

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

SECOND SPECIAL SESSION

September 25, 1981

AND

THIRD SPECIAL SESSION

December 9, 1981

AND

SECOND REGULAR SESSION

January 6, 1982 to April 13, 1982

AND AT THE

FOURTH SPECIAL SESSION

April 28, 1982 to April 29, 1982

AND AT THE

FIFTH SPECIAL SESSION

May 13, 1982

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co.
Augusta, Maine
1981

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND AND THIRD SPECIAL SESSIONS

and

SECOND REGULAR SESSION

and

FOURTH AND FIFTH SPECIAL SESSIONS

of the

ONE HUNDRED AND TENTH LEGISLATURE

1981

one-year, 2-year or 3-year term.

Sec. 2. 12 MRSA §7033, sub-§4, ¶A, as repealed and replaced by PL 1979, c. 543, §2, is amended to read:

A. The council shall render to the commissioner information and advice concerning the administration of the department and carry out other duties specifically delegated by chapters 701 to 721; and

Sec. 3. 12 MRSA §7033, sub-§4, ¶¶C to E are enacted to read:

C. All regular and special meetings of the council shall be public meetings and shall be held in a public meeting place convenient for the public;

D. Public comment shall be accepted at regular and special meetings of the council. Comments may be restricted to subjects before the council at the meeting and consistent with any applicable requirements and limitations of the Maine Administrative Procedure Act, Title 5, chapter 375; and

E. Public notice of all regular and special council meetings shall be made in a daily newspaper of general circulation, in the geographic area where the meeting is scheduled, at least 7 days and not more than 21 days prior to the meeting. Included in the notice shall be an agenda or purpose of the meeting. The notice may be combined with any other notice of the meeting required by law.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective April 2, 1982.

CHAPTER 632

S.P. 738 - L.D. 1723

AN ACT to Address the Potential Conflict
of Interest of the Board of Pesticides Control.

Emergency preamble. Whereas, Acts of the Legislature

do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, existing state law would preclude current members of the Board of Pesticides Control from contracting with the State to provide services; and

Whereas, in several cases the members are unique in their ability to provide these services; and

Whereas, these members of the board were in fact appointed because of their relevant experience and expertise; and

Whereas, these members will be forced to resign or state agencies will be forced to act without their assistance unless the current law is changed; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 22 MRSA §1471-B, sub-§2, 3rd sentence, as enacted by PL 1979, c. 644, §3, is amended to read:

Four members shall constitute a quorum and any action shall require the affirmative vote of ~~4~~ members the greater of either a majority of those present and voting or at least 2 members.

Sec. 2. 22 MRSA §1471-B, sub-§7 is enacted to read:

7. State contracts. Notwithstanding any other provision of law, members of the board shall be eligible to contract with the State where the contracts are awarded consistent with normal bidding procedures of the Department of Finance and Administration. Members shall also be eligible to receive grants where grants are awarded consistent with normal state procedures. In no case may any member vote on the award of a contract or grant for which he has submitted a bid or proposal.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.