary for the transaction of all business and the carrying  
21 out of the duties of the council. The members shall be sardine  
22 packers, operating within the State, who have been actively  
23 engaged in packing sardines for not less than 2 years and each  
24 shall be so actively engaged during his continuance in office. A  
25 person shall be considered actively engaged in packing sardines  
26 if he that person has derived, during the period, a substantial  
27 portion of his income from packing sardines, or has been the  
28 director or manager of an entity that derives a substantial  
29 portion of its income from packing sardines.

30

31 **Sec. 172. 37-B MRSA §603**, as amended by PL 1985, c. 773, §3,  
32 is further amended to read:

33 **§603. Board of trustees**

34 The administration of the homes is vested in the Board of  
35 Trustees of the Maine Veterans' Homes, as authorized by Title 5,  
36 section ~~12004~~ 12004-G, subsection 8 34. The board shall consist  
37 of 10 members, one of whom shall be the Director of the Bureau of  
38 Veterans' Services, ex officio, who shall serve without term.  
39 The Governor shall appoint the remaining trustees, who shall be  
40 honorably discharged war veterans. One member shall be appointed  
41 from and shall represent each of the largest veterans'  
42 organizations, not exceeding 5, which are nationally chartered  
43 and have a department in Maine. The remaining members shall be  
44 appointed at large and shall serve staggered 3-year terms. The  
45 membership shall be distributed across the State so that 3 reside  
46 in the southern part of the State, 3 in the central part and 3 in  
47 the northern part. In the event of a vacancy, the successor shall  
48



COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724.

1 be appointed to complete the unexpired term. Each trustee shall  
2 continue to hold office until his a successor is appointed and  
3 qualified.

5 **Sec. 173. 37-B MRSA §954, sub-§1**, as repealed and replaced by  
6 PL 1987, c. 764, is amended to read:

7  
8 **1. Created.** There is created the Radiological Emergency  
9 Preparedness Committee, as established by Title 5, section ~~12004~~  
10 12004-I, subsection ~~10 48~~, which is composed of 10 voting members  
11 as listed in this subsection:

13 **A.** Three members shall be appointed by the Lincoln County  
14 Commissioners as follows:

15 (1) One representative of Lincoln County fire  
16 departments;

17 (2) One representative of Lincoln County ambulance  
18 service personnel; and

19 (3) One representative of Lincoln County law  
20 enforcement agencies;

21  
22 **B.** Three members shall be appointed by the Sagadahoc County  
23 Commissioners as follows:

24 (1) One representative of Sagadahoc County fire  
25 departments;

26 (2) One representative of Sagadahoc County ambulance  
27 service personnel; and

28 (3) One representative of Sagadahoc County law  
29 enforcement agencies;

30  
31 **C.** One member representing the Maine Yankee Nuclear Power  
32 Plant;

33  
34 **D.** The Director of the Maine Emergency Management Agency,  
35 who shall act as ~~chairman~~ chair;

36  
37 **E.** The Commissioner of Public Safety; and

38  
39 **F.** The Director of Health Engineering.

40  
41 **Sec. 174. 38 MRSA §89**, as repealed and replaced by PL 1985,  
42 c. 389, §36, is amended to read:

43  
44 **§89. Maine State Pilotage Commission**

45  
46  
47  
48  
49  
50  
51

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1           The Maine State Pilotage Commission, as established by Title  
2 5, section ~~12004~~ 12004-A, subsection ~~1~~ 40, shall consist of 5  
3 members appointed by the Governor as follows: Three shall be  
4 licensed pilots representing Penobscot Bay and River, Bar Harbor  
5 - Eastport and Bath; one shall represent the marine industry  
6 interests; and one, with a marine background, shall represent the  
7 public. Each member shall serve for a term of 3 years or until  
8 his a successor is appointed and qualified. Any vacancy which  
9 may occur in the commission shall be filled by the Governor for  
10 the remainder of the unexpired term. Any member shall be eligible  
11 to ~~succeed-himself~~ serve a successive term. The members of the  
12 commission shall be compensated according to Title 5, chapter 379.

13           **Sec. 175. 38 MRSA §361, first ¶**, as amended by PL 1987, c. 125,  
14 §1, is further amended to read:

15           The Board of Environmental Protection, as established by  
16 Title 5, section ~~12004~~ 12004-D, subsection 5 2, and in this  
17 subchapter called the "board," shall consist of 10 members  
18 appointed by the Governor, subject to review by the joint  
19 standing committee of the Legislature having jurisdiction over  
20 energy and natural resources and to confirmation by the  
21 Legislature. Members of the board shall be chosen to represent  
22 the broadest possible interest and experience which can may be  
23 brought to bear in the implementation of this Title and all other  
24 laws with which the board is charged with in the duty of  
25 administering. At least 4 members shall be residents of the First  
26 Congressional District and at least 4 members shall be residents  
27 of the Second Congressional District. The boundaries of the  
28 congressional districts are defined in Title 21-A, chapter 15.  
29 The members shall be appointed for staggered 4-year terms, except  
30 that a vacancy shall be filled for the unexpired portion of the  
31 term. No member may serve more than 2 consecutive 4-year terms.  
32 The Governor shall appoint one member to serve as ~~chairman~~ chair.  
33 Any member who has not been renominated by the Governor within 90  
34 days of the expiration of his that member's term shall not  
35 continue to serve on the board unless the Governor notifies the  
36 Legislature, in writing and within 90 days of the expiration of  
37 that member's term, of his the finding that extension of that  
38 member's term is required to ensure fair consideration of  
39 specific major applications pending before the board. That  
40 member's term shall terminate upon final board decisions on the  
41 specific applications identified in the Governor's communication.

42           **Sec. 176. 38 MRSA §532, first ¶**, as amended by PL 1985, c. 162,  
43 §8, is further amended to read:

44           There shall be 5 members, hereinafter in this subchapter  
45 called Commissioners of the New England Interstate Water  
46 Pollution Control Commission from the State of Maine, as  
47 authorized by Title 5, section ~~12004~~ 12004-K, subsection ~~12~~ 3.

R. J. S.

COMMITTEE AMENDMENT "A" to S.P. 630, L.D. 1724

1 One commissioner shall be the Commissioner of Human Services and  
 2 one the Commissioner of Environmental Protection or his a  
 3 designee. The term of any such commissioner shall terminate at  
 4 the time he ~~that commissioner~~ ceases to hold said state office  
 5 and his a successor in that office shall be his the successor as  
 6 commissioner on this commission. The Governor shall appoint 3  
 7 more commissioners who shall be citizens of the State, one to  
 8 represent municipal interests, one to represent industrial  
 9 interests and one to represent the public generally. The term of  
 10 the last 3 said commissioners shall be for a period of 3 years  
 11 and he shall hold office until his a successor shall be appointed  
 12 and qualified. The terms of each of the initial 5 members shall  
 13 begin at the date of the appointment, provided the said compact  
 14 shall then have been executed by the Governor of this State as  
 15 prescribed in section 531; otherwise they shall begin upon the  
 16 effective date of the compact in accordance with section 537.

17 Sec. 177. 38 MRSA §951, last ¶, as amended by PL 1983, c. 812,  
 18 §293, is further amended to read:

21 In view of the dangers of intensive and poorly planned  
 22 development, it is the purpose of this chapter to preserve  
 23 existing water quality, prevent the diminution of water supplies,  
 24 to control erosion, to protect fish and wildlife populations, to  
 25 prevent undue extremes of flood and drought, to limit the loss of  
 26 life and damage to property from periodic floods; to preserve the  
 27 scenic, rural and unspoiled character of the lands adjacent to  
 28 these rivers; to prevent obstructions to navigation; to prevent  
 29 overcrowding; to avoid the mixture of incompatible uses; to  
 30 protect those areas of exceptional scenic, historic,  
 31 archaeological, scientific and educational importance; and to  
 32 protect the public health, safety and general welfare by  
 33 ~~establishing~~ creating the Saco River Corridor, ~~authorized--by~~  
 34 ~~Title 5, section 12004, subsection 8,~~ established in section 953,  
 35 and by regulating the use of land and water within this area.

37 Sec. 178. 38 MRSA §954, first ¶, as amended by PL 1983, c. 812,  
 38 §294, is further amended to read:

39 To carry out the purpose stated in section 951, the Saco  
 40 River Corridor Commission, as established by Title 5, section  
 41 ~~12004~~ 12004-G, subsection 8 ~~13~~, shall hereafter in this chapter  
 42 be called the "commission." The commission is charged with  
 43 implementing this chapter within the Saco River Corridor and  
 44 shall have and exercise all the powers and authorities necessary  
 45 to carry out the purposes of this chapter and the powers and  
 46 authorities granted herein. The commission shall consist of one  
 47 member and one alternate from each municipality whose  
 48 jurisdiction includes lands or bodies of water encompassed by the  
 49 Saco River Corridor. Members and alternates shall not be  
 50 personally liable for the official acts of the commission.

