

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

SECOND SPECIAL SESSION

November 18, 1983

AND AT THE

SECOND REGULAR SESSION

January 4, 1984 to April 25, 1984

AND AT THE

THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

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

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND ELEVENTH LEGISLATURE
JANUARY 4, 1984 TO APRIL 25, 1984

4. This section not intended to indicate preference. Neither anything in this section nor the repeal of section 52-A is intended to indicate a preference for any particular rate-making treatment of a utility's investment in a canceled or abandoned plant and the manner of the recovery, if any, of the investment shall be left to the commission's discretion.

5. Canceled plant recovery filing fee. Any utility requesting recovery in rates of its investment in a canceled or abandoned electric generating facility shall pay to the commission a filing fee of \$75,000 for each facility. The utility may request the commission to waive all or a portion of the filing fee. Notwithstanding any other provision of law, filing fees paid as required in this section shall be segregated, apportioned and expended by the commission for the purposes of this section. Any portion of the filing fee that is received from any utility and is not expended by the commission for the purposes of this section shall be returned to the utility.

Effective July 25, 1984.

CHAPTER 812

H.P. 1807 - L.D. 2389

AN ACT to Establish Standards and a Policy for the Compensation of Members of Boards, Commissions and Similar Organizations.

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

Sec. 1. 1 MRSA §1002, sub-§§1 and 4, as enacted by PL 1975, c. 621, §1, are amended to read:

1. Membership. The Commission on Governmental Ethics and Election Practices, ~~hereinafter~~ established by Title 5, section 12004, subsection 8, called the "commission," shall consist of 7 members to be appointed as follows:

A. The President of the Senate and the floor leaders of the 2 major parties in the Senate shall each appoint one member, with the concurrence of 2/3 vote of the Senate. Each such member shall be appointed in January of each even-

numbered year, and shall serve a term of 2 years from the date of appointment or until his successor is appointed and qualified.

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

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

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

4. Expenses. The members of the commission shall be reimbursed for all necessary expenses that they may incur through service as commissioners, including expenses for travel, which shall be paid in the same manner as travel expenses are paid to members of the Legislature compensated according to Title 5, chapter 379.

Sec. 2. 3 MRSA §2-A, sub-§1, as enacted by PL 1981, c. 498, §1, is amended to read:

1. State Compensation Commission established. ~~There is established the~~ The State Compensation Commission, ~~to established by~~ Title 5, section 12004, subsection 10, shall consist of 5 members appointed as follows: Two members shall be appointed by the President of the Senate; 2 members shall be appointed by the Speaker of the House; and one member shall be appointed by a majority of the preceding 4 commissioners, and shall serve as chairman of the commission. The 5 members shall be residents of the State, appointed from the public. No one may be appointed who is a Legislator at the time of his appointment.

All members shall be appointed for a term to coincide with the legislative biennium. Vacancies shall be filled in the same manner as the original appointments, for the balance of the unexpired term.

The members of the commission shall be paid a per diem, expenses and allowances at the same rate as Legislators compensated as authorized by Title 5, chapter 379.

Sec. 3. 3 MRSA §201 is amended to read:

§201. Commission on Interstate Cooperation

The Maine Commission on Interstate Cooperation, as heretofore established authorized by Title 5, section 12004, subsection 12, shall be composed of 9 regular members; namely, 3 state officials to be appointed by the Governor, 3 members of the Senate to be appointed by the President of the Senate and 3 members of the House of Representatives to be appointed by the Speaker of the House of Representatives. The Governor, the President of the Senate and the Speaker of the House of Representatives shall be ex officio members of the commission.

Sec. 4. 3 MRSA §206 is amended to read:

§206. Reports; service without compensation

The commission shall report to the Governor within 15 days after the convening of each regular legislative session, which report shall be transmitted by the Governor to the Legislature, and it may report to the Governor at such other times as it deems appropriate. ~~its members and the~~ The members of all delegations and committees which it establishes shall serve without compensation for such service as provided in Title 5, chapter 379.

Sec. 5. 3 MRSA §227, as enacted by PL 1977, c. 605, §1, is amended to read:

§227. Maine-Canadian Legislative Advisory Commission

~~There is established the~~ The Maine-Canadian Legislative Advisory Commission. ~~The commission,~~ as authorized by Title 5, section 12004, subsection 12, shall consist of 7 members, all of whom shall be citizens of this State. The Speaker of the House shall appoint 4 members, 2 for a term of one year and 2 for a term of 2 years. The President of the Senate shall appoint 3 members, 2 for a term of one year and ~~1~~ one for a term of 2 years. At least one member appointed by the President of the Senate and one member appointed by the Speaker of the House shall be fluent in the French language. In the event of the death or resignation of any member, the vacancy shall be filled for the remainder of the term in the same manner as the original appointment.

Members shall serve without compensation but may be reimbursed for travel and per diem expenses at the rate then current for state employees from any funds available under section 226 be compensated as provided in Title 5, chapter 379. Four members shall constitute a quorum. The commission shall designate one of its members as chairman.

Sec. 6. 3 MRSA §241, as amended by PL 1975, c. 771, §15, is further amended to read:

§241. Organization and duties

The Commission on Uniform State Laws, as heretofore established by Title 5, section 12004, subsection 12, shall consist of 3 members to be appointed for a term of 4 years by the Governor. The commission shall examine subjects on which uniformity of legislation in the different states is desirable; ascertain the best means to effect uniformity; cooperate with the commissioners of other states in the consideration and drafting of uniform acts for submission to the Legislatures of the several states; and prepare bills for introduction in the Legislature.

Each commissioner shall serve without compensation, but shall be entitled to receive his actual disbursements for his expenses in performing the duties of his office be compensated as provided in Title 5, chapter 379.

Sec. 7. 3 MRSA §271 is amended to read:

§271. Establishment of commission

The Commission on Intergovernmental Relations, as heretofore established by Title 5, section 12004, subsection 12, shall be composed of 7 regular members. Two members shall be appointed from the Senate by the President of the Senate, 2 members from the House of Representatives shall be appointed by the Speaker of the House of Representatives, and 3 members shall be appointed by the Governor. Two of the members appointed by the Governor shall be municipal officials and one member shall represent the public at large.

Sec. 8. 3 MRSA §276 is amended to read:

§276. Reports; compensation

The commission shall report to the Governor at least 30 days before the convening of each regular

legislative session, which report shall be transmitted by the Governor to the Legislature, and it may report to the Governor at such other times as it deems appropriate. Its members shall serve ~~without compensation but shall receive necessary travel expenses~~ be compensated as provided in Title 5, chapter 379.

Sec. 9. 4 MRSA §191, as enacted by PL 1981, c. 510, §1, is amended to read:

§191. State Court Library Committee

There is created a The State Court Library Committee consisting, as established in Title 5, section 12004, subsection 8, shall consist of 7 voting members, 2 of whom shall be members of the public, 2 of whom shall be members of the judiciary and 3 of whom shall be attorneys. The members shall be appointed by and serve at the pleasure of the Chief Justice of the Supreme Judicial Court. The Chief Justice shall designate the chairman. The State Law Librarian and the State Court Administrator shall be ex officio nonvoting members. A quorum shall consist of 4 of the voting members. The committee shall meet at least 4 times each year. Secretarial assistance shall be provided by the Administrative Office of the Courts.

Sec. 10. 4 MRSA §451, as amended by PL 1979, c. 36, is further amended to read:

§451. Establishment

A Judicial Council, as ~~heretofore~~ established by Title 5, section 12004, subsection 10, shall make a continuous study of the organization, rules and methods of procedure and practice of the judicial system of the State, the work accomplished and the results produced by that system and its various parts. The council shall be composed of the Chief Justice of the Supreme Judicial Court, who shall also serve as chairman, the Attorney General, the Chief Judge of the District Court, and the Dean of the University of Maine School of Law, each to serve ex officio, and an Active or Retired Justice of the Supreme Judicial Court, 2 Justices of the Superior Court, one Judge of the District Court, one judge of a Probate Court, one clerk of the judicial courts, 2 members of the bar and 6 laymen, to be appointed by the Governor. The appointments by the Governor shall be for such periods, not exceeding 4 years, as he shall determine.

Sec. 11. 4 MRSA §453, as amended by PL 1965, c. 240, §2, is repealed and the following enacted in its place:

§453. Expenses

Each member shall be compensated as provided in Title 5, chapter 379, out of any appropriation made for the purpose and approved by the Chief Justice. The council may appoint one of its members or some other suitable person to act as secretary for the council.

Sec. 12. 4 MRSA §801, as amended by PL 1977, c. 694, §2, is further amended to read:

§801. Board of examiners; tenure; compensation; meetings

The Board of Examiners for the Examination of Applicants for Admission to the Bar, as ~~heretofore~~ established by Title 5, section 12004, subsection 1, and ~~hereinafter~~ in this chapter called the "board," shall be composed of 7 lawyers of the State and one representative of the public, each of whom shall hold office for a term of 5 years beginning on the first day of September of the year of appointment and ending on the last day of August of the year of expiration of the appointment. As terms expire, lawyer members of the board shall be appointed annually by the Governor on the recommendation of the Supreme Judicial Court and the public member shall be appointed by the Governor. Vacancies occurring from death, resignation, removal or inability to act shall be filled in like manner for the unexpired term. The board shall hold at least 2 sessions annually at such times and places in the State as the board shall determine and the Supreme Judicial Court shall approve for the purpose of examining all applicants for admission to the bar, as to their legal learning and general qualifications to practice in the several courts of the State as attorneys and counselors at law and solicitors and counselors in chancery. Upon such examination being had, the board shall issue to each applicant who shall pass the required examinations and satisfy all other requirements of this chapter a certificate of qualification stating the standing of the applicant and recommending his admission to the bar. The members of the board shall elect from their number a secretary and a chairman who may, but need not, be the same person and shall make such rules and regulations relative to the performance of the duties of the board and to the examinations which the board conducts as to them may seem proper. Four members of said board shall constitute a quorum for the transaction of business. All rules and regulations adopted by the board shall be promulgated in the manner provided by the Maine Administrative Procedure Act, Title 5, chapter 375, subchapter II.

The secretary of the board shall be the treasurer thereof and shall receive all fees, charges and assessments payable to the board and account for and pay over the same according to law.

The members of the board shall each receive as compensation for their services \$40 a day for the time actually spent and their necessary expenses incurred in the discharge of their duties; to be certified by the secretary of the board be compensated as provided in Title 5, chapter 379.

Sec. 13. 5 MRSA §96, as enacted by PL 1973, c. 625, §16, is amended to read:

§96. Archives Advisory Board

There shall be an The Archives Advisory Board, the function of which established by section 12004, subsection 10, shall be serve to advise the State Archivist in his administration of this chapter and to perform such other duties as may be prescribed by law. The board shall consist of 9 persons especially interested in the history of the State appointed by the Governor as advisors for overlapping terms of 6 years. The 3 new advisors shall be first appointed one for one year, one for 3 years and one for 5 years. Their successors shall be appointed for terms of 6 years. Each advisor shall serve for the term of his appointment and thereafter until his successor is appointed and qualified. In case of the termination of an advisor's service during his term, the Governor shall appoint a successor for the unexpired term. Advisors shall serve without compensation, but shall receive their necessary expenses be compensated as provided in chapter 379.

Sec. 14. 5 MRSA §293, as amended by PL 1975, c. 766, §4, is further amended to read:

§293. Internship committee

To The State Government Internship Program Advisory Committee, established by section 12004, subsection 10, 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; there is created a. The State Government Internship Program Advisory Committee to shall be comprised of the President of the Senate and Speaker of the House or their designated representatives; the Governor or his designated representative; the Commissioner of Personnel; and the Director, Bureau of Public Administration. In addition, one fac-

ulty member from each of 4 accredited, degree-granting institutions of higher learning in the State of Maine shall be appointed by the Director of the Bureau of Public Administration for 4-year terms, providing that the initial appointments under this chapter shall be for one, 2, 3 and 4-year terms. No faculty member shall be eligible to succeed himself if he 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 and vice-chairman and shall serve without pay, but they shall be entitled to reimbursement for necessary expenses incurred in attending meetings called by the Bureau of Public Administration be compensated as provided in chapter 379 and as authorized by the Bureau of Public Administration.

Sec. 15. 5 MRSA §298, first ¶, as repealed and replaced by PL 1973, c. 622, §1, is amended to read:

There is created a The Capitol Planning Commission, the function of which established by section 12004, subsection 10, shall be to administer this chapter and to perform such other duties as may be prescribed by law.

Sec. 16. 5 MRSA §298, 4th ¶ from the end, as enacted by PL 1977, c. 513, §1, is amended to read:

Each appointed member shall serve for the term of his appointment and thereafter until his successor is appointed and qualified. A vacancy shall be filled for the unexpired term in the same manner in which the original appointment is made. The members of the commission shall serve without compensation, but shall receive their necessary expenses be compensated as provided in chapter 379.

Sec. 17. 5 MRSA §350, as enacted by PL 1975, c. 281, is amended to read:

§350. Statement of purpose

The Department of Finance and Administration, as the principal administrative and fiscal department of the State Government, has responsibilities for the general administration of state telecommunications services, including, but not limited to, telephone services, radio, teletype, microwave and data transmission links. It is recognized that the department should 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 ~~is established to~~, established by section 12004, subsection 10, shall assist the Department of Finance and Administration in providing for the coordination of state telecommunications services.

Sec. 18. 5 MRSA §453, first ¶, as enacted by PL 1981, c. 711, §2, is amended to read:

The following provisions shall apply to the Mining Excise Tax Trust Fund Board of Trustees, established by section 12004, subsection 8, shall be subject to the following provisions.

Sec. 19. 5 MRSA §591, first ¶, as repealed and replaced by PL 1981, c. 289, §4, is amended to read:

The State Personnel Board, as established by section 12004, subsection 3, shall be composed of 5 members with experience in personnel management or labor relations. No more than 3 members of the board may be of the same political party. No member may be a state employee.

Sec. 20. 5 MRSA §591, last ¶, as repealed and replaced by PL 1981, c. 289, §4, is amended to read:

The members of the board shall receive \$50 a day for the time actually spent in the discharge of their duties and shall receive their necessary expenses be compensated as provided by chapter 379.

Sec. 21. 5 MRSA §723, as amended by PL 1975, c. 771, §56, is further amended to read:

§723. Educational Leave Advisory Board

There shall be an The Educational Leave Advisory Board to, established by section 12004, subsection 10, shall advise and consult with the Department of Personnel to review and authorize all educational leave requests from classified and unclassified state employees for durations of more than one week. The board shall consist of 3 members as follows: The Commissioner of Personnel who shall serve as chairman of the board, the Commissioner of Educational and Cultural Services or his designee; and one member who shall be a state employee appointed by the Governor to serve for a term of 3 years. Members of the board shall receive no compensation for their services be compensated as provided in chapter 379.

Sec. 22. 5 MRSA §884, as amended by PL 1973, c. 585, §§11 and 12, is further amended to read:

§884. Advisory council

An Advisory Council on Deferred Compensation Plans, as established in this chapter by section 12004, subsection 10, shall consist of 7 members, who shall be the Commissioner of Finance and Administration, ex officio, or his designee; the Insurance Superintendent, ex officio, or his designee; the Superintendent of Banks and Banking, ex officio, or his designee; and 4 state employees to be appointed by the Governor, who shall be appointed for terms of 3 years, except that of the first appointments one shall be for one year, 2 for 2 years and one for 3 years. All members ~~Members~~ of the advisory council shall ~~serve without compensation, but any expenses incurred in performance of their duties shall be reimbursed~~ be compensated as provided in chapter 379. The council shall meet at least once a year and shall review the operations of the deferred compensation program and advise the Department of Finance and Administration on matters of policy relating to the activities thereunder. The Commissioner of Finance and Administration, or his designee, shall be the chairman of the advisory council.

Sec. 23. 5 MRSA §1031, sub-§1, as amended by PL 1979, c. 533, §§1 - 4, is further amended to read:

1. Board of trustees. The responsibility Board of Trustees of the Maine State Retirement System, established by section 12004, subsection 7, shall be responsible for the proper operation of the retirement system and for making this chapter effective are vested in a. The board shall be composed of 8 trustees. The board shall formulate policies and exercise general supervision under this chapter. Administrative responsibility, including approval of the payment of all benefits under this chapter, shall be vested in the executive director appointed under subsection 6. The board, as heretofore established, shall consist of the Treasurer of State or his designee, ex officio, as a nonvoting member; a member duly elected by the Maine Teachers' Association; a member duly elected by the Maine State Employees' Association; 3 persons appointed by the Governor, and subject to review by the Joint Standing Committee on Aging, Veterans and Retirement and to confirmation by the Legislature at least 2 of whom shall be qualified through training or experience in the field of investments, accounting, banking, insurance or law, and one of whom shall be selected from a list of 3 nomi-

nees submitted by the Maine Retired Teachers' Association; a person who is a member of the Maine State Retirement System through a participating local district and who shall be appointed by the governing body of the Maine Municipal Association; a person who is the recipient of a retirement allowance through the Maine State Retirement System and who shall be selected by the foregoing members of the board of trustees from a list or lists of nominees submitted by retired state employees and retired participating local district employees, or by a committee comprised of representatives of said groups. The designee of the Treasurer of State shall be the Deputy Treasurer of State. Each member of the board, except the Treasurer of State, shall serve a term of 3 years, provided that the term of the member who is appointed to replace the public representative whose term expires on July 9, 1978, shall expire on December 31, 1979, and the term of the member who is appointed to replace the representative of the Maine Teachers' Association whose term expires April 22, 1978, shall expire on December 31, 1978. A trustee shall continue to serve after the expiration of his term until his successor is appointed and qualified, but such continuation as a trustee shall not change the expiration date of the trustee's term. The term of all appointments to membership, where a term of membership has expired, shall commence with such expiration date regardless of the effective date of such new appointments. Appointments to any vacancy caused by death, resignation or ineligibility shall be for the unexpired portion of the term.

The board of trustees shall meet at least once in each month for the transaction of such business as may properly come before it.

Sec. 24. 5 MRSA §1031, sub-§2, as amended by PL 1975, c. 622, §8, is further amended to read:

2. Expenses. The trustees shall be reimbursed compensated, as provided in chapter 379, from the funds of the retirement system for all necessary expenses that they may incur through service on the board of trustees and shall be entitled to a payment of \$50 per diem in addition to expenses when engaged in the performance of authorized retirement system duties.

Sec. 25. 5 MRSA §1814, first 2 ¶¶, as repealed and replaced by PL 1977, c. 332, are amended to read:

A Standardization Committee, as heretofore established by section 12004, subsection 10, shall consist

of the Governor or his representative, 4 public members and 2 department or agency heads or their representatives as may be designated by the Governor. In addition, the State Purchasing Agent shall be an ex officio, nonvoting member of the committee. The 4 public members and the department or agency heads or their representatives shall serve at the pleasure of the Governor. The 4 public members shall be representative of the industry, commerce and political subdivisions of Maine, and shall not be officials or employees of the State.

The Governor or his representative and the appointed department or agency heads or their representatives shall serve on the Standardization Committee without additional compensation but shall be reimbursed for expenses incurred in connection with such service. The 4 public members shall be paid ~~the necessary expenses incurred in the performance of their duties, and in addition thereto, they shall each receive \$25 per day for attendance at committee meetings as provided in chapter 379, from the appropriation of the Bureau of Purchases.~~

Sec. 26. 5 MRSA §1814, 4th ¶, as repealed and replaced by PL 1977, c. 332, is repealed.

Sec. 27. 5 MRSA §1855, as amended by PL 1981, c. 493, §§2 and 3, is further amended to read:

§1855. Computer Services Advisory Board

There is established a The Computer Services Advisory Board. The board, established by section 12004, subsection 10, shall consist of 15 members. The Governor shall appoint 2 members from the private sector who shall be knowledgeable in the science and administration of data processing services, but who shall not be vendors of data processing services to the State or vendors of data processing equipment and supplies. The members from the private sector shall be appointed to serve 4-year terms; however, of these first members appointed, one shall be appointed to serve for a 2-year term only. The Chancellor of the University of Maine shall designate an employee of the university who shall be knowledgeable in the science and administration of data processing to be a member of the board. The commissioners of the Departments of Human Services, Transportation, Labor, Finance and Administration, Educational and Cultural Services, Public Safety, Mental Health and Mental Retardation and Corrections and the Secretary of State shall each designate a member of his department to

serve on the board, except that no member of the Bureau of Central Computer Services may be a member of the board. The Director of the State Planning Office or his designee shall be a member of the board. At the beginning of each biennium, the Governor shall designate 3 agencies from those state agencies not already represented on the board whose heads shall each designate a member of their agencies to serve on the board.

The members of the board who are state employees or employees of the University of Maine ~~shall receive no compensation for their services. The~~ and the members appointed from the private sector shall be reimbursed by the bureau for necessary expenses incurred in the discharge of their duties and shall receive a per diem of \$35 compensated as provided in chapter 379 from funds of the bureau.

Sec. 28. 5 MRSA §3312, as amended by PL 1979, c. 672, Pt. A, §8, is repealed.

Sec. 29. 5 MRSA §3313, first ¶, as enacted by PL 1973, c. 778, §1, is amended to read:

~~There is hereby created a~~ The Maine Critical Areas Advisory Board ~~to,~~ established by section 12004, subsection 10, shall advise and assist the State Planning Office in the establishment and maintenance of the Register of Critical Areas. The Maine Critical Areas Advisory Board, ~~hereinafter~~ in this chapter referred to as the "board," shall be appointed by the Governor and shall be convened by the State Planning Office and shall consist of 11 members, one of whom shall be a permanent member.

Sec. 30. 5 MRSA §3313, sub-§6, as enacted by PL 1973, c. 778, §1, is amended to read:

6. Expenses. Members of the board shall ~~receive no compensation,~~ but shall be reimbursed for their actual and necessary expenses incurred in the performance of their official duties be compensated as provided in chapter 379.

Sec. 31. 5 MRSA §3517, sub-§§1 and 3, as enacted by PL 1983, c. 176, Pt. A, §3, are amended to read:

1. Appointment. The Governor shall appoint a Community Services Advisory Board, as established by section 12004, subsection 10, to advise the Governor, the Legislature and the Director of Community Services on programs and policy matters relative to this chapter.

3. Meetings. The board shall meet at the call of the chairman or at the call of at least 3 members. The board shall meet at least 6 times per year. Members shall be reimbursed ~~for reasonable expenses, to include expenses for travel, meals, lodging and child care~~ as provided in chapter 379.

A majority of the board members shall constitute a quorum for the purpose of conducting the business of the board. The board shall keep minutes of all meetings, including a list of people in attendance.

Sec. 32. 5 MRSA §4561, as amended by PL 1975, c. 771, §88, is repealed and the following enacted in its place:

§4561. Members

The Maine Human Rights Commission, established by section 12004, subsection 8, shall be an independent commission of no more than 5 members. No more than 3 of the members shall be of the same political party. The members shall be appointed by the Governor, who shall designate one member to be its chairman.

Sec. 33. 5 MRSA §4564, as enacted by PL 1971, c. 501, §1, is amended to read:

§4564. Compensation; reappointment

Each member of the commission shall ~~receive compensation of \$25 for each day or part thereof necessarily spent in the discharge of his official duties, with a maximum of \$17,000 a year, and shall be entitled to his expenses actually and necessarily incurred by him in the performance of his duties~~ be compensated as provided in chapter 379. All members of the commission shall be eligible for reappointment.

Sec. 34. 5 MRSA §5007, sub-§1, as repealed and replaced by PL 1975, c. 587, §4, is amended to read:

1. Appointment. The Governor shall appoint a State Energy Resources Advisory Board ~~to advise, established by section 12004, subsection 10, shall be appointed by the Governor to advise the Governor, the Legislature and the Director of the Office of Energy Resources on policy matters relating to this chapter.~~

Sec. 35. 5 MRSA §7005, sub-§1, as enacted by PL 1983, c. 477, Pt. E, sub-pt. 26, §5, is amended to read:

1. Maine Vacation-travel Commission. The Maine Vacation-travel Commission ~~is created to,~~ established by section 12004, subsection 10, shall assist, advise, recommend and guide the Division of Tourism's operation. It shall consist of 9 members of major tourism trade associations and 8 public members who shall represent their respective regions and who are experienced in the field or who have demonstrated a concern for the travel industry. The terms of the members shall be 4 years each, except for the members first appointed, 4 shall be appointed for a term of 4 years, 4 for 3 years, 4 for 2 years and 5 for one year. The members shall be appointed by the Governor, who shall fill any vacancies in the appointed membership for the unexpired term. The commissioner or director, or his designee, of the following state departments or offices shall serve as ex officio, non-voting members of the commission: State Development Office; State Planning Office; Department of Conservation; Department of Transportation; Department of Inland Fisheries and Wildlife; Department of Agriculture, Food and Rural Resources; Department of Educational and Cultural Services; Bureau of Public Improvements and Canadian Affairs Coordinator. A chairman and vice-chairman shall be elected annually from the appointed membership.

Sec. 36. 5 MRSA §7005, sub-§3, as enacted by PL 1983, c. 477, Pt. E, sub-pt. 26, §5, is repealed and the following enacted in its place:

3. Compensation. Commissioners shall be compensated as provided by chapter 379.

Sec. 37. 5 MRSA §7021, as enacted by P&SL 1975, c. 147, Pt. G, §1, is repealed and the following enacted in its place:

§7021. Commission established

The Maine Commission for Women, established by section 12004, subsection 11, referred to in this chapter as the "commission," shall be an independent commission. The commission shall promote, carry out and coordinate programs designed to improve opportunities for women in the State.

Sec. 38. 5 MRSA §7027, as enacted by P&SL 1975, c. 147, Pt. G, §1, is amended to read:

§7027. Meetings; compensation

The commission shall meet at the call of the

chairman and not less than 4 times during each year. Members shall serve without compensation but shall be entitled to reimbursement for necessary expenses incurred in the work of the commission at the same rate as state employees be compensated as provided in chapter 379.

Sec. 39. 5 MRSA c. 379 is enacted to read:

CHAPTER 379

BOARDS, COMMISSIONS, COMMITTEES, COUNCILS AND SIMILAR ORGANIZATIONS

§12001. Purpose

It is the purpose of this chapter to provide the State with a complete inventory and central listing of all boards, commissions, committees, councils, authorities and other similar organizations established by the Legislature as a means of controlling the proliferation of these organizations and as a means of reducing duplication and making the most efficient use of these organizations. It is also the purpose of this chapter to classify these organizations according to similarity of powers, duties and responsibilities in order to provide standards for the compensation and operation of these organizations.

§12002. Definitions

As used in this chapter, unless the context indicates otherwise, the following terms have the following meanings.

1. Board. "Board" means any authority, board, commission, committee, council and similar organization, including quasi-independent organizations, established or authorized by the Legislature to fulfill specific functions and which does not serve as a full-time state agency. "Board" does not include:

A. Any informal advisory organization established exclusively by a state agency to advise the commissioner or director of that agency on an informal basis;

B. Any authority, board, commission, committee, council and similar organization organized or appointed exclusively by a political subdivision of the State to include regional, county and local planning boards, economic development boards or district, or educational, cultural or recreational boards;

C. Any authority, board, commission, committee, council and similar organization organized exclusively pursuant to federal law and which does not require authorization by the State; and

D. Any authority, board, commission, committee, council and similar organization organized or authorized exclusively by Executive Order.

2. Expenses. "Expenses" means travel, meals or lodging costs or other necessary costs incurred by a member of a board in the performance of his duties as a member of that board.

3. Legislative per diem. "Legislative per diem" means the per diem authorized by Title 3, section 2, that is paid to Legislators for every day's attendance at special sessions of the Legislature.

4. Special study organization. "Special study organization" means any board established or authorized by the Legislature to undertake a study of a particular subject and which is required to complete its study during the biennium of the Legislature which created it.

§12002-A. Payment of expenses

Members of boards may be paid for expenses at a rate not to exceed the rate normally paid to state employees for the following:

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

B. Actual attendance at public hearings held by the board necessary to fulfill the duties and responsibilities of the board;

C. Actual attendance at meetings of groups advisory to the board;

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

E. Participation in activities within the State necessary to fulfill the responsibility of the board or to achieve an objective required of the board.

§12002-B. Compensation of board members

Members of boards shall be paid a legislative per diem, another specified daily rate of compensation, a salary, expenses only or no compensation, as established for each board in section 12004. Any board for which a legislative per diem, another specified daily rate of compensation or a salary is specified shall also be authorized to receive expenses as provided in section 12002-A. If the rate of compensation specifies expenses only, the member shall receive expenses as provided in section 12002-A. If the rate of compensation specifies "not authorized," the member shall receive no compensation or expenses.

1. Payment of compensation. The legislative per diem or any other specified daily rate of compensation or annual rate of compensation, as specified in section 12004, may be paid only for a member's:

A. Actual attendance at meetings of the board within the State called by the chairman or by a majority of the members of the board;

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

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

D. Participation in activities within the State necessary for fulfilling the responsibility of the board or achieving an objective required of the board.

2. Prohibition of payment of compensation. No daily rate of compensation or annual compensation may be paid to any board member for any work in preparation or review of material for any meetings or hearing of any board. No daily rate of compensation or annual compensation may be paid to any board member for any meeting or conference held out-of-state unless attendance is mandatory for training purposes.

§12003. Policy

It is the policy of the State with respect to the boards established by this chapter:

1. Compensation of substantive boards. To provide compensation to members of boards at a rate not to exceed the legislative per diem rate defined in section 12002 for purposes defined in section 12002-B.

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

2. Compensation of advisory boards. To provide compensation not to exceed \$25 per day and payment of expenses of members of advisory boards and boards vested with minimum authority, as defined in section 12004, subsection 10, for attendance at authorized meetings.

A. Advisory and other boards, as defined in section 12004, subsection 10, which are not authorized by law as of December 30, 1983, to be reimbursed for expenses shall not be eligible for this reimbursement;

3. Authorization of boards. That the statutory authority of any board shall not be effective unless the board is established in this chapter. It is the policy of the State to establish within the statutes a central inventory of all boards established or authorized by the Legislature that provides, at a minimum, the name of each board, the rate of compensation, if any, that may be paid to each board member and the reference to a statutory description of each board;

4. Compensation of state employee members of boards. That any state employee, classified or unclassified, who is a member of a board, shall not be paid his regular wages or salary for attendance at meetings of the board or for work performed for the board during the normal working hours of the state employee.

The only exception to this policy is the situation in which a state employee is required to be a member of a board by virtue of the position held by that state employee and no per diem compensation is authorized for state employees appointed to the board;

5. Records of boards. That the records and minutes of all boards shall be open and readily available in a convenient place to the public; and

6. Meetings of boards. That meetings of boards shall be held in public places and whenever possible in a public building.

§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 where compensation is not authorized. A reference to the statutory description of each board shall also be provided.

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.

Any board provided for outside of this chapter shall not be effective unless established in this chapter.

1. Occupational and professional licensing boards. The primary responsibilities of occupational and professional licensing boards include the examination of applicants, issuance of licenses or certificates, registration of licenses and regulation of licensees with respect to the practice of a particular occupation or profession. The primary powers of these boards include the authority to hold hearings, the adoption of rules, the establishment of standards and procedures, the issuance of licenses and initiation of action for the revocation or suspension of occupational or professional licenses.

A. This classification includes the following boards:

	<u>NAME OF ORGANIZATION</u>	<u>RATE OF COMPENSATION</u>	<u>STATUTORY REFERENCE</u>
(1)	<u>Board of Accountancy</u>	<u>\$35/Day</u>	<u>32 MRSA §3971</u>
(2)	<u>Arborist Examining Board</u>	<u>\$25/Day</u>	<u>32 MRSA §2001</u>
(3)	<u>Maine State Board for Registration of Architects and Land- scape Architects</u>	<u>\$35/Day</u>	<u>32 MRSA §211</u>
(4)	<u>Board of Examiners of Applicants for Admission to the Bar</u>	<u>Legislative Per Diem</u>	<u>4 MRSA §801</u>

(5)	<u>State Board of Barbers</u>	<u>\$35/Day</u>	<u>32 MRSA §351</u>
(6)	<u>Board of Boiler Rules</u>	<u>Expenses Only</u>	<u>26 MRSA §171</u>
(7)	<u>Board of Chiropractic Examination and Registration</u>	<u>\$25/Day</u>	<u>32 MRSA §501</u>
(8)	<u>State Board of Cosmetology</u>	<u>\$35/Day</u>	<u>32 MRSA §1601</u>
(9)	<u>Board of Dental Examiners</u>	<u>\$35/Day</u>	<u>32 MRSA §1071</u>
(10)	<u>Board of Commercial Driver Education</u>	<u>\$35/Day Public Member</u>	<u>32 MRSA §9552</u>
(11)	<u>Electricians' Examining Board</u>	<u>\$30/Day</u>	<u>32 MRSA §1151</u>
(12)	<u>Board of Elevator and Tramway Safety</u>	<u>Expenses Only</u>	<u>26 MRSA §475</u>
(13)	<u>State Board of Registration for Professional Engineers</u>	<u>Expenses Only</u>	<u>32 MRSA §1301</u>
(14)	<u>State Board of Registration for Professional Foresters</u>	<u>Expenses Only</u>	<u>32 MRSA §5004</u>
(15)	<u>State Board of Funeral Service</u>	<u>\$20/Day</u>	<u>32 MRSA §1451</u>
(16)	<u>State Board of Certification for Geologists and Soil Scientists</u>	<u>Expenses Only</u>	<u>32 MRSA §4907</u>
(17)	<u>Board of Examiners for the Licensing of Guides</u>	<u>Expenses Only</u>	<u>12 MRSA §7301</u>
(18)	<u>Junior Maine Guides and Trip Leaders' Curriculum Board</u>	<u>Expenses Only</u>	<u>12 MRSA §7302</u>
(19)	<u>Board of Hearing Aid Dealers and Fitters</u>	<u>\$35/Day</u>	<u>32 MRSA §1658</u>

(20)	<u>State Board of Registration for Land Surveyors</u>	<u>Expenses Only</u>	<u>32 MRSA §1671</u>
(21)	<u>Manufactured Housing Board</u>	<u>\$35/Day</u>	<u>10 MRSA §9003</u>
(22)	<u>State Board of Licensure of Administrators of Medical Care Facilities other than Hospitals</u>	<u>\$30/Day</u>	<u>32 MRSA §63</u>
(23)	<u>Board of Registration in Medicine</u>	<u>\$1,250/Year- Member \$1,500/Year- Chairman \$1,500/Year- Secretary</u>	<u>32 MRSA §3263</u>
(24)	<u>State Board of Nursing</u>	<u>Legislative Per Diem</u>	<u>32 MRSA §2151</u>
(25)	<u>Oil and Solid Fuel Board</u>	<u>\$30/Day</u>	<u>32 MRSA §2351</u>
(26)	<u>State Board of Optometry</u>	<u>\$25/Day</u>	<u>32 MRSA §2415</u>
(27)	<u>Board of Osteopathic Examination and Registration</u>	<u>Legislative Per Diem</u>	<u>32 MRSA §2561</u>
(28)	<u>Board of Commis- sioners of the Pro- fession of Pharmacy</u>	<u>\$25/Day</u>	<u>32 MRSA §2851</u>
(29)	<u>Board of Examiners in Physical Therapy</u>	<u>\$25/Day</u>	<u>32 MRSA §3112</u>
(30)	<u>Plumbers' Examining Board</u>	<u>\$35/Day</u>	<u>32 MRSA §3401</u>
(31)	<u>Board of Examiners of Podiatrists</u>	<u>\$25/Day</u>	<u>32 MRSA §3601</u>
(32)	<u>State Board of Examiners of Psychologists</u>	<u>\$35/Day</u>	<u>32 MRSA §3821</u>
(33)	<u>Real Estate Commission</u>	<u>\$35/Day</u>	<u>32 MRSA §4051-A</u>

(34)	<u>State Board of Social Worker Registration</u>	<u>Not Authorized</u>	<u>32 MRSA §7026</u>
(35)	<u>Board of Examiners on Speech Pathology and Audiology</u>	<u>\$25/Day</u>	<u>32 MRSA §6010</u>
(36)	<u>Board of Registration of Substance Abuse Counselors</u>	<u>Not Authorized</u>	<u>32 MRSA §6201</u>
(37)	<u>State Board of Veterinary Medicine</u>	<u>Legislative Per Diem</u>	<u>32 MRSA §4854</u>
(38)	<u>Penobscot Bay and River Pilotage Commission</u>	<u>Not Authorized</u>	<u>38 MRSA §89</u>
(39)	<u>Maine Athletic Commission</u>		<u>8 MRSA §141</u>

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

2. Property assessment; valuation and appeals
boards. The primary responsibilities of the boards in
this subsection include the assessment of property
for purchase, valuation or tax purposes; or the hear-
ing of appeals with respect to property valuation or
assessment. The primary powers of the boards include
the authority to hold hearings; the adoption of
rules; determination, modification or assessment of
fees, taxes and penalties; the creation of standards
and procedures; and the adjudication of disputes.

A. This classification shall include the follow-
ing boards:

<u>NAME OF ORGANIZATION</u>	<u>RATE OF COMPENSATION</u>	<u>STATUTORY REFERENCE</u>
(1) <u>State Board of Assessment Review</u>	<u>\$50/Day</u>	<u>36 MRSA §486</u>
(2) <u>Land Classification Appeals Board</u>	<u>\$25/Day- Public Member</u>	<u>36 MRSA §841-B</u>
(3) <u>Municipal Valuation Appeals Board</u>	<u>\$50/Day</u>	<u>36 MRSA §291</u>
(4) <u>State Claims Board</u>	<u>\$100/Day</u>	<u>23 MRSA §152</u>

3. Labor or management arbitration and commodity arbitration boards. The primary responsibilities of the boards in this subsection include the arbitration, conciliation or mediation of grievances between employers and employees, or the arbitration of grievances or disputes between producers and brokers of products or goods for shipment or sale. The primary powers of these boards include the holding of hearings; adoption of rules; arbitration, conciliation or mediation; and establishment of procedures and standards.

A. This classification includes the following boards:

	<u>NAME OF ORGANIZATION</u>	<u>RATE OF COMPENSATION</u>	<u>STATUTORY REFERENCE</u>
(1)	<u>State Board of Arbitration and Conciliation</u>	<u>\$50/Day</u>	<u>26 MRSA §911</u>
(2)	<u>Panel of Mediators</u>	<u>\$75/Day</u>	<u>26 MRSA §892</u>
(3)	<u>State Personnel Board</u>	<u>\$50/Day</u>	<u>5 MRSA §591</u>
(4)	<u>Maine Agricultural Bargaining Board</u>	<u>\$50/Day</u>	<u>13 MRSA §1956</u>

4. Substantive regulatory boards; boards pursuant to federal law. The primary responsibilities of the boards in this classification vary. In general, these boards exist pursuant to federal law or possess very substantial authority and render decisions with significant impact upon the State.

A. This classification includes the following boards:

	<u>NAME OF ORGANIZATION</u>	<u>RATE OF COMPENSATION</u>	<u>STATUTORY REFERENCE</u>
(1)	<u>Maine Health Care Finance Commission</u>	<u>\$100/Day</u>	<u>22 MRSA §383</u>
(2)	<u>Maine Labor Relations Board</u>	<u>\$75/Day</u> <u>Chairman-</u> <u>\$100/Day</u>	<u>26 MRSA §968</u>
(3)	<u>Maine Indian Tribal-State Commission</u>	<u>\$75/Day</u>	<u>30 MRSA §6212</u>

5. Environmental regulation and control. The primary responsibility of environmental regulation and control boards is the protection of the state's natural resources and environment. The primary powers of these boards include regulation of activities that affect the environment and natural resources of the State, the issuance of licenses and permits, the setting of standards and procedures, the assessment of fees and penalties, the holding of hearings and the adoption of rules.

A. This classification includes the following boards:

	<u>NAME OF ORGANIZATION</u>	<u>RATE OF COMPENSATION</u>	<u>STATUTORY REFERENCE</u>
<u>(1)</u>	<u>Maine Land Use Regulation Commission</u>	<u>Legislative Per Diem</u>	<u>12 MRSA §683</u>
<u>(2)</u>	<u>Board of Environmental Protection</u>	<u>Legislative Per Diem</u>	<u>38 MRSA §341</u>
<u>(3)</u>	<u>Board of Pesticides Control</u>	<u>Legislative Per Diem</u>	<u>22 MRSA §1471-B</u>

6. Rate regulation. The primary responsibilities of rate regulation boards include the setting of prices or rates for commodities or services provided statewide. In addition to the power to hold hearings, adopt rules, establish policies and procedures, these boards may establish prices, conduct investigations and initiate action to revoke or suspend licenses and permits.

A. This classification includes the following boards:

	<u>NAME OF ORGANIZATION</u>	<u>RATE OF COMPENSATION</u>	<u>STATUTORY REFERENCE</u>
<u>(1)</u>	<u>Maine Milk Commission</u>	<u>Legislative Per Diem</u>	<u>7 MRSA §2952</u>
<u>(2)</u>	<u>State Liquor Commission</u>	<u>Legislative Per Diem</u>	<u>28 MRSA §51</u>

7. Financing and administrative organization. Financing and administrative organizations have the primary responsibilities to finance construction of projects, new businesses or business

expansions; to administer pension funds or the proceeds of bond sales; and administer organizations created to fulfill these responsibilities. The primary powers of these boards, in addition to the authority to hold hearings, adopt rules and establish procedures and standards, include the authority to lease or acquire property, sell bonds, invest income, borrow money, hold adjudicatory proceedings and enter into contracts.

A. This classification includes the following boards:

<u>NAME OF ORGANIZATION</u>	<u>RATE OF COMPENSATION</u>	<u>STATUTORY REFERENCE</u>
<u>(1) Maine Turnpike Authority</u>	<u>Legislative Per Diem</u>	<u>23 MRSA §1965</u>
<u>(2) Maine Port Authority</u>	<u>\$25/day</u>	<u>23 MRSA §4420</u>
<u>(3) Maine Health and Higher Educational Facilities Authority</u>	<u>Expenses only</u>	<u>22 MRSA §2054</u>
<u>(4) Maine School Building Authority</u>	<u>Expenses only</u>	<u>20-A MRSA §15704</u>
<u>(5) Finance Authority of Maine</u>	<u>Legislative Per Diem</u>	<u>10 MRSA §964</u>
<u>(6) Maine State Housing Authority</u>	<u>Legislative Per Diem</u>	<u>30 MRSA §4601-A</u>
<u>(7) Board of Trustees, Maine State Retirement System</u>	<u>\$50/day</u>	<u>5 MRSA §1031</u>

8. Policy-making boards for specific or limited purposes. The primary responsibilities of the boards in this subsection vary and are limited to a specific purpose. These responsibilities may include the regulation of a particular activity, the licensing of a particular activity, the establishment of policy for a specific purpose or organization and the acquisition of property for a specific purpose. In addition to the powers to hold hearings, adopt rules and establish policies and procedures, these boards may enter into contracts, establish just charges, conduct investigations, acquire property or enforce state laws.

A. This classification includes the following boards:

<u>FIELD</u>	<u>NAME OF ORGANIZATION</u>	<u>RATE OF COMPENSATION</u>	<u>STATUTORY REFERENCE</u>
(1) <u>Agriculture</u>	<u>Animal Welfare Board</u>	<u>\$35/Day</u>	<u>17 MRSA §1051-A</u>
(2) <u>Corrections</u>	<u>State Parole Board</u>	<u>Legislative Per Diem</u>	<u>34-A MRSA §5201</u>
(3) <u>Education</u>	<u>State Board of Education</u>	<u>Expenses only</u>	<u>20-A MRSA §401</u>
(4) <u>Education</u>	<u>Board of Trustees - University of Maine</u>	<u>Expenses only</u>	<u>P&SL 1865 c. 532</u>
(5) <u>Education</u>	<u>Maine Criminal Justice Academy - Board of Trustees</u>	<u>Expenses only</u>	<u>25 MRSA §2802</u>
(6) <u>Education</u>	<u>Maine State Museum Commission</u>	<u>Expenses only</u>	<u>27 MRSA §82</u>
(7) <u>Environment/ Natural Resources</u>	<u>Baxter State Park Authority</u>	<u>Not Authorized</u>	<u>12 MRSA §901</u>
(8) <u>Environment/ Natural Resources</u>	<u>Maine Forest Authority</u>	<u>Not Authorized</u>	<u>12 MRSA §1701</u>
(9) <u>Environment/ Natural Resources</u>	<u>(General) River Corridor Commission</u>	<u>Not authorized</u>	<u>30 MRSA §1961</u>
(10) <u>Environment/ Natural Resources</u>	<u>Saco River Corridor Commission</u>	<u>Expenses only</u>	<u>38 MRSA §954</u>
(11) <u>Finance</u>	<u>State Lottery Commission</u>	<u>Legislative Per Diem</u>	<u>8 MRSA §351</u>

(a) The chairman shall receive no more than \$5,000 per year to include per diem and expenses.

(b) The other board members shall each receive no more than \$3,500 per year to include per diem and expenses.

<u>(12) Finance</u>	<u>Board of Emergency Municipal Finance</u>	<u>Expenses only</u>	<u>30 MRSA \$5301</u>
<u>(13) Human Services: Human Rights</u>	<u>Human Rights Commission</u>	<u>\$25/Day \$1,000 Max/Yr</u>	<u>5 MRSA \$4561</u>
<u>(14) Human Services / Health Facilities</u>	<u>Maine Medical Laboratory Commission</u>	<u>Expenses only</u>	<u>22 MRSA \$2026</u>
<u>(15) Inland Fisheries and Wildlife</u>	<u>Advisory Council (to the Department of Inland Fisheries and Wildlife)</u>	<u>\$25/day</u>	<u>12 MRSA \$7033</u>
<u>(16) Judiciary: Law</u>	<u>State Court Library Committee</u>	<u>Expenses Only</u>	<u>4 MRSA \$191</u>
<u>(17) Labor</u>	<u>Board of Occupational Safety and Health</u>	<u>Expenses only</u>	<u>26 MRSA \$564</u>
<u>(18) Labor</u>	<u>State Apprenticeship Council</u>	<u>Expenses only</u>	<u>26 MRSA \$1002</u>
<u>(19) Labor</u>	<u>Minimum Wage Rate on Construction Projects Board</u>	<u>Not Authorized</u>	<u>26 MRSA \$1307</u>
<u>(20) Marine Resources</u>	<u>Advisory Council (to the Department of Marine Resources</u>	<u>\$25/day</u>	<u>12 MRSA \$6024</u>
<u>(21) Natural Resources</u>	<u>Soil and Water Conservation Commission</u>	<u>Expenses only</u>	<u>12 MRSA \$51</u>
<u>(22) Sport and Entertainment</u>	<u>State Harness Racing Commission</u>	<u>Legislative Per Diem</u>	<u>8 MRSA \$261</u>
<u>(23) State Government</u>	<u>Commission on Governmental Ethics and Election Practices</u>	<u>Expenses only</u>	<u>1 MRSA \$1002</u>

(24) <u>Taxation</u>	<u>Board of Trustees - Mining Excise Tax Trust Fund</u>	<u>Not Authorized</u>	<u>5 MRSA §453</u>
(25) <u>Veterans Affairs</u>	<u>Board of Trustees - Maine Veterans' Home</u>	<u>Expenses only</u>	<u>37-B MRSA §603</u>

9. Commodity or product protection and promotion boards. The primary responsibility for commodity or product protection and promotion boards is to protect natural resource and agricultural products produced in the State and promote the sales of these goods in the State and outside the State. The primary powers of these organizations may include the assessment and collection of industry taxes, quality control inspections, establishment of grades and classifications, advertising, the holding of hearings and the adoption of rules.

A. This classification includes the following boards:

<u>NAME OF ORGANIZATION</u>	<u>RATE OF COMPENSATION</u>	<u>STATUTORY REFERENCE</u>
(1) <u>Maine Blueberry Commission</u>	<u>Expenses only</u>	<u>36 MRSA §4312-B</u>
(2) <u>Commodity Marketing Committee</u>	<u>Expenses only</u>	<u>7 MRSA §427</u>
(3) <u>Maine Dairy Promotion Board</u>	<u>Legislative Per Diem</u>	<u>36 MRSA §4503</u>
(4) <u>Maine Dairy and Nutrition Council</u>	<u>Legislative Per Diem</u>	<u>36 MRSA §4523</u>
(5) <u>Maine Groundfish Association</u>	<u>Not Authorized</u>	<u>12 MRSA §6583</u>
(6) <u>Seed Potato Board</u>	<u>Expenses only</u>	<u>7 MRSA §2151</u>
(7) <u>Maine Potato Quality Control Board</u>	<u>Expenses only</u>	<u>7 MRSA §1033</u>
(8) <u>Maine Potato Commission</u>	<u>Expenses Only Chairman - \$25/Day</u>	<u>36 MRSA §4563</u>
(9) <u>Maine Potato Council</u>	<u>Not Authorized</u>	<u>36 MRSA §4571</u>

(10) <u>Maine Sardine Council</u>	<u>Expenses only</u>	<u>36 MRSA §4693</u>
(11) <u>Potato Marketing Committee</u>	<u>Expenses only</u>	<u>7 MRSA §995</u>
(12) <u>Potato Marketing Improvement Committee</u>	<u>Not Authorized</u>	<u>7 MRSA §972</u>
(13) <u>Agriculture Promotion Committee</u>	<u>Not Authorized</u>	<u>7 MRSA §402-A</u>

10. Advisory boards; boards with minimal authority. The primary responsibilities and powers of advisory boards and boards with minimal authority include the responsibility and authority to advise state agencies, review policies and procedures, conduct studies, evaluate programs and make recommendations to the state agencies, the Legislature or the Governor.

A. This classification includes the following:

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

<u>(8)</u>	<u>Education</u>	<u>Indian Scholar-</u> <u>ship Committee</u>	<u>Not</u> <u>Authorized</u>	<u>20-A MRSA §12403</u>
<u>(9)</u>	<u>Education</u>	<u>Maine Education</u> <u>Council</u>	<u>Not</u> <u>Authorized</u>	<u>20-A MRSA § 651</u>
<u>(10)</u>	<u>Education</u>	<u>Educational</u> <u>Leave Advisory</u> <u>Board</u>	<u>Not</u> <u>Authorized</u>	<u>5 MRSA §723</u>
<u>(11)</u>	<u>Education</u>	<u>Maine Historic</u> <u>Preservation</u> <u>Commission</u>	<u>Expenses</u> <u>only</u>	<u>27 MRSA §501</u>
<u>(12)</u>	<u>Education</u>	<u>Maine Library</u> <u>Commission</u>	<u>Expenses</u> <u>only</u>	<u>27 MRSA §111</u>
<u>(13)</u>	<u>Education</u>	<u>Post-secondary</u> <u>Education Com-</u> <u>mission of</u> <u>Maine</u>	<u>Expenses</u> <u>only</u>	<u>20-A MRSA §10304</u>
<u>(14)</u>	<u>Education</u>	<u>Maine State</u> <u>Commission on</u> <u>the Arts and</u> <u>the Humanities</u>	<u>Expenses</u> <u>only</u>	<u>27 MRSA §401</u>
<u>(15)</u>	<u>Energy</u>	<u>Advisory Coun-</u> <u>cil on Energy</u> <u>Efficiency</u> <u>Building Per-</u> <u>formance</u> <u>Standards</u>	<u>Expenses</u> <u>only</u>	<u>10 MRSA §1414</u>
<u>(16)</u>	<u>Energy</u>	<u>State Energy</u> <u>Resources Ad-</u> <u>visory Board</u>	<u>Not</u> <u>Authorized</u>	<u>5 MRSA §5007</u>
<u>(17)</u>	<u>Environment</u>	<u>Low-level Waste</u> <u>Siting</u> <u>Commission</u>	<u>Expenses</u> <u>only</u>	<u>38 MRSA §1476</u>
<u>(18)</u>	<u>Environment:</u> <u>Natural</u> <u>Resources</u>	<u>Ground Water</u> <u>Protection</u> <u>Commission</u>	<u>Expenses</u> <u>only</u>	<u>P&SL 1979, c. 43</u>
<u>(19)</u>	<u>Finance</u>	<u>Advisory Coun-</u> <u>cil on Deferred</u> <u>Compensation</u> <u>Plans</u>	<u>Expenses</u> <u>only</u>	<u>5 MRSA §884</u>
<u>(20)</u>	<u>Finance</u>	<u>Natural Re-</u> <u>source Financ-</u> <u>ing and Market-</u> <u>ing Board</u>	<u>\$25/day</u>	<u>10 MRSA §985</u>

<u>(21) Finance</u>	<u>Standardization Committee</u>	<u>\$25/day; Public Member</u>	<u>5 MRSA \$1814</u>
<u>(22) Finance</u>	<u>Maine Veterans' Small Business Loan Board</u>	<u>Expenses only</u>	<u>10 MRSA \$1100-A</u>
<u>(23) Housing</u>	<u>Advisory Board to the Maine State Housing Authority</u>	<u>Expenses only</u>	<u>30 MRSA \$4602</u>
<u>(24) Housing</u>	<u>Passamaquoddy Indian Housing Authority - In- dian Township</u>	<u>Not Authorized</u>	<u>22 MRSA \$4733</u>
<u>(25) Housing</u>	<u>Passamaquoddy Indian Housing Authority - Pleasant Point</u>	<u>Not Authorized</u>	<u>22 MRSA \$4733</u>
<u>(26) Housing</u>	<u>Penobscot Trib- al Reservation Housing Authority</u>	<u>Not Authorized</u>	<u>22 MRSA \$4733</u>
<u>(27) Human Services</u>	<u>Maine Aid to Families With Dependent Chil- dren Coordinat- ing Committee</u>	<u>Not Authorized</u>	<u>22 MRSA \$3773</u>
<u>(28) Human Services</u>	<u>Advisory Coun- cil to Maine Aid to Families With Dependent Children Coor- dinating Committee</u>	<u>Not Authorized</u>	<u>22 MRSA \$3774</u>
<u>(29) Human Ser- vices: Health Facilities</u>	<u>Certificate of Need Advisory Committee</u>	<u>\$25/day</u>	<u>22 MRSA \$307</u>
<u>(30) Human Services</u>	<u>Maine Council on Alcohol and Drug Abuse Pre- vention and Treatment</u>	<u>Expenses only</u>	<u>22 MRSA \$7107</u>
<u>(31) Human Services</u>	<u>Maine Dental Health Council</u>	<u>Expenses only</u>	<u>22 MRSA \$2096</u>

(32)	<u>Human Ser-</u> <u>vices: Public</u> <u>Health</u>	<u>Environmental</u> <u>Health Advisory</u> <u>Committee</u>	<u>Expenses</u> <u>only</u>	<u>22 MRSA §1693</u>
(33)	<u>Human Ser-</u> <u>vices:</u> <u>Hospitals</u>	<u>Hospital Advis-</u> <u>ory Committee</u>	<u>Not</u> <u>Authorized</u>	<u>22 MRSA §396-P</u>
(34)	<u>Human Ser-</u> <u>vices: Health</u> <u>Finance</u>	<u>Payor Advisory</u> <u>Committee</u>	<u>Not</u> <u>Authorized</u>	<u>22 MRSA §396-P</u>
(35)	<u>Human</u> <u>Services</u>	<u>Professional</u> <u>Advisory</u> <u>Committee</u>	<u>Not</u> <u>Authorized</u>	<u>22 MRSA §396-P</u>
(36)	<u>Human Ser-</u> <u>vices: Public</u> <u>Health</u>	<u>Radiological</u> <u>Emergency</u> <u>Preparedness</u> <u>Committee</u>	<u>Expenses</u> <u>only</u>	<u>37-B MRSA §954</u>
(37)	<u>Judiciary</u>	<u>Judicial</u> <u>Council</u>	<u>Expenses</u> <u>only</u>	<u>4 MRSA §451</u>
(38)	<u>Judiciary:</u> <u>Criminal law</u>	<u>Criminal Law</u> <u>Advisory</u> <u>Commission</u>	<u>Expenses</u> <u>only</u>	<u>17-A MRSA §1351</u>
(39)	<u>Judiciary:</u> <u>Law</u>	<u>Probate Law Re-</u> <u>vision</u> <u>Commission</u>	<u>Expenses</u> <u>only</u>	<u>P&SL 1975,</u> <u>c. 14, §1</u>
(40)	<u>Labor</u>	<u>State Advisory</u> <u>Council</u>	<u>\$25/day</u>	<u>26 MRSA §1082</u>
(41)	<u>Labor</u>	<u>Displaced</u> <u>Homemakers Ad-</u> <u>visory Council</u>	<u>Not</u> <u>Authorized</u>	<u>26 MRSA §1604</u>
(42)	<u>Local and</u> <u>County</u> <u>Government</u>	<u>County Records</u> <u>Board</u>	<u>Not</u> <u>Authorized</u>	<u>30 MRSA §347</u>
(43)	<u>Local and</u> <u>County</u> <u>Government</u>	<u>Municipal</u> <u>Records Board</u>	<u>Not</u> <u>Authorized</u>	<u>30 MRSA §2214</u>
(44)	<u>Local and</u> <u>County</u> <u>Government</u>	<u>Regional Coun-</u> <u>cil of</u> <u>Governments</u>	<u>Paid by</u> <u>member</u> <u>governments</u>	<u>30 MRSA §1981</u>
(45)	<u>Marine Re-</u> <u>sources:</u> <u>Industry</u>	<u>Lobster Advis-</u> <u>ory Council</u>	<u>Expenses</u> <u>only</u>	<u>12 MRSA §6462</u>

(a) Total expenses for the council shall not exceed \$2,000 per year			
(46)	<u>Marine Resources</u>	<u>Atlantic Sea Run Salmon Commission</u>	<u>Expenses only</u> <u>12 MRSA \$6251</u>
(47)	<u>Marine Resources</u>	<u>Maine Marine Resources Commission</u>	<u>Expenses only</u> <u>Senate Paper 64, 1973</u>
(48)	<u>Mental Health and Retardation</u>	<u>Board of Visitors (for each State institution under the department)</u>	<u>Not Authorized</u> <u>34-B MRSA \$1403</u>
(49)	<u>Mental Health and Retardation</u>	<u>Maine Committee on the Problems of the Mentally Retarded</u>	<u>Expenses only</u> <u>34-B MRSA \$1210</u>
(50)	<u>Mental Health and Retardation</u>	<u>Mental Health Advisory Council</u>	<u>Not Authorized</u> <u>34-B MRSA \$1209</u>
(51)	<u>Mental Health and Retardation</u>	<u>State Planning and Advisory Council on Developmental Disabilities</u>	<u>Expenses only</u> <u>34-B MRSA \$1211</u>
(52)	<u>Natural Resources: Forests</u>	<u>Forest Fire Advisory Council</u>	<u>Expenses only</u> <u>12 MRSA \$9621</u>
(53)	<u>Natural Resources: Forests</u>	<u>Forest Land Valuation Advisory Council</u>	<u>Expenses only</u> <u>36 MRSA \$584</u>
(54)	<u>Natural Resources: Protection and Promotion</u>	<u>Keep Maine Scenic Committee</u>	<u>Expenses only</u> <u>12 MRSA \$633</u>
(55)	<u>Natural Resources: Recreation</u>	<u>Maine Trails System Advisory Committee</u>	<u>Not Authorized</u> <u>12 MRSA \$602</u>
(56)	<u>Natural Resources: Recreation</u>	<u>White Water Advisory Committee</u>	<u>\$25/day</u> <u>12 MRSA \$7369-A</u>

(57)	<u>Natural Re- sources: Recreation</u>	<u>White Water Safety Committee</u>	<u>\$25/day</u>	<u>12 MRSA \$7367</u>
(58)	<u>Occupations: Auctioneers</u>	<u>Auctioneers Ad- visory Board</u>	<u>Expenses only</u>	<u>32 MRSA \$271</u>
(59)	<u>Occupations: Ambulance Services</u>	<u>Emergency Medi- cal 'Services' Advisory Board</u>	<u>\$20/day</u>	<u>32 MRSA \$88</u>
(60)	<u>Occupations: Computers</u>	<u>Computer Ser- vices Advisory Board</u>	<u>\$25/day</u>	<u>5 MRSA \$1855</u>
(61)	<u>Occupations: Insurance</u>	<u>General Lines Agent Examina- tion Advisory Board</u>	<u>Expenses only</u>	<u>24-A MRSA \$1525</u>
(62)	<u>Occupations: Insurance</u>	<u>Life Agent Ex- amination Ad- visory Board</u>	<u>Expenses only</u>	<u>24-A MRSA \$1525</u>
(63)	<u>Occupations: Real Estate</u>	<u>Continuing Edu- cation Committee</u>	<u>Not Authorized</u>	<u>32 MRSA \$4115-B</u>
(64)	<u>Occupations: Medicine</u>	<u>Professional Malpractice Ad- visory Panel</u>	<u>Not Authorized</u>	<u>24 MRSA \$2802</u>
(65)	<u>State Government</u>	<u>Capitol Plan- ning Commission</u>	<u>Expenses only</u>	<u>5 MRSA \$298</u>
(66)	<u>State Government</u>	<u>State Compensa- tion Commission</u>	<u>Expenses only</u>	<u>3 MRSA \$2-A</u>
(67)	<u>State Government</u>	<u>State Govern- ment Internship Program Advis- ory Committee</u>	<u>Expenses only</u>	<u>5 MRSA \$293</u>
(68)	<u>State Planning</u>	<u>Maine Critical Areas Advisory Board</u>	<u>Expenses only</u>	<u>5 MRSA \$3313</u>
(69)	<u>Transporta- tion: Motor Vehicles</u>	<u>Maine Aeronau- tical Advisory Board</u>	<u>Not Authorized</u>	<u>6 MRSA \$302</u>
(70)	<u>Transporta- tion: Ferry Service</u>	<u>Maine State Ferry Advisory Board</u>	<u>Not Authorized</u>	<u>23 MRSA \$4301</u>

<u>(71)</u>	<u>Transportation: Highway</u>	<u>Maine Highway Safety Committee</u>	<u>Not Authorized</u>	<u>25 MRSA §2902</u>
<u>(72)</u>	<u>Transportation: Motor Vehicles</u>	<u>Advisory and Review Board on Driver Licensing and Vehicle Registration</u>	<u>Expenses only</u>	<u>29 MRSA §2246</u>
<u>(73)</u>	<u>Transportation: Motor Vehicles</u>	<u>Medical Advisory Board (Licensing of Drivers)</u>	<u>Not Authorized</u>	<u>29 MRSA §547</u>
<u>(74)</u>	<u>Transportation: Public Transportation</u>	<u>Public Transportation Advisory Committee</u>	<u>Not Authorized</u>	<u>23 MRSA §4209</u>
<u>(75)</u>	<u>Tourism</u>	<u>Travel Information Advisory Council</u>	<u>\$25/day</u>	<u>23 MRSA §1904</u>
<u>(76)</u>	<u>Tourism</u>	<u>Maine Vacation - Travel Commission</u>	<u>Expenses only</u>	<u>5 MRSA §7005</u>
<u>(77)</u>	<u>Telecommunications</u>	<u>Advisory Committee on State Telecommunications</u>	<u>Not Authorized</u>	<u>5 MRSA §350</u>
<u>(78)</u>	<u>Telecommunications</u>	<u>Advisory Committee on Maine Public Broadcasting</u>	<u>Expenses only</u>	<u>20-A MRSA §801</u>

11. Independent advisory boards. Independent advisory boards are boards which are established by statute as independent organizations, which have a separate line item in the budget document, and to which moneys are allocated or appropriated by the Legislature. The primary responsibilities of those boards are to evaluate the performance of departments or agencies of State Government, recommend policies and procedures to the Governor and Legislature for adoption, serve in an advocacy capacity for a specific group or sector of the population or hold hearings for the evaluation of policies and issues.

A. This classification includes the following boards:

<u>FIELD</u>	<u>NAME OF ORGANIZATION</u>	<u>RATE OF COMPENSATION</u>	<u>STATUTORY REFERENCE</u>
(1) Human Services	Maine Human Services Council	\$25/day	22 MRSA §5313
(2) Human Services	Maine Committee on Aging	\$25/day	22 MRSA §5108
(3) Women	Maine Commission for Women	Expenses only	5 MRSA §7021

12. Intergovernmental organizations. The primary responsibility of intergovernmental organizations is to establish cooperation between this State and other states or Canadian provinces.

A. This classification includes the following boards:

<u>FIELD</u>	<u>NAME OF ORGANIZATION</u>	<u>RATE OF COMPENSATION</u>	<u>STATUTORY REFERENCE</u>
(1) Education	Education Commission of the States	Paid by Compact	20-A MRSA §603
(2) Education	New England Board of Higher Education	Not Authorized	20-A MRSA §11002
(3) Environment	New England Interstate Water Pollution Control Commission	Expenses only	38 MRSA §532
(4) Environment	Northeastern Forest Fire Protection Commission	Expenses only	P&SL 1949, c. 75
(5) Marine Resources	Atlantic States Marine Fisheries Commission	Not Authorized	12 MRSA §4603
(6) State Government	Commission on Intergovernmental Relations	Not Authorized	3 MRSA §271
(7) State Government	Commission on Interstate Cooperation	Not Authorized	3 MRSA §201

(8)	<u>State Government</u>	<u>Commission on Uniform State Laws</u>	<u>Expenses only</u>	<u>3 MRSA §241</u>
(9)	<u>State Government</u>	<u>New England In- terstate Plan- ning Commission</u>	<u>From com- mission budget</u>	<u>10 MRSA §304</u>
(10)	<u>State Government</u>	<u>Maine - Canadi- an Legislative Advisory Commission</u>	<u>Not Authorized</u>	<u>3 MRSA §227</u>
(11)	<u>Transportation</u>	<u>Maine - New Hampshire In- terstate Bridge Authority</u>	<u>Expenses only</u>	<u>P&SL 1937, c. 18</u>
(12)	<u>Transportation</u>	<u>Vehicle Equip- ment Safety Commission</u>	<u>Expenses only</u>	<u>29 MRSA §1513</u>

§12005. Report to Secretary of State

Every board established by this chapter, except those classified as occupational and professional licensing boards in section 12004, subsection 1, and which are within or affiliated with the Department of Business, Occupational and Professional Regulation, shall be required to submit an annual report to the Secretary of State, on forms provided by the Secretary of State. This report shall be submitted no later than December 15th of each calendar year and shall include the information required by this section and any other information deemed necessary by the Secretary of State to fulfill the purposes of this chapter:

1. Date and location of last meeting. The date and location of the last meeting in the calendar year of the report;

2. Dates and locations of all other meetings. The dates and locations of all other meetings of the board in the previous 12 months;

3. Number of members of the board. The total number of members of the board;

4. Attendance at and length of meetings. The number of members attending each meeting and the length of each meeting;

5. Compensation. The total per diem compensation, if any, received by the board for each meeting and the total received for the calendar year;

6. Expenses. The total expenses for which the board is reimbursed, if any, for each meeting, and the total expenses for which all board members were reimbursed for the calendar year;

7. Members' names and addresses. The names and current addresses of the members of the board; and

8. Vacancies. The number of vacancies on the board as of December 15th.

§12006. Penalty for failure to report

Members of any board which fail to report to the Secretary of State, as required by section 12005, shall not be eligible to receive any daily rate or annual rate of compensation or any money for expenses incurred in the work of the board. The Commissioner of Finance and Administration, the Secretary of State or the authorized person to pay compensation or expenses to members of the boards, shall not pay any rate of compensation or expenses to any member of a board which has failed to report to the Secretary of State.

Sec. 40. 6 MRSA §302, sub-§1, ¶A, as enacted by PL 1977, c. 678, §48, is amended to read:

A. There is established the The Maine Aeronautical Advisory Board, established by Title 5, section 12004, subsection 10, and in this section called "the board," which shall be a board within the Department of Transportation.

Sec. 41. 6 MRSA §302, sub-§3, ¶B, as enacted by PL 1977, c. 678, §48, is amended to read:

B. Members will serve without compensation or expenses shall be compensated as provided in Title 5.

Sec. 42. 7 MRSA §402-A, sub-§1, as enacted by PL 1981, c. 705, Pt. I, §1, is amended to read:

1: Agriculture Promotion Committee. The commissioner may appoint a promotional committee, as authorized by Title 5, section 12004, subsection 9, to advise and assist the department in its general efforts to promote Maine agricultural products. The committee shall include, at a minimum, representatives in-

volved in the production or marketing of those agricultural commodities which maintain, through state taxes or otherwise, an ongoing promotion and advertising program.

Sec. 43. 7 MRSA §403, sub-§3, as enacted by PL 1981, c. 335, §1, is amended to read:

3. Advisory board. ~~There is created an The Eastern States Exposition Advisory Board to, as established by Title 5, section 12004, subsection 10,~~ shall assist and advise the commissioner in fulfillment of the department's responsibilities under this section. The board shall consist of 10 members who are not employees of the State, chosen in the following manner.

A. Five members shall be selected from Region 1 trustees of the Eastern States Exposition Board of Trustees, representing the various interests of the State. They shall be named by the Region 1 chairman, who shall serve as an ex officio member of the board.

B. Five members shall be named by the Governor. Notwithstanding paragraph C, of the 5 members first appointed by the Governor, one shall be appointed for a term of one year, one for a term of 2 years, one for a term of 3 years, one for a term of 4 years and one for a term of 5 years. Thereafter, members appointed by the Governor shall serve the terms set out in paragraph C.

C. All board members shall serve 5-year terms. No member who has served a full 5-year term may succeed himself. In case of a vacancy, a new member shall be named, in the same manner as the member he is replacing, to fill the unexpired term. If a board member appointed from Region 1 trustees ceases to be a Region 1 trustee during his term, his position on the board shall be declared vacant. The board shall meet at least once a year and at other times as deemed necessary and upon the call of the commissioner. It shall name its own chairman.

Sec. 44. 7 MRSA §427, sub-§§1 and 2, as enacted by PL 1981, c. 154, §1, are amended to read:

1. Establishment. For market orders, the commissioner shall, and for market agreements, the commissioner may, establish a commodity marketing committee or committees, as authorized by Title 5, section 12004, subsection 9, to administer and implement the

provisions of the orders or agreements. Members of the committees shall be initially appointed by the commissioner to equitably represent the producers, handlers or processors who are directly affected by the order or agreement. The size of a committee, its geographic representation, membership qualification, selection procedure, term of office and operating procedures shall be prescribed by rule for each market order or market agreement for which a committee or committees may be established; provided that in each case where a market order or market agreement is in effect for a period greater than 12 months, the rules shall provide for a system for election of the producer, handler and processor members.

2. Expenses and compensation. Committee members are not entitled to compensation for their services, but are entitled to actual expenses incurred while engaged in the performance of their duties shall be compensated as provided in Title 5, chapter 379. The commissioner may authorize the committee to employ necessary personnel, including an attorney, fix their compensation and term of employment, and to incur such expenses, to be paid by the commissioner from moneys collected as provided, as the commissioner may deem necessary and proper, to enable the committee to perform its duties. Members of any committee established under this section when acting in their official capacity under this subchapter shall be considered agents of the commissioner.

Sec. 45. 7 MRSA §972, as enacted by PL 1981, c. 513, §7, is amended to read:

§972. Potato Marketing Improvement Committee

The commissioner shall appoint an advisory committee, as authorized by Title 5, section 12004, subsection 9, of 8 members to be known as the Potato Marketing Improvement Committee. The Potato Marketing Improvement Committee shall advise the commissioner on the development and implementation of improved potato marketing systems, including the modernization, construction and operation of storage and central packing facilities. The Potato Marketing Improvement Committee shall also advise the commissioner concerning the funding and expenditures of the Potato Marketing Improvement Fund created pursuant to section 973. The Potato Marketing Improvement Committee shall include one member representing the University of Maine, one member representing the Maine Potato Council, one member representing the Maine Potato Commission, one member representing the Maine Potato Sales Association, one member representing the Farmers Home

Administration, one member representing the Farm Credit Service, one member representing the State Development Office and one member representing the public. Where the commissioner finds it appropriate, the members representing the Farmers Home Administration and the Farm Credit Service may serve as a loan review committee and advise him, on a confidential basis, on applications for funding.

Sec. 46. 7 MRSA §995, sub-§1 is amended to read:

1. Membership of committee. Any marketing order issued pursuant to sections 991 to 1006 shall provide for the establishment of an administrative committee to administer such order in accordance with its terms and provisions. This committee, authorized by Title 5, section 12004, subsection 10, shall be known as the "Maine Potato Marketing Committee" and shall consist of 8 members, of whom 5 shall be producers and 3 shall be handlers. For each member of the committee there shall be an alternate who shall have the same qualifications as the member. Persons selected as committee members or alternates to represent producers shall be individuals who are producers in the respective district for which selected or officers or employees of a corporate producer in such district and such persons shall be residents of the respective district for which selected. Persons selected as committee members or alternates to represent handlers shall be individuals who are handlers in the State or officers or employees of a corporate handler in this State and such persons shall be residents of the State.

Sec. 47. 7 MRSA §995, sub-§10, as amended by PL 1979, c. 541, Pt. B, §7, is further amended to read:

10. Expenses and compensation. ~~No committee member~~ Committee members shall receive a salary, but each shall be entitled to his actual expenses incurred while engaged in performing his duties authorized be compensated as provided in Title 5, chapter 379. The commissioner may authorize the committee to employ necessary personnel, including an attorney, fix their compensation and terms of employment, and to incur such expenses, to be paid by the commissioner from moneys collected as provided, as the commissioner may deem necessary and proper to enable the committee properly to perform such of its duties as are authorized in this Article.

Sec. 48. 7 MRSA §1033, sub-§1, as enacted by PL 1981, c. 513, §§10 and 12, is amended to read:

1. Board. The Maine Potato Quality Control Board ~~is~~ established, ~~to~~ by Title 5, section 12004, subsection 9, shall consist of the following members:

A. One representative elected by the Maine Potato Commission;

B. Five representatives elected by the Maine Potato Council; one from each of the 3 districts defined in section 993, subsection 3, paragraphs A, C and D, and 2 from the district defined in section 993, subsection 3, paragraph B;

C. One representative elected by the Maine Potato Sales Association;

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

E. A person appointed by the Governor to represent consumers.

Members shall serve for staggered 2-year terms. In the initial membership, the board shall determine that 4 of its members shall serve for one-year terms.

Sec. 49. 7 MRSA §1033, sub-§3, as enacted by PL 1981, c. 513, §§10 and 12, is amended to read:

3. Finances. The board may receive funds from any source and spend funds in furtherance of this Article. The members may be paid mileage at the rate authorized for state employees and daily expenses as determined by the board shall be compensated as provided in Title 5, chapter 379. The board may employ staff and hire consultants. Any funds received by the board shall be placed in a nonlapsing revolving fund.

Sec. 50. 7 MRSA §2151, as amended by PL 1983, c. 565, §3, is further amended to read:

§2151. Creation and membership

A The Seed Potato Board, as established by Title 5, section 12004, subsection 9, and located in the Department of Agriculture, Food and Rural Resources, shall consist of the commissioner and 8 additional members appointed by him. Of the 8 appointed members, 7 shall be chosen from representatives of the potato industry in Aroostook County and one from elsewhere in the State, provided that one appointed member shall be primarily a table stock producer and one primarily a processor producer.

Sec. 51. 7 MRSA §2155, sub-§1, as enacted by PL 1983, c. 565, §7, is amended to read:

1. Administration. The Seed Potato Board shall elect a secretary, who need not be a member of the board, and the commissioner shall have authority to employ a managing director and such agents as may be necessary, subject to the Personnel Law, to consummate any and all programs which it may institute, as authorized under the terms of this chapter and shall keep a record of all of its proceedings, and all expenses by it incurred shall be paid out of the State Treasury, on certification of the commissioner, upon the audit and warrant of the State Controller and charged against any and all appropriations which may be annually made available for its use as stipulated. The board shall be subject to the provisions of Title 5, chapter 379.

Sec. 52. 7 MRSA §2952, first ¶, as amended by PL 1983, c. 484, §1, is further amended to read:

The Maine Milk Commission, as established by Title 5, section 12004, subsection 6, shall consist of 5 members and at all times shall include within its membership the Commissioner of Agriculture, Food and Rural Resources or his designee, ex officio. In addition to the limitations of Title 5, section 18, none of the remaining 4 members of the commission shall at the time of appointment or while serving as a member of the commission, and no employee of the commission shall may have any official business, other than retail purchases of milk, or professional connection or relation with, or hold any interest or stock or securities in, any producer, dealer, store or other person whose activities are subject to the jurisdiction of the commission; nor shall may any member or employee of the commission render any professional or other service against any such producer, dealer, store or other person whose activities are subject to the jurisdiction of the commission or be a member of a firm which shall render any such service.

Sec. 53. 7 MRSA §2952, next to last ¶, as amended by PL 1977, c. 78, §31, is further amended to read:

Any vacancy in the membership of said the commission shall be filled by appointment by the Governor. Members of the commission shall be allowed actual traveling and other necessary expenses incurred in the performance of their duties and each member shall receive a per diem compensation for the time actually spent in the performance of his duties compensated as provided in Title 5, chapter 379, that compensation

to be determined by the Governor. The cost of administration of ~~said~~ the commission, including expenses and compensation of members, shall not exceed the amount of fees collected under this chapter. The commission shall be furnished a suitable office in the State Capitol, together with all necessary equipment and supplies therefor.

Sec. 54. 8 MRSA §141, first ¶, as amended by PL 1983, c. 553, §46, is further amended to read:

The Maine Athletic Commission, established by Title 5, section 12004, subsection 1, and in this chapter called "the commission," shall consist of 5 members appointed by the Commissioner of Business, Occupational and Professional 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 or wrestling. Each member of the commission shall receive a salary of \$1,000 a year and reasonable expenses, including transportation, incurred in the performance of his duties be compensated as provided in Title 5, chapter 379.

Sec. 55. 8 MRSA §261, as amended by PL 1983, c. 75, is further amended to read:

§261. Commission

The State Harness Racing Commission, as ~~heretofore~~ established by Title 5, section 12004, subsection 8, and ~~hereinafter~~ in this chapter called the "commission," shall consist of 3 members who shall be appointed and may be for cause removed by the Governor. All members of the commission shall be appointed or reappointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over agriculture and confirmation by the Legislature. No more than 2 members ~~shall~~ may be of the same political party. One member shall, in some capacity, be connected with agricultural societies which operate pari-mutuel racing. Upon the expiration of the term of office of any member, his successor shall be appointed for a term of 3 years. Any vacancy shall be filled by appointment for the unexpired term. The members shall serve until their successors are appointed and qualified. So far as practicable, they shall be persons interested in the establishment and development of a Maine breed of standard bred horses and no member of the commission shall have any pecuniary interest in any racing or the sale of pari-mutuel pools licensed under this chapter.

Sec. 56. 8 MRSA §265, as repealed and replaced by PL 1979, c. 672, Pt. A, §45, is repealed and the following enacted in its place:

§265. Compensation

Members of the commission shall be compensated as provided in Title 5, chapter 379.

Sec. 57. 8 MRSA §321, as amended by PL 1975, c. 771, §104, is further amended to read:

§321. Commission

The State Running Horse Racing Commission, as ~~heretofore~~ established by Title 5, section 12004, subsection 8, and ~~hereinafter~~ in this chapter called the "commission," shall consist of 3 members appointed by the Governor. No more than 2 members ~~shall~~ may be of the same political party. Each member shall be appointed for a term of 3 years or until his successor has been appointed and qualified. Any vacancy shall be filled for the unexpired term by the Governor. One member shall be appointed by the Governor as chairman and one as secretary. No member ~~shall~~ may have any pecuniary interest in any racing or the sale of pari-mutuel pools licensed hereunder.

Sec. 58. 8 MRSA §351, first ¶, as amended by PL 1975, c. 771, §105, is further amended to read:

There is established a The State Lottery Commission which, established by Title 5, section 12004, subsection 8, shall consist of 5 members, all of whom shall be citizens and residents of this State and all of whom shall be appointed by the Governor. No more than 3 of the 5 members shall may be members of the same political party. The members shall be appointed for terms of 5 years, except that of the members first appointed, one shall be appointed for a term of 1 one year, one for a term of 2 years, one for a term of 3 years, one for a term of 4 years, and one for a term of 5 years. The term of each of the members first appointed shall be designated by the Governor. The members shall annually elect one of them as chairman of the commission.

Sec. 59. 8 MRSA §351, last ¶, as amended by PL 1983, c. 205, is repealed and the following enacted in its place:

The members of the commission shall receive no salaries and shall be compensated as provided in Title 5, chapter 379. In addition, the commission mem-

bers shall not be compensated for more than 20 meetings per year.

Sec. 60. 10 MRSA §304, as enacted by PL 1967, c. 487, is amended to read:

§304. Creation of commission -- Article III

There is hereby created the The New England Interstate Planning Commission, hereinafter established by Title 5, section 12004, subsection 12, shall be called the "commission."

Sec. 61. 10 MRSA §309, sub-§4, as enacted by PL 1967, c. 487, is amended to read:

4. Reimbursement of expenses. The members of the commission shall be paid by the commission their actual expenses incurred and incidental to the performance of their duties, subject to the approval of the commission compensated by the commission, as provided by Title 5, chapter 379.

Sec. 62. 10 MRSA §962, 2nd ¶, as enacted by PL 1983, c. 519, §6, is repealed and the following enacted in its place:

The Finance Authority of Maine, as established by Title 5, section 12004, subsection 7, to fulfill these purposes is authorized to:

Sec. 63. 10 MRSA §967, sub-§1, as enacted by PL 1983, c. 519, §6, is repealed and the following enacted in its place:

1. Compensation. Be compensated as provided in Title 5, chapter 379; and

Sec. 64. 10 MRSA §967, sub-§2, as enacted by PL 1983, c. 519, §6, is repealed.

Sec. 65. 10 MRSA §985, sub-§3, as enacted by PL 1983, c. 519, §7, is amended to read:

3. Terms of appointment and compensation. The public members shall be appointed for terms of 4 years, except that, of the initial appointees, one shall be appointed for one year, one for 2 years, one for 3 years and one for 4 years. Any vacancy shall be filled by an appointment for the remainder of the unexpired term. Each public member shall receive the same per diem salary as paid to Legislators for services at hearings of the board of directors and shall be entitled to payment of necessary expenses, con-

sistent with Title 5, section 13 for attending any such meetings or hearings or for any other expenses incurred in connection with the official business of the board of directors, under the authorization of the board be compensated as provided by Title 5, chapter 379, following approval of expenses by the director. Payment of expenses shall be approved by the director and the chairman.

Sec. 66. 10 MRSA §1100-A, as enacted by PL 1983, c. 519, §21, is amended to read:

§1100-A. Organization of loan board

The Maine Veterans' Small Business Loan Board is created and, as established by Title 5, section 12004, subsection 10, in this subchapter shall be called the "loan board". The loan board shall consist of 9 members, including the Director of Veterans' Services, and 8 members-at-large appointed by the Governor for a period of 4 years, provided that of the members first appointed, 2 shall be appointed for a term of one year, 2 for a term of 2 years, 2 for a term of 3 years and 2 for a term of 4 years. Two public members of the loan board shall be appointed by the Governor to serve on the Finance Authority of Maine board. A vacancy in the office of an appointive member, other than by expiration, shall be filled in like manner as an original appointment, but only for the remainder of the term of the retiring member. Appointive members may be removed by the Governor for cause. The loan board shall elect one of its members as chairman, one as vice-chairman, one as treasurer and one as secretary. Five members of the loan board shall constitute a quorum. The affirmative vote of 5 members present and voting shall be necessary for any action taken by the loan board. No vacancy in the membership of the loan board may impair the right of the quorum to exercise all rights and perform all the duties of the loan board.

All the members of the loan board shall not be paid per diem but shall be reimbursed for their actual expenses necessarily incurred in the performance of their duties be compensated in accordance with Title 5, chapter 379.

Sec. 67. 10 MRSA §1414, sub-§1, as enacted by PL 1979, c. 503, §2, is amended to read:

1. Establishment. There is created an The Advisory Council on Energy Efficiency Building Performance Standards, established by Title 5, section 12004, subsection 10, is hereinafter referred to as the ad-

visory council. The advisory council shall consist of 10 persons. The Governor shall appoint one member who is a registered professional architect, one member who is a registered professional engineer, one member who is primarily a residential building contractor, one member who is primarily a nonresidential building contractor, one member who is a practicing building inspector, one member who represents the banking industry, one member who represents industry, one member who represents the commercial community and 2 members who are elected officials of a county or municipality. Public members shall serve for 4 years except as provided in this section and may be reappointed by the Governor for a succeeding term. Elected county and municipal officials shall be appointed to a term of office to coincide with their terms of office, not to exceed 4 years. Members shall not serve for more than 2 successive terms. The terms of the initial public members shall be as follows: The banking representative and building contractor shall initially serve for 2 years and the registered professional engineer, the practicing building inspector and the registered professional architect shall initially serve for 3 years.

Sec. 68. 10 MRSA §1414, sub-§3, as enacted by PL 1979, c. 503, §2, is amended to read:

3. Meetings and compensation. The advisory council shall meet at least 4 times per year and each member shall be compensated ~~for travel expenses incurred in executing the duties under this chapter~~ as provided in Title 5, chapter 379.

Sec. 69. 10 MRSA §9003, sub-§1, as amended by PL 1983, c. 553, §46, is further amended to read:

1. Established. ~~There is created and established~~ The Manufactured Housing Board, established by Title 5, section 12004, subsection 1 and located in the Department of Business, Occupational and Professional Regulation ~~the Manufactured Housing Board which~~ shall have the responsibility of administering and enforcing this chapter. The board shall consist of 5 members appointed by the Governor.

Sec. 70. 10 MRSA §9003, sub-§5, as enacted by PL 1977, c. 550, §1, is amended to read:

5. Compensation. The appointed members of the board are entitled to \$35 per day and their necessary traveling expenses for actual attendance at meetings and hearings or for any other official business of the board shall be compensated as provided in Title 5, chapter 379.

Sec. 71. 12 MRSA §51, first ¶, as amended by PL 1979, c. 731, §19, is further amended to read:

The State Soil and Water Conservation Commission, as ~~heretofore~~ established, by Title 5, section 12004, subsection 8, shall serve as an agency of the State and shall perform the functions conferred upon it in this chapter. It shall consist of the following 11 members: The Dean of the College of Life Sciences and Agriculture, the Commissioner of Agriculture, Food and Rural Resources, the Commissioner of Conservation, the Commissioner of Inland Fisheries and Wildlife and the Commissioner of Marine Resources, who shall serve ex officio, except that each ex officio member may delegate one of his staff to serve regularly in his absence, and 6 soil and water conservation district supervisors, one of which shall represent each of the following 6 areas: Area 1, composed of St. John Valley, Central Aroostook and Southern Aroostook Soil and Water Conservation Districts; Area 2, composed of Washington and Hancock County Soil and Water Conservation Districts; Area 3, composed of Penobscot, Piscataquis and Somerset County Soil and Water Conservation Districts; Area 4, composed of Kennebec, Knox-Lincoln and Waldo County Soil and Water Conservation Districts; Area 5, composed of Androscoggin Valley, Oxford and Franklin County Soil and Water Conservation Districts; Area 6, composed of Cumberland and York County Soil and Water Conservation Districts. Any district organized after October 1, 1975, shall be included in one of these 6 areas as determined by the State Soil and Water Conservation Commission.

Sec. 72. 12 MRSA §53, as amended by PL 1983, c. 99, §3, is further amended to read:

§53. Officers; terms; quorum; compensation; records

The commission shall elect one of its members to be chairman and may, from time to time, change such designation. An ex officio member of the commission shall hold office so long as he shall hold the office by virtue of which he is serving on the commission. Upon the expiration of the term of office of, or in the case of a vacancy in, the office of an elected member, his successor shall be elected in the same manner, and from the same area, as the retiring member was elected. A majority of the commission shall constitute a quorum, and the concurrence of a majority of the said quorum in any matter within their duties shall be required for its determination. The chairman and members of the commission shall ~~receive no compensation for their services on the commission,~~

but shall be entitled to expenses, including traveling expenses, necessarily incurred in the discharge of their duties on the commission, if and when funds are available be compensated as provided in Title 5, chapter 379 and provided that sufficient funds are available. The commission shall provide for the keeping of an accurate record of all proceedings and of all resolutions, regulations and orders issued or adopted.

Sec. 73. 12 MRSA §602, sub-§15, ¶C, as amended by PL 1973, c. 460, §19, is further amended to read:

C. The department shall appoint a Maine Trails System Advisory Committee, as established by Title 5, section 12004, subsection 10, whose members shall represent various interested parties, for the purpose of advising him on matters related to the Maine Trails System.

Sec. 74. 12 MRSA §633, first ¶, as amended by PL 1977, c. 360, §11, is further amended to read:

The Commissioner of the Department of Conservation shall appoint a Keep Maine Scenic Committee, as established by Title 5, section 12004, subsection 10, to advise and consult with the department in carrying out the administration of this chapter. The committee shall consist of 11 members and the chairman shall be appointed by the commissioner. Each member shall hold office for 3 years, except that at the time of the first appointments, 4 shall be appointed for a term of one year, 4 for a term of 2 years and 3 for a term of 3 years. Committee members, while serving on business of the committee, shall receive no compensation but shall be entitled to receive actual expenses shall be compensated as provided in Title 5, chapter 379.

Sec. 75. 12 MRSA §683, first ¶, as amended by PL 1979, c. 497, §1, is further amended to read:

To carry out the purposes stated in section 681 there is created, within the The Maine Land Use Regulation Commission, as established by Title 5, section 12004, subsection 5, to carry out the purposes stated in section 681, is created within the Department of Conservation, the Maine Land Use Regulation Commission, hereinafter and in this chapter called the "commission." The commission is charged with implementing this chapter in all of the unorganized and deorganized areas of the State. The commission shall consist of 7 public members, none of whom shall be state employees, who shall be appointed by the Gover-

nor, subject to review by the Joint Standing Committee on Natural Resources and to confirmation by the Legislature, for staggered 4-year terms. Among the public members, there shall be 4 who shall be knowledgeable in at least one of each of the following areas: Commerce and industry; fisheries and wildlife; forestry; and conservation. Of the potential appointees to the commission, the Governor shall give consideration to persons residing in or near the unorganized areas of the State.

Sec. 76. 12 MRSA §684, first ¶, as amended by PL 1977, c. 694, §221, is further amended to read:

The commission shall elect annually, from its own membership, a secretary and such other officers it deems necessary. The Commissioner of the Department of Conservation shall be chairman of the commission. Meetings shall be held at the call of the chairman or at the call of more than 1/2 of the membership. Such public meetings shall be held at least once a month. The commission, acting in accordance with the procedures set forth in Title 5, chapter 375, subchapter II, may adopt whatever rules it deems necessary for the conduct of its business. The secretary shall keep minutes of all proceedings of the commission, which minutes shall be a public record available and on file in the office of the commission. Members of the commission, except state employees, shall receive \$40 per day for their services at meetings or hearings and all members shall receive necessary traveling expenses for attending any meetings of the commission or for any travel in connection with the official business of the commission and under specific authority of the commission; which traveling expenses shall be paid out of the General Fund be compensated as provided in Title 5, chapter 379. A quorum of the commission for the transaction of business shall be 4 members. No action shall may be taken by the commission unless upon approval by a vote of 4 members.

Sec. 77. 12 MRSA §901, first ¶, as amended by PL 1983, c. 556, §3, is further amended to read:

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

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

Sec. 78. 12 MRSA §1701, first ¶, as enacted by PL 1969, c. 557, §1, is amended to read:

The Maine Forest Authority, ~~hereinafter~~ established by Title 5, section 12004, subsection 8 and in this chapter called "the authority," is created and designated as the agency of the State of Maine to receive such sums as are from time to time paid to the State by the trustee under clause THIRD of a certain inter vivos trust dated July 6, 1927, as from time to time amended, created by the late Percival Proctor Baxter for the purchase of forest lands for recreational and reforestation purposes, and by ~~said~~ that trustee and by the trustees of the Baxter State Park Trust Fund created by ~~chapter 21 of the Private and Special laws of Law 1961, chapter 21,~~ chapter 21 of the Private and Special laws of Law 1961, chapter 21, for the care, protection and operation of such lands so purchased or otherwise acquired.

Sec. 79. 12 MRSA §4603 is amended to read:

§4603. Commission -- Article III

Each state joining herein shall appoint 3 representatives to a commission constituted and designated as the Atlantic States Marine Fisheries Commission, as authorized by Title 5, section 12004, subsection 12. One shall be the executive officer of the administrative agency of ~~such~~ the state charged with the conservation of the fisheries resources to which this compact pertains or, if there be more than one officer or agency, the official of that state named by the governor thereof. The 2nd shall be a member of

the legislature of such the state designated by the commission or committee on interstate cooperation of such that state, or if there be none, or if said the commission on interstate cooperation cannot constitutionally designate the said member, such that legislator shall be designated by the governor thereof; provided, if it is constitutionally impossible to appoint a legislator as a commissioner from such that state, the 2nd member shall be appointed by the governor of said that state in his discretion. The 3rd shall be a citizen who shall have a knowledge of and interest in the marine fisheries problem to be appointed by the governor. This commission shall be a body corporate with the powers and duties set forth herein.

Sec. 80. 12 MRSA §5013, sub-§1, as amended by PL 1977, c. 360, §20, is further amended to read:

1. Land Use Regulation Commission. The Maine Land Use Regulation Commission as established by chapter 206-A, which Title 5, chapter 379 shall be under the direction and supervision of a director who shall be qualified by experience in planning and administration consistent with section 681. The director shall be appointed by the commissioner, with the consent of a majority of the commission, for a term coterminous with the commissioner, subject to removal for cause by the commissioner with the approval of the Governor;

Sec. 81. 12 MRSA §6024, sub-§1, as amended by PL 1983, c. 383, §1, is further amended to read:

1. Appointment; composition; term; compensation. The advisory council, established by Title 5, section 12004, subsection 10, shall consist of 9 members. Each member shall be appointed by the Governor and shall be subject to review by the joint standing committee of the Legislature having jurisdiction over marine resources and to confirmation by the Legislature. Eight of the members shall be selected from persons directly engaged in commercial activities or industries based on marine resources, and one of the members shall be selected from persons who represent recreational fishing interests. The composition of the council shall adequately represent the commercial fisheries' activities over which the department has jurisdiction and shall also reflect a geographical distribution along the coast. All members shall be appointed for a term of 3 years, except a vacancy shall be filled in the same manner as an original for the unexpired portion of the term. Members shall serve until their successors are appointed. Members

shall be compensated at \$25 for each day spent at a regular or special council meeting and may be reimbursed for actual expenses as provided in Title 5, chapter 379. The total compensation and expenses of the council shall not exceed \$5,000 in any year.

Sec. 82. 12 MRSA §6251, sub-§1, as amended by PL 1981, c. 433, §5, is further amended to read:

1. Commission; members. The Atlantic Sea Run Salmon Commission, established by Title 5, section 12004, subsection 10, shall have the following members:

A. The Commissioner of Marine Resources and the Commissioner of Inland Fisheries and Wildlife or their respective designees; and

B. A 3rd member, who shall be appointed by the Governor. The appointment shall be for 4 years or thereafter until his successor is appointed and qualified. He shall be a Maine citizen. Any vacancy shall be appointed for a full term.

Sec. 83. 12 MRSA §6251, sub-§2, as enacted by PL 1977, c. 661, §5, is amended to read:

2. Compensation. The appointed member shall receive \$10 a day and expenses when engaged in the discharge of his official duties be compensated as provided in Title 5, chapter 379.

Sec. 84. 12 MRSA §6462, sub-§1, as repealed and replaced by PL 1981, c. 377, §1, is amended to read:

1. Appointment; composition. There is established the The Lobster Advisory Council which, established by Title 5, section 12004, subsection 10, shall consist of 11 members. Each member shall be appointed by the Governor as follows.

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

- (1) Cumberland;
- (2) Hancock;
- (3) Knox;
- (4) Lincoln;
- (5) Sagadahoc;

- (6) Waldo;
- (7) Washington; and
- (8) York.

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

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

Sec. 85. 12 MRSA §6462, sub-§3, as enacted by PL 1979, c. 355, §1, is repealed and the following enacted in its place:

3. Compensation. Members shall be compensated according to Title 5, chapter 379.

Sec. 86. 12 MRSA §6583, sub-§1, as enacted by PL 1981, c. 677, §1, is amended to read:

1. Establishment. The Maine Groundfish Association, established by Title 5, section 12004, subsection 9, is established as a nonprofit corporation subject to the provisions of Title 13-B for the purposes of promoting groundfish and enhancing the development of the groundfish industry.

Sec. 87. 12 MRSA §7033, sub-§1, as repealed and replaced by PL 1979, c. 543, §2, is amended to read:

1. Appointment. ~~There is established an~~ The advisory council, ~~which established by Title 5, section 12004, subsection 10,~~ shall consist of one 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 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.

Sec. 88. 12 MRSA §7033, sub-§3, as amended by PL 1981, c. 111, is repealed and the following enacted in its place:

3. Expenses. The members of the advisory council shall be compensated as provided in Title 5, chapter 379.

Sec. 89. 12 MRSA §7301, sub-§1, as amended by PL 1979, c. 723, §11, is further amended to read:

1. Examining board. A Board of Examiners for the Licensing of Guides, established by Title 5, section 12004, subsection 1, shall consist of the following:

A. The commissioner or such subordinate officer of the department as the commissioner may designate;

B. Two wardens of the department; and

C. A representative of the public to be appointed by the Governor for a term of 3 years. The public member shall ~~receive no compensation;~~ but the department shall reimburse him for actual expenses incurred in carrying out his duties at the same rate as provided for state employees be compensated as provided in Title 5, chapter 379.

Sec. 90. 12 MRSA §7302, sub-§1, as repealed and replaced by PL 1979, c. 543, §27, is amended to read:

1. Examining board. The commissioner, as authorized by Title 5, section 12004, subsection 10, shall appoint a board of 5 members, to be known as the "Junior Maine Guides and Trip Leaders' Curriculum Board." The board shall consist of one member from the Department of Inland Fisheries and Wildlife, one member from the Department of Human Services and 3 public members, one of whom shall be a Maine camp director. ~~All members shall serve without compensation, except that public members shall be reimbursed for travel and other necessary expenses incurred in the performance of their duties.~~ The public members shall be compensated as provided in Title 5, chapter 379. Appointments to the board shall be for 3 years or until successors are appointed.

Sec. 91. 12 MRSA §7367, sub-§2, as enacted by PL 1983, c. 502, §4, is amended to read:

2. Whitewater Safety Committee. The Whitewater Safety Committee ~~is established. The committee by Title 5, section 12004, subsection 10 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 serve without compensation, except for per diem and reimbursement for travel and actual expenses for up to 4 meetings per year be compensated as provided in Title 5, chapter 379 for no more than 4 meetings a year.

Sec. 92. 12 MRSA §7369-A, first ¶, as enacted by PL 1983, c. 502, §4, is amended to read:

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

Sec. 93. 12 MRSA §7369-A, sub-§2, as enacted by PL 1983, c. 502, §4, is amended to read:

2. Terms; compensation. Legislative members shall serve during their legislative terms. Members shall serve until their successors are nominated and qualified. Members shall serve without compensation, except for per diem and reimbursement for travel and actual expenses for up to 10 meetings per year be compensated as provided in Title 5, chapter 379 for no more than 10 meetings a year.

Sec. 94. 12 MRSA §9621, first and last ¶¶, as enacted by PL 1983, c. 556, §16, are amended to read:

The Governor shall appoint a 9-member council, as authorized by Title 5, section 12004, subsection 10, to advise the Department of Conservation on all mat-

ters pertaining to the forest fire control program. The council shall consist of one representative each from the Forest Fire Control Division of the Department of Conservation and the Maine State Fire Chief's Association. At least one member shall be a municipal official. Four members shall represent the commercial forest industry, of which 2 shall represent landowners in the organized portions of the State and 2 shall represent landowners in the unorganized portion of the State. One member shall represent a forest related tourist industry and one shall represent a non-commercial private owner of acreage which is subject to the tax assessed under Title 36, chapter 366.

The members of the council shall receive actual expenses incurred in the conduct of the council's activities be compensated as provided in Title 5, chapter 379.

Sec. 95. 13 MRSA §1956, sub-§1, as amended by PL 1979, c. 731, §19, is repealed and the following enacted in its place:

1. Board. The Maine Agricultural Bargaining Board, established by Title 5, section 12004, subsection 3, and located in the Department of Agriculture, Food and Rural Resources, shall administer this Article.

Sec. 96. 13 MRSA §1956, sub-§5, as enacted by PL 1973, c. 621, §1, is amended to read:

5. Expenses. Members of the board shall be compensated at the rate of \$50 per day, in addition to their actual expenses while carrying out the functions of the board according to the provisions of Title 5, chapter 379.

Sec. 97. 17 MRSA §1051, first ¶, as repealed and replaced by PL 1983, c. 308, §§6 and 14, is amended to read:

The Animal Welfare Board, as established in section 1051-A by Title 5, section 12004, subsection 8, shall enforce all provisions of this chapter; Title 7, chapters 701, 703 and 711; and Title 17-A, section 510.

Sec. 98. 17 MRSA §1051-A, first and last ¶¶, as enacted by PL 1983, c. 308, §§7 and 14, are amended to read:

There is established the The Animal Welfare Board, shall be in the Department of Agriculture,

Food and Rural Resources. It shall consist of 10 members; 4 representing humane societies; 4 representing agriculture; the Commissioner of Agriculture, Food and Rural Resources, or his designee; and a veterinarian. The Commissioner of Agriculture, Food and Rural Resources shall serve ex officio and shall not exercise the power to vote. The remaining 9 members of the board shall be appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over agriculture and to confirmation by the Legislature.

~~Members of the board shall be entitled to per diem compensation, equal to the per diem compensation of Legislators, for the conduct of official business and expenses necessarily incurred in the performance of the board's duties compensated in accordance with Title 5, chapter 379.~~

Sec. 99. 17-A MRSA §1351, as enacted by PL 1975, c. 740, §124, is repealed and the following enacted in its place:

§1351. Establishment

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

Sec. 100. 17-A MRSA §1356, as enacted by PL 1975, c. 740, §124, is repealed and the following enacted in its place:

§1356. Reimbursement of expenses

The members of the commission shall be compensated according to the provisions of Title 5, chapter 379.

Sec. 101. 20-A MRSA §401, first ¶, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

The State Board of Education is established by Title 5, section 12004, subsection 8. The appointments, terms and expenses of the State Board of Education members shall be as follows.

Sec. 102. 20-A MRSA §401, sub-§3, as enacted by PL 1981, c. 693, §§5 and 8, is repealed and the following enacted in its place:

3. Expenses. Members of the state board shall be compensated according to the provisions of Title 5, chapter 379.

Sec. 103. 20-A MRSA §603, sub-§1, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

1. Commission established. The Education Commission of the States, hereafter in this chapter called "the commission," is hereby established authorized by Title 5, section 12004, subsection 12.

Sec. 104. 20-A MRSA §651, sub-§1, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

1. Council established. There is established the The Maine Education Council, established by Title 5, section 12004, subsection 10, shall be composed of the members of the Education Commission of the States representing this State, and 7 other persons appointed by the Governor.

Sec. 105. 20-A MRSA §801, sub-§§1 and 3, as enacted by PL 1981, c. 693, §§5 and 8, are amended to read:

1. Committee. The Advisory Committee on Maine Public Broadcasting, as established by Title 5, section 12004, subsection 10, shall facilitate the development of public broadcasting in the State.

3. Expenses. Members shall be reimbursed for their actual expenses necessarily incurred in the performance of their duties compensated according to the provisions of Title 5, chapter 379.

Sec. 106. 20-A MRSA §9002, first ¶, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

An advisory committee shall be established to, established by Title 5, section 12004, subsection 10, shall advise the commissioner in the administration of section 9001.

Sec. 107. 20-A MRSA §9002, sub-§4, as enacted by PL 1981, c. 693, §§5 and 8, is repealed and the following enacted in its place:

4. Expenses. The members shall be compensated according to the provisions of Title 5, chapter 379.

Sec. 108. 20-A MRSA §10301, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

§10301. Establishment

The Post-secondary Education Commission of Maine, hereafter established by Title 5, section 12004, subsection 10, and in this chapter called the "commis-

sion," ~~is established to~~ shall exercise the powers and perform the duties set forth in this Title.

Sec. 109. 20-A MRSA §10304, sub-§§1 and 5, as enacted by PL 1981, c. 693, §§5 and 8, are amended to read:

1. Membership. The Post-secondary Education Commission of Maine, as established by Title 5, section 12004, subsection 10, shall consist of 16 members drawn from the following groups.

A. Six members shall be members of principal public governing and administrative boards concerned with post-secondary education in Maine and the Maine Advisory Council on Vocational Education. The members shall be selected in accordance with the procedures of the bodies they represent. These positions shall be assigned as follows:

(1) Two positions for members of the Board of Trustees of the University of Maine;

(2) One position for a member of the state board;

(3) One position for a member of the Maine Advisory Council on Vocational Education;

(4) One position for a member of the Board of Trustees of the Maine Maritime Academy; and

(5) One position for a member of the Maine Delegation of the New England Board of Higher Education. This member shall not, at the time of appointment or during membership of the Post-secondary Education Commission of Maine, be the Chancellor of the University of Maine, the commissioner or an administrative officer or member of the governing board of a public, private nonprofit or proprietary post-secondary educational institution in Maine.

B. Three members shall represent private nonprofit institutions of post-secondary education in Maine. These representatives shall be appointed by a subcommittee of the Higher Education Council in Maine composed of private college members. This subcommittee shall not be limited in its choice of representatives to members of the Higher Education Council of Maine, but also shall

consider administrative officers and members of the governing boards of any private nonprofit institution of post-secondary education.

C. One member shall represent proprietary institutions of post-secondary education in Maine. This representative shall be appointed by the Governor and shall be a chief executive officer or member of the governing board of a federally recognized proprietary institution of post-secondary education, as defined in the United States Higher Education Act of 1965, Public Law 89-329, United States Code, Title 20, Section 1070 (a), as amended.

D. Four members shall represent the general public. These members shall not be employees of, or members of the governing body of, a public, private nonprofit or proprietary institution of post-secondary education in this State. Representatives of the general public in this State shall be appointed by the Governor.

E. The Chancellor of the University of Maine and the commissioner shall serve as ex officio members of the commission.

5. Expenses. Members shall serve without pay, but shall be reimbursed for travel and other expenses incurred in the performance of their official duties be compensated as provided in Title 5, chapter 379.

Sec. 110. 20-A MRSA §11002, sub-§1, as enacted by PL 1981, c. 693, §§5 and 8, is repealed and the following enacted in its place:

1. Creation. The New England Board of Higher Education, established by Title 5, section 12004, subsection 12, and referred to as the "board," shall be an agency of each state party to the compact.

Sec. 111. 20-A MRSA §11801, sub-§3, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

3. Advisory committee. It is the intent of the Legislature, consistent with the purposes of this chapter, to establish an The Advisory Committee on Medical Education to, established by Title 5, section 12004, subsection 10, shall assist the commissioner in planning and administration of the professional health program and particularly in the development of clinical education sites and continuing education, which are funded primarily by sources other than patient charges.

Sec. 112. 20-A MRSA §12403, sub-§1, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

1. Purpose. The Indian Scholarship Committee, established by Title 5, section 12004, subsection 10, may approve grants under this chapter.

Sec. 113. 20-A MRSA §15704, sub-§1, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

1. Establishment. The Maine School Building Authority, established by Title 5, section 12004, subsection 7, shall be a public instrumentality of the State. The exercise by the authority of the powers conferred by this chapter shall be the performance of essential governmental functions.

Sec. 114. 20-A MRSA §15704, sub-§5, as enacted by PL 1981, c. 693, §§5 and 8, is repealed and the following enacted in its place:

5. Expenses. Members of the authority shall be compensated according to the provisions of Title 5, chapter 379.

Sec. 115. 22 MRSA §307, sub-§2-A, as enacted by PL 1981, c. 705, Pt. V, §25, is amended to read:

2-A. Certificate of Need Advisory Committee. ~~There is established~~ The Certificate of Need Advisory Committee, established by Title 5, section 12004, subsection 10, and created within the Department of Human Services ~~a Certificate of Need Advisory Committee, which,~~ shall participate with the department in the public hearing process.

A. The committee shall be composed of 10 members, 9 of whom shall be appointed by the Governor. The Commissioner of Human Services shall name his designee to serve as an ex officio non-voting chairman of the committee. The 9 members appointed by the Governor shall be selected in accordance with the following requirements.

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

(a) One member shall represent the hospitals.

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

(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, and.

(2) Five public members shall be appointed as consumers of health care. 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. The Governor may remove any appointed member who becomes disqualified by virtue of the requirements of paragraph A, or for ne-

glect of any duty required by law, or for incompetency or dishonorable conduct.

D. Each appointed member of the committee shall receive a per diem allowance of \$25 for each day that he is actively engaged in performing the work of the committee and each member shall be reimbursed for the actual and necessary traveling and other expenses incurred in the discharge of his duties be compensated according to the provisions of Title 5, chapter 379.

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

Sec. 116. 22 MRSA §383, sub-§1, as enacted by PL 1983, c. 579, §10, is amended to read:

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

A. ~~There is established the~~ The Maine Health Care Finance Commission, which 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 is-

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

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

E. The Governor shall appoint a chairman and a vice-chairman, who shall serve in these capacities at his pleasure.

Sec. 117. 22 MRSA §383, sub-§3, as enacted by PL 1983, c. 579, §10, is repealed and the following enacted in its place:

3. Compensation. Each member of the commission shall be compensated according to the provisions of Title 5, chapter 379.

Sec. 118. 22 MRSA §396-P, sub-§1, as enacted by PL 1983, c. 579, §10, is amended to read:

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

A. The commission shall ~~establish~~ appoint a Professional Advisory Committee consisting of 2 allopathic physicians, 2 osteopathic physicians, 2 nurses and one hospital employee, other than a nurse or physician, directly involved in the provision of patient care. This committee shall advise the commission and its staff with respect to the effects of the health care financing system established under this subchapter on the quality of care provided by hospitals.

B. The commission shall ~~establish~~ appoint a Hospital Advisory Committee consisting of 2 representatives of hospitals which have 55 or fewer beds, 2 representatives of hospitals which have 56 to 110 beds and 2 representatives of hospitals which have more than 110 beds. This committee shall advise the commission and its staff with respect to analytical techniques, data requirements, financial and other requirements of hospitals, and the effects of the health care financing system established under this subchapter on the hospitals of the State.

C. The commission shall ~~establish~~ appoint a Payor Advisory Committee consisting of one representative of nonprofit hospital and medical service corporations, one representative of commercial insurance companies, one representative of self-insured groups and one representative of the department. This committee shall advise the commission and its staff with respect to analytical techniques, data requirements and other technical matters involved in implementing and administering the health care financing system established under this subchapter.

Sec. 119. 22 MRSA §1471-B, sub-§1, as amended by PL 1983, c. 309, is further amended to read:

1. Board established. ~~There~~ The Board of Pesticides Control is established by Title 5, section 12004, subsection 5, within the Department of Agriculture, Food and Rural Resources a Board of Pesticides Control. The board shall be composed of 7 members, appointed by the Governor, subject to approval by the joint standing committee of the Legislature having jurisdiction over the subject of agriculture and confirmation by the Legislature. To provide the knowledge and experience necessary for carrying out the duties of the board, one person shall be appointed who has practical experience and knowledge in chemical use in the field of agriculture, one who has practical experience and knowledge in chemical use in the field of forest management, a commercial applicator, a person from the medical community, a scientist from the University of Maine specializing in agronomy or entomology having practical experience and knowledge of integrated pest management and 2 persons appointed to represent the public. The public members shall be selected to represent different economic or geographic areas of the State. The term shall be for 4 years, except that of the initial appointees, 2 shall serve 4-year terms, 2 shall serve 3-year terms,

2 shall serve 2-year terms and one shall serve a one-year term. Any vacancy shall be filled by an appointment for the remainder of the unexpired term.

Sec. 120. 22 MRSA §1471-B, sub-§3, as enacted by PL 1979, c. 644, §3, is repealed and the following enacted in its place:

3. Compensation of the board. Each public member shall be compensated according to the provisions of Title 5, chapter 379.

Sec. 121. 22 MRSA §1693, as enacted by PL 1981, c. 508, §1, is amended to read:

§1693. Environmental Health Advisory Committee

The commissioner shall appoint a committee of representatives of the public and private sectors to serve as an advisory body to the Environmental Health Program, as authorized by Title 5, section 12004, subsection 10. The committee shall advise, assist and consult with the commissioner regarding the public health implications of hazardous elements in the environment. The committee may make recommendations to the commissioner, concerning the steps which should be taken to make for a healthful environment. The committee shall be solely advisory in nature. It shall be composed of not less than 11 members, of whom 3 shall be public members. The members shall serve for 3-year terms, except that initially 4 shall be appointed for 3 years, 4 for 2 years and 3 for one year. The members shall include individuals with training and experience in any of the following, or related fields: Environmental medicine; epidemiology; toxicology; human genetics; or biomedical research. The commissioner shall appoint the chairman of the committee. Members of the committee shall ~~serve without pay, but be recompensed for expenses incurred in carrying out their duties~~ be compensated according to the provisions of Title 5, chapter 379. The committee shall meet at least once annually in Augusta.

Sec. 122. 22 MRSA §2026, first ¶, as repealed and replaced by PL 1975, c. 218, is amended to read:

There is hereby created the The Maine Medical Laboratory Commission which, established by Title 5, section 12004, subsection 8, shall consist of 10 members who are residents of the State. The commissioner of the department or a person appointed by him shall be a member and is hereby designated and shall serve as the chairman. 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 7 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~~ certified by the American Osteopathic Board of Pathology. The remaining 3 members shall be public members who shall not derive any significant part of their income from the medical care industry.

Sec. 123. 22 MRSA §2027, as repealed and replaced by PL 1975, c. 218, is amended to read:

§2027. Expenses

Members of the commission shall serve without pay, but they shall receive reimbursement for actual and necessary expenses incurred in the performance of their duties be compensated as provided in Title 5, chapter 379.

Sec. 124. 22 MRSA §2054, sub-§1, as amended by PL 1979, c. 680, §8, is further amended to read:

1. Authority. There is hereby created a body ~~politic and corporate~~ to be known as the "Maine Health and Higher Educational Facilities Authority." The authority, established by Title 5, section 12004, subsection 7, is constituted a public body corporate and politic and an instrumentality of the State, and the exercise by the authority of the powers conferred by this chapter shall be deemed and held to be the performance of an essential public function. The authority shall consist of 12 members, one of whom shall be the Bank Superintendent, ex officio, one of whom shall be the Commissioner of Human Services, ex officio, one of whom shall be the Commissioner of Educational and Cultural Services, ex officio, one of whom shall be the Treasurer of State or his designee, ex officio, as a nonvoting member; and 8 of whom shall be residents of the State appointed by the Governor, not more than 4 of such appointed members to be members of the same political party. The designee of the Treasurer of State shall be the Deputy Treasurer of State. Three of the appointed members shall be trustees, directors, officers or employees of hospitals and one of such ap-

pointed members shall be a person having a favorable reputation for skill, knowledge and experience in state and municipal finance, either as a partner, officer or employee of an investment banking firm which originates and purchases state and municipal securities, or as an officer or employee of an insurance company or bank whose duties relate to the purchase of state and municipal securities as an investment and to the management and control of a state and municipal securities portfolio. Of the 3 members first appointed who are trustees, directors, officers or employees of hospitals, one shall serve for 2 years, one for 3 years and one for 4 years. Of the 5 remaining members initially appointed, one shall serve for one year, one for 2 years, one for 3 years, one for 4 years and one for 5 years. For the 2 members whose terms expire in 1980 and 1981, the Governor shall appoint as successors, for terms of 5 years each, persons who are trustees, members of a corporation or board of governors, officers or employees of institutions for higher education. Annually, the Governor shall appoint, for a term of 5 years, a successor to the member whose term expires. Members shall continue in office until their successors have been appointed and qualified. The Governor shall fill any vacancy for the unexpired terms. A member of the authority shall be eligible for reappointment. Any non-ex officio member of the authority may be removed by the Governor, after hearing, for misfeasance, malfeasance or willful neglect of duty. Each member of the authority before entering upon his duties shall take and subscribe the oath or affirmation required by the State Constitution of Maine, Article IX. A record of each such oath shall be filed in the office of the Secretary of State. The Bank Superintendent, the Treasurer of State, the Commissioner of Human Services and the Commissioner of Educational and Cultural Services may designate their deputies or, in the case of the Bank Superintendent, the Commissioner of Human Services and the Commissioner of Educational and Cultural Services, any member of their staffs to represent them as members at meetings of the authority with full power to act and, in the case of the Bank Superintendent, the Commissioner of Human Services and the Commissioner of Educational and Cultural Services, to vote in their behalf.

Sec. 125. 22 MRSA §2054, sub-§6, as enacted by PL 1971, c. 303, §1, is repealed and the following enacted in its place:

6. Expenses. The members of the authority shall be compensated according to the provisions of Title 5, chapter 379.

Sec. 126. 22 MRSA §2096, as amended by PL 1975, c. 293, §4, is repealed and the following enacted in its place:

§2096. Council

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

Sec. 127. 22 MRSA §2098, 3rd ¶, as enacted by P&SL 1975, c. 90, §A, is amended to read:

Any reasonable and proper expenses of the council shall be borne by the office out of currently available state or federal funds. Each member of the council shall ~~serve without compensation, but may be reimbursed on the same basis as employees of the state departments for the actual travel and other necessary expenses incurred in the performance of his duties be~~ compensated according to the provisions of Title 5, chapter 379. The council is authorized to appoint subcommittees.

Sec. 128. 22 MRSA §3773, sub-§1, as enacted by PL 1981, c. 512, §16, is amended to read:

1. Committee established. ~~There is established the The Maine Aid to Families with Dependent Children Coordinating Committee consisting established by Title 5, section 12004, subsection 10, shall consist of the Commissioners of Human Services, Labor and Educational and Cultural Services or their designees. Nothing in this chapter shall be construed to supplant the roles of the Department of Labor and the Department of Human Services in administering the federally mandated Work Incentive Program in Maine.~~

Sec. 129. 22 MRSA §3773, sub-§3, ¶G, as enacted by PL 1981, c. 512, §16, is amended to read:

G. Establishment of an advisory council pursuant to section 3774, authorized by Title 5, section 12004, subsection 10;

Sec. 130. 22 MRSA §3774, sub-§1, as enacted by PL 1981, c. 512, §16, is amended to read:

1. Members. ~~The advisory council established pursuant to referred to in section 3773, subsection 3, paragraph G shall include at least the following members:~~

- A. Two recipients of benefits under the Aid to Families with Dependent Children Program;
- B. One representative of employers within the State;
- C. One representative of organized labor;
- D. One member of the Maine Commission for Women; and
- E. One or more representatives of organizations or agencies which have experience in addressing the training, education and job needs of low-income women.

Sec. 131. 22 MRSA §4733, as amended by PL 1983, c. 421, is further amended to read:

§4733. Create respective tribal housing authorities

The Passamaquoddy Tribe, the Penobscot Nation and the Houlton Band of Maliseet Indians are authorized by Title 5, section 12004, subsection 10, to create respective tribal housing authorities. The respective tribe, nation or band shall prescribe the manner of selection of the members, their terms and grounds for removal. Except as otherwise provided in this chapter or clearly indicated otherwise, the Maine Housing Authorities Act shall apply to the tribal housing authorities which hereinafter may be referred to as "authority" or "authorities." The power of such tribal housing authorities may be exercised only within the Indian territory of the respective tribe or nation, or the trust land of the Houlton Band of Maliseet Indians. Such tribal housing authorities shall be in substitution for any tribal housing authority heretofore existing under the laws of the State and shall assume all the rights and obligations of such predecessor housing authorities. The presently constituted tribal housing authority of the respective tribe or nation shall continue in existence and shall exercise all the authority heretofore vested by law in it until such time as the respective tribe or nation creates the tribal housing authority authorized by this section.

Sec. 132. 22 MRSA §5108, as repealed and replaced by PL 1981, c. 703, Pt. A, §30, is amended to read:

§5108. Committee

The Maine Committee on Aging is created and established by Title 5, section 12004, subsection 11, shall consist of 15 members, who shall be appointed by the Governor.

Sec. 133. 22 MRSA §5111, 3rd ¶, as repealed and replaced by PL 1973, c. 793, §11, is amended to read:

Each member of the committee shall be entitled to receive \$25 per day for compensation of the time actually spent in the performance of his duties and may be reimbursed on the same basis as employees of state departments for the actual travel and other necessary expenses incurred in the performance of his duties compensated according to the provisions of Title 5, chapter 379. The committee is authorized to appoint subcommittees consisting of its own members and to allow guests of the committee to attend any and all meetings.

Sec. 134. 22 MRSA §5313, sub-§1, as repealed and replaced by PL 1983, c. 409, §3, is amended to read:

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

Sec. 135. 22 MRSA §5315, 3rd ¶, as amended by PL 1983, c. 409, §6, is further amended to read:

Any reasonable and proper expenses of the council shall be borne out of currently available state or federal funds. Each member of the council shall be entitled to receive \$25 per day for compensation of the time actually spent in the performance of his duties and may be reimbursed on the same basis as employees of state departments for the actual travel and other necessary expenses incurred in the performance of his duties be compensated according to the provisions of Title 5, chapter 379. The council may appoint subcommittees consisting of its own members and allow guests of the council to attend any and all meetings.

Sec. 136. 22 MRSA §7107, as amended by PL 1983, c. 464, §12, is further amended to read:

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

The Maine Council on Alcohol and Drug Abuse Prevention and Treatment, ~~hereinafter in this chapter referred to as the "council,"~~ is created established by Title 5, section 12004, subsection 10, in this chapter shall be referred to as the "council." The council may appoint from its membership subcommittees relating to particular problem areas or to other matters, provided that by January 1, 1975, the council shall function as an integrated committee. The planning committee shall provide the council any administrative or financial assistance that from time to time may be reasonably required to carry out its activities. Any reasonable and proper expenses of the council shall be borne by the planning committee out of currently available state or federal funds. The Maine Commission on Drug Abuse, as heretofore established by Title 5, chapter 317, as amended, and the advisory councils on alcoholism as heretofore established in the department and by section 1367, shall, by this chapter and implementation of it, be reconstituted and unified into a single unit.

Sec. 137. 22 MRSA §7109, 2nd ¶, as enacted by PL 1973, c. 566, §1, is repealed and the following enacted in its place:

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

Sec. 138. 23 MRSA §152, first ¶, as amended by PL 1975, c. 771, §236, is further amended to read:

The State Claims Board, as heretofore established ~~and formerly known as the Land Damage Board~~ by Title 5, section 12004, subsection 2, shall consist of 5 members. Four of ~~said~~ the members shall be appointed by the Governor, 2 of whom shall be qualified appraisers and 2 of whom shall be attorneys-at-law. The Governor shall designate one of the attorneys-at-law to be chairman. The members of the board appointed by the Governor shall serve for terms of 4 years. They shall be sworn, and for inefficiency, willful neglect of duty or for malfeasance in office may, after notice and hearing, be removed by the Governor on the address of both branches of the Legislature or by impeachment. In case of a vacancy occurring through death, resignation or removal, the Governor shall appoint a successor for the whole term of the member whose place he takes, subject to removal as aforesaid.

Sec. 139. 23 MRSA §152, 2nd ¶, as amended by PL 1983, c. 94, Pt. A, §24, is repealed and the following enacted in its place:

Members of the State Claims Board shall be compensated according to the provisions of Title 5, chapter 379.

Sec. 140. 23 MRSA §1904, sub-§1, as repealed and replaced by PL 1981, c. 318, §1, is amended to read:

1. Creation. The Travel Information Advisory Council ~~is created~~, established by Title 5, section 12004, subsection 10, shall advise the commissioner with respect to the administration of this chapter. The commissioner shall cooperate with the council by providing necessary assistance.

Sec. 141. 23 MRSA §1904, sub-§3, as amended by PL 1981, c. 576, §2, is further amended to read:

3. Membership. The Travel Information Advisory Council shall have 9 members as follows: One representing the lodging industry, one representing the restaurant industry, one representing the recreational industry, one representing the Keep Maine Scenic Committee, one representing agriculture, one representing environmental organizations, one representing nonprofit historical and cultural institutions, one representing sign design and fabrication artisans and one representing the general public. The members shall be appointed by the Governor, one of whom he shall designate as chairman. The 8 initially appointed members shall be appointed as of ~~the effective date of this chapter~~ May 26, 1981, with 4 appointed for one-year terms, and 4 appointed for 2-year terms. New members shall be appointed annually thereafter to 2-year terms. If a vacancy occurs prior to the expiration of a term, that vacancy shall be filled for the remainder of that term. Meetings shall be held at the call of the chairman or at the call of more than 1/2 of the membership. Members of the council, except state employees, shall ~~receive~~ \$25 per day for their services at meetings and all members shall ~~receive necessary traveling expenses for attending all meetings of the council~~ be compensated according to the provisions of Title 5, chapter 379. All council expenses shall be paid from the fund established by section 1919.

Sec. 142. 23 MRSA §1965, sub-§1, as amended by PL 1983, c. 337, §1, is further amended to read:

1. Powers. The Maine Turnpike Authority, as created by Private and Special Law 1941, chapter 69 and ~~as continued in existence by this chapter~~ authorized by Title 5, section 12004, subsection 7, 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 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;
- I. Make contracts with the United States or any instrumentality or agency of the United States, this State or any of its agencies or instrumentalities, municipalities, public corporations, or bodies existing therein, private corporations, partnerships, associations and individuals;
- J. Accept grants and the cooperation of the United States or any agency thereof in the construction, maintenance, reconstruction, operation

and financing of the turnpike and do any and all things necessary in order to avail itself of that aid and cooperation and repay any such grant or portion thereof;

K. Employ such assistants, agents and servants, engineering, traffic, architectural and construction experts and inspectors and attorneys and such other employees as it deems necessary or desirable for its purposes;

L. Exercise any of its powers in the public domain of the United States, unless the exercise of those powers is not permitted by the laws of the United States;

M. Borrow money, make, issue and sell at public or private sale negotiable notes, bonds and other evidences of indebtedness or obligations of the authority for the purposes set forth in this chapter and secure the payment of that obligation or any part thereof by pledge of all or any part of the operating revenues of the turnpike;

N. Enter into loan or security agreements with one or more lending institutions, including, but not limited to, banks, insurance companies and pension funds, or trustees for those institutions for purposes for which bonds may be issued and to exercise with respect to such loan or security agreements all of the powers delineated in this chapter for the issuances of bonds;

O. Provide an annual amount not to exceed a maximum of \$4,700,000 as the department shall request and the authority shall determine pursuant to section 1974, subsection 4, after moneys have been set aside, or adequate provision has been made, to pay operating expenses and to meet the requirements of any resolution authorizing bonds of the authority, to be necessary for the use of the department each year for the construction, operation and maintenance of access roads and costs related thereto;

P. Provide from revenues to or for the use of the department funds for the maintenance, construction or reconstruction of interchanges determined pursuant to section 1974, subsection 3, for which the authority has not otherwise provided;

Q. Use toll revenues to provide payment of obligations, if any, as may be due to the United

States in order to continue the use of the turnpike as a toll type facility;

R. Issue revenue bonds in accordance with this chapter for the purpose of payment to the Federal Government for any funds owed by the State as the result of maintaining tolls on the turnpike and issue additional revenue bonds for the construction and reconstruction of interchanges and related access roads and the reconstruction of the turnpike. The additional revenue bonds so issued shall not exceed \$20,000,000 in aggregate principal amount outstanding at any one time, excluding bonds issued to refund outstanding bonds;

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

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

Sec. 143. 23 MRSA §1965, sub-§2, ¶C, as amended by PL 1981, c. 698, §102, is further amended to read:

C. Before the issuance of any bonds under this chapter, the secretary and treasurer shall execute a security bond in the penalty of \$100,000. Each security bond must be approved by the Attorney General and shall be conditioned upon the faithful performance of the duties of his office, which bond shall be filed in the office of the State Auditor. Each member of the authority shall ~~receive \$50 for each day in attendance at an official meeting and be reimbursed for necessary expenses incurred in the performance of his duties~~ be compensated according to the provisions of Title 5, chapter 379. The Governor may remove a member from the authority only for gross misconduct.

Sec. 144. 23 MRSA §4209, sub-§7, as enacted by PL 1979, c. 505, §4, is amended to read:

7. Review. The Commissioner of Transportation shall ~~establish~~ appoint a Public Transportation Advisory Committee, established by Title 5, section 12004, subsection 10, consisting of not more than 17 members. The members shall represent individuals, organizations and agencies as described in this section. The committee shall advise the Commissioner of Transportation regarding the administration of this section.

Sec. 145. 23 MRSA §4301, as enacted by PL 1975, c. 580, §4, is amended to read:

§4301. Board established

~~There is established the~~ The Maine State Ferry Advisory Board, established by Title 5, section 12004, subsection 10, and in this section called "the board," ~~which~~ shall be a board within the Department of Transportation.

Sec. 146.. 23 MRSA §4420, as enacted by PL 1981, c. 456, Pt. A, §88, is amended to read:

§4420. Purpose

The Maine Port Authority, as established by Title 5, section 12004, subsection 7, is constituted a public agency of the State for the general purpose of acquiring, constructing and operating any kind of port terminal facility within the State with all the rights, privileges and power necessary. Oil pipelines and other oil off-loading facilities shall be limited to sites in Portland harbor.

Sec. 147. 23 MRSA §4421, sub-§1, as enacted by PL 1981, c. 456, Pt. A, §88, is amended to read:

1. Meetings of directors; compensation. All the powers of the Maine Port Authority may be exercised by the board of directors in lawful meeting and a majority of the directors are necessary for a quorum. Regular meetings of the board of directors may be established by bylaw and no notice need be given to the directors of the regular meeting. Each director shall ~~receieve from the Maine Port Authority \$25 each for attendance at an official meeting; except the president of the board shall serve without pay and each direector shall be reimbursed for necessary expenses incurred in the discharge of his duties as a director be compensated according to the provisions of Title 5, chapter 379.~~

Sec. 148. 24 MRSA §2802, sub-§1, as enacted by PL 1977, c. 492, §3, is amended to read:

1. Membership. ~~There is created and established~~ The Professional Malpractice Advisory Panel, as established by Title 5, section 12004, subsection 10, shall consist of a panel of 18 persons of whom 6 shall be attorneys admitted to practice in this State, 6 shall be physicians licensed by the Board of Osteopathic Examination and Registration and 6 shall be physicians licensed by the Board of Registration

in Medicine. The panel shall be known as the Professional Malpractice Advisory Panel. The chairman of the panel shall be an attorney-member elected by the vote of a majority of the panel members.

Sec. 149. 24-A MRSA §1525, sub-§1, as amended by PL 1973, c. 585, §12, is further amended to read:

1. The superintendent shall ~~continue to~~ appoint 2 advisory boards, as authorized and established by Title 5, section 12004, subsection 10, to make recommendations to him with respect to the scope, type and conduct of written examinations for license, the times and places within the State where examinations shall be held, and with respect to the other matters referred to in this section. He shall appoint one ~~such~~ board with respect to general lines agent licensing, to be referred to as the "General Lines Agent Examination Advisory Board;" he shall appoint the other such board with respect to life agent licensing, to be referred to as the "Life Agent Examination Advisory Board."

Sec. 150. 24-A MRSA §1526, sub-§6, as amended by PL 1973, c. 585, §12, is repealed and the following enacted in its place:

6. The members of the advisory boards, as established by Title 5, section 12004, subsection 10, shall be compensated according to the provisions of Title 5, chapter 379.

Sec. 151. 25 MRSA §2801, first ¶, as amended by PL 1975, c. 579, §5, is further amended to read:

There is created within the Department of Public Safety a law enforcement and criminal justice training facility to be known as the "Maine Criminal Justice Academy" Academy," as authorized by Title 5, section 12004, subsection 8, which shall be established at some convenient and suitable place in the Augusta area.

Sec. 152. 25 MRSA §2802, last ¶, as repealed and replaced by PL 1971, c. 592, §11, is amended to read:

The Commissioner of Public Safety or his designee, and the Attorney General or his designee, shall be members of the board during their term of office. All of the other members of the board shall serve for a term of 3 years. Members of the board shall ~~serve without compensation; except they shall be reimbursed for their actual expenses incurred in the performance~~

of their duties be compensated in accordance with Title 5, chapter 379. Any vacancy on the board of trustees shall be filled in the same manner as the original appointment, but for the unexpired term.

Sec. 153. 25 MRSA §2902, sub-§4, as enacted by PL 1981, c. 98, §5, is amended to read:

4. Maine Highway Safety Committee. The Maine Highway Safety Committee, as authorized by Title 5, section 12004, subsection 10, which shall be under the direction of the Commissioner of Public Safety. The committee shall consist of not more than 25 members selected by the Governor from state, civic and industrial organizations and individuals with interests relating to highway safety. The committee members shall serve at the pleasure of the Governor and shall ~~receive no compensation for their services, but may be reimbursed for their actual and necessary travel expenses~~ be compensated in accordance with Title 5, chapter 379. The committee shall stimulate active support for highway safety measures and programs and shall advise the Department of Public Safety regarding these issues; and

Sec. 154. 25 MRSA §2902, sub-§5, as enacted by PL 1983, c. 489, §13, is amended to read:

5. Vehicle Equipment Safety Commission. The Vehicle Equipment Safety Commission, as authorized by Title 5, section 12004, subsection 12, shall be under the direction of the Commissioner of Public Safety.

Sec. 155. 26 MRSA §171, as amended by PL 1983, c. 347, §1, is further amended to read:

§171. Board of Boiler Rules

The board of appeals, as heretofore established created, shall be known as the "Board of Boiler Rules," as established by Title 5, section 12004, subsection 1, and shall consist of 7 members, 6 of whom shall be appointed by the director, with the approval of the Governor. At the expiration of their respective terms of office their successors shall be appointed for terms of 4 years each. In the event of a vacancy by reason of the death or resignation of any of the appointed members, or otherwise, the director shall fill such vacancy for the remainder of the term with a representative of the same class. Of these 6 appointed members, 2 shall be representatives of labor within this State who are boilermakers or have boiler licenses, one shall be a representative of the owners and users of steam boilers within this

State, one a representative of the boiler manufacturers within this State, one a representative of the operating steam engineers in this State and one a representative of a boiler inspection and insurance company licensed to do business within the State. The 7th member shall be the director, who shall be chairman of the board. The board shall meet at least twice yearly at the State Capitol or other place designated by the board.

Sec. 156. 26 MRSA §172 is repealed and the following enacted in its place:

§172. Expenses of board members

The 4 appointed members of the Board of Boiler Rules shall be compensated according to the provisions of Title 5, chapter 379, and not to exceed 20 meetings per year. The chairman of the board shall countersign all vouchers for expenditures under this section.

Sec. 157. 26 MRSA §475, last ¶, as enacted by PL 1977, c. 543, §4, is amended to read:

The 7 appointed members of the board shall serve without salary and shall ~~receive their actual expenses while engaged in the performance of their duties as members of the board; such expenses to be paid in the same manner as in the case of other state officers~~ be compensated according to the provisions of Title 5, chapter 379. The chairman of the board shall approve and countersign all vouchers for expenditures under this section.

Sec. 158. 26 MRSA §564, first ¶, as amended by PL 1981, c. 168, §26, is further amended to read:

The Board of Occupational Safety and Health is as established and by Title 5, section 12004, subsection 8, shall consist of 10 members of which 9 shall be appointed by the Governor. Of the 9 appointed members of the board, 3 shall represent employers; 3 shall represent employees; one shall represent an insurance company licensed to insure workmen's compensation within the State and 2 shall represent the public. The 10th member of the board shall be the Director of the Bureau of Labor Standards. Of the 3 employer members, one shall represent state agencies, one shall represent counties within the State and one shall represent municipalities within the State. Of the 3 employee members, one shall represent state employees, one shall represent county employees and one shall represent municipal employees.

Sec. 159. 26 MRSA §564, last ¶, as amended by PL 1975, c. 519, §14, is further amended to read:

The 9 appointed members of the board shall serve without salary and shall receive their actual expenses while engaged in the performance of their duties as members of the board be compensated according to the provisions of Title 5, chapter 379. The chairman of the board shall approve and countersign all vouchers for expenditures under this section.

Sec. 160. 26 MRSA §892, as enacted by PL 1975, c. 564, §1, is amended to read:

§892. Panel

A panel of mediators, as established by Title 5, section 12002, subsection 3, to consist of not less than 5 nor more than 10 impartial members, shall be appointed by the Governor, with the advice and consent of the Council, from time to time upon the expiration of the terms of the several members, for terms of 3 years. They shall be chosen by the Governor from a list, containing at least 5 times as many names as the number of persons to be chosen, supplied at least once a year by the Maine Labor Relations Board. Vacancies occurring during a term shall be filled for the unexpired term. Members of the panel shall each receive \$75 a day for their services, for the time actually employed in the discharge of their official duties and shall also receive their traveling and all other necessary expenses be compensated according to the provisions of Title 5, chapter 379. The costs for services rendered and expenses incurred by the panel shall be paid by the State from an appropriation for said panel which shall be included in the budget of the Maine Labor Relations Board. Authorization for services rendered and expenditures incurred by members of the panel shall be the responsibility of the Executive Director of the Maine Labor Relations Board.

Sec. 161. 26 MRSA §911, first ¶, as amended by PL 1979, c. 22, §1, is further amended to read:

The State Board of Arbitration and Conciliation, as heretofore established by Title 5, section 12004, subsection 3, and hereinafter in this subchapter called the "board", shall consist of 3 members appointed by the Governor, from time to time upon the expiration of the terms of the several members, for terms of 3 years. One member shall be an employer of labor or selected from some association representing employers of labor, and another shall be an employee

or an employee selected from some bona fide trade or labor union. The 3rd member shall be chairman of the board and shall represent the public interests of the State. Vacancies occurring during a term shall be filled for the unexpired term. Members of the board shall each receive \$50 a day for their services for the time actually employed in the discharge of their official duties. They shall receive their traveling and all other necessary expenses, and the costs for services rendered and expenses incurred by the be compensated according to the provisions of Title 5, chapter 379. The costs for services rendered and expenses incurred by the Board of Arbitration and Conciliation shall be paid by the State from an appropriation for said board which shall be included in the budget of the Maine Labor Relations Board. Authorization for services rendered and expenditures incurred by the Board of Arbitration and Conciliation shall be the responsibility of the Executive Director of the Maine Labor Relations Board who shall, annually, on or before the first day of July, make a report of the activities of the Board of Arbitration and Conciliation to the Governor. The board shall from time to time make such rules of procedure as it deems necessary.

Sec. 162. 26 MRSA §968, sub-§1, as amended by PL 1975, c. 776, §2, is further amended to read:

1. Maine Labor Relations Board. The Maine Labor Relations Board established by Title 5, section 12004, subsection 4, shall consist of 3 members and 6 alternates to be appointed by the Governor, subject to review by the Joint Standing Committee on Labor and to confirmation by the Legislature. The Governor, in making his appointments, shall name one member and 2 alternates to represent employees, one member and 2 alternates to represent employers and one member and 2 alternates to represent the public. The member representing the public shall be the board's chairman and the alternate representing the public shall be an alternate chairman. Members of the board shall each receive \$75 a day, except for the chairman who shall receive \$100 per day, for their services for the time actually employed in the discharge of their official duties be compensated according to the provisions of Title 5, chapter 379. The alternates shall be paid compensated at the same per diem rate as the member that the alternate replaces. The term of each member and each alternate shall be for a period of 4 years; provided that of the members and alternates first appointed, one member and 2 alternates shall be appointed for a period of 4 years, one member and 2 alternates shall be appointed for a period

of 3 years and one member and 2 alternates shall be appointed for a period of 2 years. The members of the board, its alternates and its employees shall receive necessary expenses. The executive director and legal or professional personnel employed by the board shall be members of the unclassified service.

Sec. 163. 26 MRSA §1002, first ¶, as amended by PL 1981, c. 168, §§9 and 26, is further amended to read:

The State Apprenticeship and Training Council, as ~~heretofore~~ established by Title 5, section 12004, subsection 8, shall be composed of 11 members to be appointed by the Governor and made up as follows: 4 members shall be representatives of employees and shall be bona fide members of a recognized major labor organization; 4 members shall be representatives of employers and shall be bona fide employers or authorized representatives of bona fide employers; and 3 members shall be representatives of the public and shall be selected from neither industrial employers nor employees, nor shall they be directly concerned with any particular industrial employer or employee. The appointments shall be made so that the term of one member of each group shall expire each year. Each member shall hold office until his successor is appointed and qualified, and any vacancy shall be filled by appointment for the unexpired portion of the term. The chairman and secretary of the council shall be named by the members of the council and the chairman shall be a member of the council. The Associate Commissioner of Vocational Education, the Director of the Bureau of Labor Standards and the Commissioner of Labor shall be ex officio members of the council without vote. The members of the council shall ~~receive no reimbursement for their services;~~ but shall be reimbursed for travel at the same mileage rate and on the same basis as regular state employees and shall receive reimbursement for subsistence necessarily incurred in the performance of their duties be compensated according to the provisions of Title 5, chapter 379.

Sec. 164. 26 MRSA §1082, sub-§5, as amended by PL 1981, c. 168, §15, is further amended to read:

5. Advisory council. The Commissioner of Labor shall appoint a state advisory council, as established by Title 5, section 12004, subsection 10, consisting of not more than 9 members composed of an equal number of employer representatives and employee representatives who may fairly be regarded as representative because of their vocation, employment or

affiliations and an equal number of members representing the general public. Such council shall meet no less than 4 times a year and shall aid the commissioner in formulating policies and discussing problems related to the administration of this chapter and in assuring impartiality and freedom from political influence in the solution of such problems. The advisory council may also make recommendations to the Legislature for such changes in this chapter as in their opinion will aid in accomplishing the objectives of this chapter. Each member of the advisory council shall be compensated in the amount of \$25 for each day in attendance upon a meeting of the council in addition to reimbursement for any necessary expenses according to the provisions of Title 5, chapter 379.

Sec. 165. 26 MRSA §1307, as amended by PL 1981, c. 168, §26, is further amended to read:

§1307. Minimum Wage Rate on Construction Projects Board; appointments; duties

A Minimum Wage Rate on Construction Projects Board, as established by Title 5, section 12004, subsection 8, shall consist of 5 members, 4 of whom shall be appointed by the Governor to serve at the will and pleasure of the Governor. The Governor, in making his appointments, shall name one from labor engaged in the building trades, one from labor engaged in the highway and heavy construction trades, one from the highway and heavy contractors, one from the building contractors and the Director of the Bureau of Labor Standards who shall serve as a public member. The term of each member shall be for a period of 4 years.

The members of the board shall ~~serve without compensation~~ be compensated in accordance with Title 5, chapter 379.

The board shall annually elect a chairman from its membership and shall sit at the call of the chairman to hear and decide appeals arising from determinations of the director as to fair minimum wages. The board shall be empowered to establish rules for the conduct of its proceedings.

The director shall designate an employee of the Bureau of Labor Standards to be the permanent secretary to the Minimum Wage Rate on Construction Projects Board who shall maintain a record of all proceedings of the board.

Sec. 166. 26 MRSA §1604, sub-§1, as amended by PL 1981, c. 168, §23, is further amended to read:

1. Membership. The Displaced Homemakers Advisory Council, established by Title 5, section 12004, subsection 10, and hereinafter in this chapter called the "council," shall be composed of the following individuals:

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

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

Sec. 167. 27 MRSA §82, as enacted by PL 1965, c. 502, §1, is amended to read:

§82. Maine State Museum Commission

The Governor shall appoint a Maine State Museum Commission, as established by Title 5, section 12004, subsection 8, consisting of 15 members especially qualified and interested in the several fields of museum activity. Of those members first appointed, 5 shall be appointed for terms of 2 years, 5 for 4 years and 5 for 6 years. Their successors shall be appointed for 6 years. Each member shall serve for the term of his appointment and thereafter until his successor is appointed and qualified. In case of the termination of a member's service during his term, the Governor shall appoint a successor for the unexpired term. Members shall serve without compensation but shall receive their necessary expenses be compensated according to the provisions of Title 5, chapter 379.

Sec. 168. 27 MRSA §111, sub-§1, as amended by PL 1983, c. 245, is further amended to read:

1. Maine Library Commission. There shall be created within the Department of Educational and Cultural Services a library commission which shall be designated as the Maine Library Commission, as established by Title 5, section 12004, subsection 10. It shall consist of 15 members appointed by the Governor. The library commission shall be broadly representative of the state's libraries and shall consist of a representative from public, school, academic, special, institutional and handicapped libraries, a

trustee representative, one representative from each of the library districts as they are formed and 3 representatives from the State at large of whom one shall be representative of the disadvantaged.

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

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

The commission shall meet at least 4 times a year. It shall elect a chairman for a term of 2 years and frame and modify bylaws for its internal organization and operation. The State Librarian shall serve as secretary to the commission. The members of the commission shall serve without compensation, but shall be reimbursed for expenses incurred in the performance of their duties be compensated according to the provisions of Title 5, chapter 379.

Sec. 169. 27 MRSA §401, as enacted by PL 1965, c. 499, §1, is amended to read:

§401. Commission

There is created and established a A state commission, to be known as the "Maine State Commission on the Arts and the Humanities," to as established by Title 5, section 12004, subsection 10, shall consist of not less than 15 nor more than 21 members, broadly representative of all artistic and cultural fields, to be appointed by the Governor from among citizens of Maine who are widely known for their competence and experience in connection with these fields. In making such appointments, due consideration shall be given to the recommendations made by representative civic, educational and professional associations and groups concerned with or engaged in artistic and cultural fields generally.

Sec. 170. 27 MRSA §402, as enacted by PL 1965, c. 499, §1, is amended to read:

§402. Membership

The term of office of each member shall be 3 years; provided that of the members first appointed, 1/3 shall be appointed for terms of one year, 1/3 for terms of 2 years and 1/3 for terms of 3 years. Other than the chairman, no member of the commission who serves 2 full 3-year terms shall be eligible for re-appointment during the one-year period following the expiration of his second such term. The Governor shall designate a chairman and a vice-chairman from the members of the commission, to serve as such at the pleasure of the Governor. The chairman shall be the presiding officer of the commission. All vacancies shall be filled for the balance of the unexpired term in the same manner as original appointments. The members of the commission shall ~~not receive any compensation for their services, but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties as members of the commission~~ be compensated according to the provisions of Title 5, chapter 379.

Sec. 171. 27 MRSA §501, as enacted by PL 1971, c. 536, §1, is amended to read:

§501. Declaration of policy

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

Sec. 172. 27 MRSA §503, as repealed and replaced by PL 1979, c. 21, is amended to read:

§503. Membership

Upon the expiration of the term of existing members, the term of office of each appointed member shall be 5 years or until his successor is appointed and qualified. No member shall serve more than 2 successive terms. In the case of a vacancy, other than the expiration of a term, the appointment of a successor shall be appointed by the Governor for the balance of the term. The commission shall meet at least 4 times a year. It shall adopt and may amend bylaws for its internal organization and operation. The director shall serve as secretary to the commission. The members of the commission shall ~~serve with-~~

out compensation, but shall be reimbursed for expenses incurred in the performance of their duties be compensated according to the provisions of Title 5, chapter 379.

Sec. 173. 28 MRSA §51, as amended by PL 1975, c. 741, §4, is further amended to read:

§51. Administration; enforcement

The administration of the state liquor laws shall be vested in the State Liquor Commission, as established by Title 5, section 12004, subsection 6, and the enforcement of the state liquor laws shall be vested in the Bureau of Liquor Enforcement within the Department of Public Safety.

Sec. 174. 28 MRSA §55, as repealed and replaced by PL 1975, c. 741, §4, is repealed and the following enacted in its place:

§55. Salaries and expenses

Each member of the commission shall be compensated according to the provisions of Title 5, chapter 379, for 50 meetings per year.

Sec. 175. 29 MRSA §547, sub-§1, as repealed and replaced by PL 1983, c. 162, is amended to read:

1. Board. ~~There shall be a~~ The Medical Advisory Board, serving without pay, consisting as established by Title 5, section 12004, subsection 10, shall consist of members appointed by the Secretary of State. The board shall include, but not be limited to, physicians licensed to practice in the State representing the specialties of cardiology, internal medicine, neurology or neurological surgery, ophthalmology, psychiatry, family practice and rehabilitative medicine. The Secretary of State shall designate the chairman of the board. The board shall meet at least annually and may hold as many meetings as it deems necessary to fulfill its responsibilities. The board shall be compensated in accordance with Title 5, chapter 379.

Sec. 176. 29 MRSA §1513, sub-§1 is amended to read:

1. Vehicle Equipment Safety Commission. There is created an agency of the party states to be known as the "Vehicle Equipment Safety Commission," as authorized by Title 5, section 12004, subsection 12, and hereinafter in this subchapter called the "commis-

sion." The commission shall be composed of one commissioner from each party state who shall be appointed, serve and be subject to removal in accordance with the laws of the state which he represents. If authorized by the laws of his party state, a commissioner may provide for the discharge of his duties and the performance of his functions on the commission, either for the duration of his membership or for any lesser period of time, by an alternate. No such alternate shall be entitled to serve unless notification of his identity and appointment shall have been given to the commission in such form as the commission may require. Each commissioner, and each alternate, when serving in the place and stead of a commissioner, shall be entitled to be reimbursed by the commission for expenses actually incurred in attending commission meetings or while engaged in the business of the commission compensated by the commission according to the provisions of Title 5, chapter 379.

Sec. 177. 29 MRSA §2246, as amended by PL 1973, c. 567, §20, is further amended to read:

§2246. Advisory and Review Board

The Secretary of State in carrying out his responsibilities in the issuance, suspension and revocation of operators' licenses and certificates of registration shall appoint an Advisory and Review Board, as established by Title 5, section 12004, subsection 10, consisting of 12 members who shall meet with the Secretary of State, upon call by the Secretary of State.

The Secretary of State shall appoint the Advisory and Review Board and the board shall consist of the Chief of the State Police or his designee, representatives of the District Courts, district attorneys, Motor Vehicle Department, Maine Highway Safety Committee, Maine Trial Lawyers Association, insurance industry, Maine State Bar Association, Maine Municipal Association, Maine Chiefs of Police Association, the Maine Sheriffs Association and the Highway Users Conference. Except for the Chief of the State Police, or his designee, who shall be a permanent member of the board, appointments shall be for terms concurrent with the term of the Secretary of State by whom they shall be appointed. Board members shall receive no compensation, except reimbursement for expenses at the rate allowed to state employees be compensated according to the provisions of Title 5, chapter 379.

The board shall assist the Secretary of State in reviewing the effectiveness of any point system adopted by him; reviewing procedures relative to issuance, suspension and revocation of operators' licenses and certificates of registration; reviewing rules and regulations adopted by him; and advising him as to suggested changes for the purpose of promoting safety upon the highways.

Sec. 178. 30 MRSA §347, as amended by PL 1977, c. 78, §170, is further amended to read:

§347. County Records Board

There is created and established a The County Records Board ~~to~~ as established by Title 5, section 12004, subsection 10, shall consist of 5 members: Four persons to be appointed by the Governor for a term of 3 years; one of whom shall be a county commissioner; one of whom shall be a register of deeds; one of whom shall be a register of probate; and one of whom shall be experienced in real estate title examinations; and a 5th person who shall be the State Archivist and shall serve as chairman. Any person appointed to fill a vacancy in the membership of the board shall serve for the remainder of the term for which his predecessor was appointed. The board shall meet at the call of the chairman, but not less than 4 times during each calendar year. Three members of the board shall constitute a quorum. Appointive members shall ~~serve without compensation~~ be compensated according to the provisions of Title 5, chapter 379.

Sec. 179. 30 MRSA §1962, sub-§1, as enacted by PL 1983, c. 458, §9, is amended to read:

1. Commission. "Commission" means a river corridor commission granted approval by the commissioner under section 1963 and authorized by Title 5, section 12004, subsection 8.

Sec. 180. 30 MRSA §1981, as enacted by PL 1969, c. 382, §5, is amended to read:

§1981. Establishment

The municipal officers of any 2 or more municipalities, by appropriate action, and as authorized by Title 5, section 12004, subsection 10, may enter into an agreement, between or among such municipalities, for the establishment of a regional council of governments.

Sec. 181. 30 MRSA §2214, as enacted by PL 1973, c. 625, §201, is amended to read:

§2214. Municipal Records Board

There shall be a The Municipal Records Board to , as authorized by Title 5, section 12004, subsection 10, shall consist of 3 municipal officials, one of whom represents a municipality of not more than 3,500 persons, to be appointed for terms of 3 years by the Governor upon the recommendation of the governing board of the Maine Municipal Association, the State Archivist, who shall be chairman, and the State Registrar of Vital Statistics. Any person appointed to fill a vacancy in the membership of the board shall serve for the remainder of the term for which his predecessor was appointed. The board shall meet at the call of the chairman, but not less than 4 times during each calendar year. Three members of the board shall constitute a quorum. Appointive members shall serve without compensation be compensated according to the provisions of Title 5, chapter 379.

Sec. 182. 30 MRSA §4601-A, first ¶, as enacted by PL 1969, c. 470, §7, is amended to read:

The Maine State Housing Authority is created. It is, as established by Title 5, section 12004, subsection 7, shall be referred to in this subchapter as the "state authority." It is a public body corporate and politic and an instrumentality of the State.

Sec. 183. 30 MRSA §4602, sub-§2, ¶A, as amended by PL 1983, c. 414, §10, is further amended to read:

A. The state authority shall have a 21-person advisory board, as authorized by Title 5, section 12004, subsection 10, to be appointed by the Governor representing the several aspects of the housing industry. The advisory board at all times shall have members who represent each of the following: Municipal officials, financial institutions, builders, architects, labor, sponsors of housing programs, administrators of local public and local private housing corporations, elderly residents of housing projects, low income residents of housing projects, and licensed real estate brokers. There shall be 3 representatives of municipal officials.

The members shall elect a president and vice-president of the advisory board from among the advisory board members. The advisory board of the state authority shall advise and counsel the di-

rector and commissioners of the state authority on the policies concerning any and all of the powers and duties of the state authority. Seven advisory board members of the state authority shall constitute a quorum for the purpose of conducting business of the board and exercising its powers, notwithstanding the existence of any vacancies. Action may be taken by the advisory board upon a vote of a majority of the members present, unless in any case its bylaws shall require a larger number.

The president of the advisory board may call such meetings of the board as he shall deem necessary. The president of the advisory board shall call at least one meeting of the board each year at a time which will allow the board to meet jointly with the commissioners of the state authority.

by Sec. 184. 30 MRSA §4602, sub-§2, ¶D, as amended PL 1979, c. 533, §17, is further amended to read:

D. Any person may serve as a member of the advisory board, and any person who, at the time of his appointment, is a resident of Maine, may serve as a commissioner, provided that the director need not be a resident of the State prior to appointment. Each commissioner, except for the director and the Treasurer of State, and each advisory board member shall serve a 4-year term commencing with the expiration of the term of his predecessor, provided that a vacancy occurring in such a position prior to the normal expiration of the appointment shall be filled as soon as practicable by a new gubernatorial appointee who shall serve for the balance of the unexpired term. Each advisory board member and commissioner shall continue to hold office after the expiration of his term until his successor shall have been appointed. In any instance in which more than one commissioner or advisory board member shall be serving beyond his original term, any new appointee shall be deemed to succeed the commissioner or advisory board member whose term expired first.

The Secretary of State shall prepare a certificate evidencing the appointment of each advisory board member and commissioner. An original of such certificate shall be furnished the appointee. One authenticated copy shall be retained by the state authority and one by the Secretary of State. An authenticated certificate of appointment shall be conclusive evidence of such ap-

pointment. Each commissioner attending any regular meeting of the authority shall receive \$50 pay for attending such meeting duly called for the purpose of conducting state authority business. Each commissioner attending any special meeting or any public hearing of the authority or otherwise performing official duties for the authority shall receive \$10 an hour pay, unless a commissioner's attendance at such special meeting or public hearing is for more than 4 hours, in which case the commissioner shall receive \$50 pay for attending such special meeting or public hearing duly called for the purpose of conducting state authority business shall be compensated according to the provisions of Title 5, chapter 379. The director shall be a full-time employee of the authority, but shall be permitted to receive fees or honoraria for services provided to others not in conflict with his full-time duties and not performed during time for which he is receiving compensation from the state authority. In addition to any authorized compensation, the director shall be entitled to such employee benefits as may be made available to other employees of the state authority, including, but not limited to, authority contributions to any retirement plan, insurance plan, deferred compensation plan or other similar benefits, and each commissioner and advisory board member shall be entitled to receive reimbursement for actual expenses incurred in the performance of state authority business and such equipment, materials, memberships or insurance protection as shall be appropriate and necessary to the performance of his duties.

Sec. 185. 30 MRSA §5301 is amended to read:

§5301. Membership

The Board of Emergency Municipal Finance, as heretofore established authorized by Title 5, section 12004, subsection 8, and hereinafter designated in this subchapter as the "board," shall be composed of the 3 persons who legally hold the offices of Commissioner of Finance and Administration, Treasurer of State and State Tax Assessor. Upon the succession of any person to any of these respective offices, he or she shall immediately become a member of the board and the person who formerly held such office shall cease to be such a member. The person holding the office of State Tax Assessor shall be the chairman of the board. The members of the board shall not receive any compensation for their services as such members

except their expenses be compensated according to the provisions of Title 5, chapter 379.

Sec. 186. 30 MRSA §6212, sub-§1, as enacted by PL 1979, c. 732, §§1 and 31, is amended to read:

1. Commission created. There is hereby established a The Maine Indian Tribal-State Commission is established pursuant to Title 5, section 12004, subsection 4. The commission shall consist of 9 members, 4 to be appointed by the Governor of the State subject to review by the Joint Standing Committee on Judiciary and to confirmation by the Legislature, 2 each to be appointed by the Passamaquoddy Tribe and the Penobscot Nation and a chairman to be selected in accordance with subsection 2. The members of the commission, other than the chairman, shall each serve for a term of 3 years and may be reappointed. In the event of the death, resignation or disability of any member, the appointing authority may fill the vacancy for the unexpired term.

Sec. 187. 30 MRSA §6212, sub-§4, as enacted by PL 1979, c. 732, sub-§§1 and 31, is amended to read:

4. Personnel, fees, expenses of commissioners. The commission shall have authority to employ such personnel as it deems necessary and desirable in order to effectively discharge its duties and responsibilities. Such employees shall not be subject to state personnel laws or rules.

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

Sec. 188. 32 MRSA §63, sub-§1, as amended by PL 1975, c. 771, §331, is further amended to read:

1. Membership. There shall be a The State Board of Licensure of Administrators of Medical Care Facilities other than hospitals consisting, as established by Title 5, section 12004, subsection 1, shall consist of 8 members appointed by the Governor. The members shall be citizens of the United States and residents of the State of Maine. One member shall be a physician licensed to practice medicine or osteopathy with not less than 5 years of active practice within the State. One member shall be a hospital administrator with not less than 5 years active practice in the State as a hospital administrator. One member shall be a registered nurse with not less than 5 years active practice in nursing homes in the

State. Two members shall be representatives of the public. Three members shall be administrators of medical care facilities other than hospitals with not less than 5 years of such active experience in the State.

Sec. 189. 32 MRSA §63, sub-§9, as amended by PL 1971, c. 518, §3, is repealed and the following enacted in its place:

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

Sec. 190. 32 MRSA §88, as enacted by PL 1981, c. 661, §2, is amended by adding before subsection 1 the following new paragraph:

The Emergency Medical Services' Advisory Board, as established by Title 5, section 12004, subsection 10, shall advise the department with respect to the conflict of the emergency medical services' program.

Sec. 191. 32 MRSA §88, sub-§1, ¶C, as enacted by PL 1981, c. 661, sub-§2, is amended to read:

C. The board shall meet at least quarterly, and shall also meet at the call of its chairman or of the department. When the board meets, its members shall be paid ~~their travel costs and expenses, plus \$20 each day.~~ The same fees shall be paid to board members conducting hearings under this chapter compensated according to the provisions of Title 5, chapter 379.

Sec. 192. 32 MRSA §211, first ¶, as repealed and replaced by PL 1983, c. 413, §3, is amended to read:

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

Sec. 193. 32 MRSA §213-A, as enacted by PL 1983, c. 413, §5, is repealed and the following enacted in its place:

§213-A. Compensation

Each member of the board and the secretary shall be compensated according to the provisions of Title 5, chapter 379. These expenses shall be certified by the secretary of the board.

The secretary may be paid for clerical, stenographical, printing and postage expenses. The salary and allowance for expenses shall be certified by the chairman of the board.

Sec. 194. 32 MRSA §271, first ¶, as repealed and replaced by PL 1983, c. 553, §46, are amended to read:

The Auctioneers Advisory Board, as established by Title 5, section 12004, subsection 10, within the Department of Business, Occupational and Professional Regulation, shall advise the commissioner or his designee and provide assistance on any matter he deems relevant to the administration of this chapter.

Sec. 195. 32 MRSA §271, 2nd ¶, as amended by PL 1983, c. 413, §13, is further amended to read:

The board shall be composed of 3 members, 2 of whom shall be auctioneers and one of whom shall be a public member. Members shall be appointed by the commissioner and shall serve without compensation. Members shall be reimbursed for actual expenses incurred for attendance at meetings be compensated according to the provisions of Title 5, chapter 375.

Sec. 196. 32 MRSA §351, sub-§1, as enacted by PL 1977, c. 398, §7, is amended to read:

1. Membership. The State Board of Barbers, as heretofore established by Title 5, section 12004, subsection 1, and in this chapter designated as the "board", shall consist of 5 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 5th member of the board shall be the Director of Health who shall have no board vote.

The 4 voting members of the board shall be appointed by the Governor and their terms shall be for 3 years. None of them shall be eligible to serve more than 3 consecutive 3-year terms. The barber members shall at all times be registered 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 shall 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. 197. 32 MRSA §351, sub-§4, as enacted by PL 1977, c. 398, §7, is repealed and the following enacted in its place:

4. Compensation. The members of the board shall be compensated according to the provisions of Title 5, chapter 379, for no more than 18 meetings per calendar year or, in the case of the chairman for no more than 25 days per calendar year. Expenses as related to duties out of the State shall be reimbursable for no more than 5 calendar days per calendar year unless approved in advance by the Governor.

Sec. 198. 32 MRSA §501, as amended by PL 1975, c. 771, §336, is further amended to read:

§501. Membership; qualifications; term; removal

The Board of Chiropractic Examination and Registration, as ~~heretofore~~ established by Title 5, section 12004, subsection 1, 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 full term of service, shall be filled by the like appointment of a person qualified as aforesaid to hold office during the unexpired term of the member whose place he fills. Any member of said board may be removed from office for cause by the Governor.

Sec. 199. 32 MRSA §553, as amended by PL 1981, c. 19, is further amended to read:

§553. Fees; compensation and expenses

Any person to whom a certificate has been granted under section 552 who wishes to renew that certificate shall, on or before the first day of June of each year, pay to the secretary of the board a license renewal fee not in excess of \$50 as established by the board. Upon payment of the fee, that person's certificate shall be renewed for one year. In addition to the payment of such renewal fee, each licensee so applying for his renewal certificate shall furnish to ~~said~~ the board satisfactory evidence that he has attended one of 2 educational programs conducted and supervised by the ~~said~~ board in the year preceding. If such fee is not paid within 3 months after the date of notification by the secretary that such fee is due, the certificate of the chiropractor so failing to pay such fee shall be revoked and shall be thereafter renewed by a majority vote of the board and upon the payment of a fee of \$10 to the secretary of said board. All fees received by the secretary and not returned to the applicant shall be paid forthwith to the Treasurer of State. The compensation of members of the board shall be \$25 per day for each day actually spent in the discharge of their duties and actual and necessary expenses including travel expenses in accordance with the provisions of Title 5, chapter 379. The secretary shall be reimbursed for all expenditures for books, stationery, postage and other necessary expenses authorized by the board and actually incurred in the discharge of his duties. Said compensation and all other necessary and proper expenses of said board shall be certified by the chairman and secretary and shall be paid out of the fund held by the Treasurer of State, and any balance of said fund shall not lapse but shall be carried forward to be expended for the same purposes in the following fiscal years.

Sec. 200. 32 MRSA §1071, first ¶, as enacted by PL 1981, c. 440, §2, is amended to read:

The Board of Dental Examiners, established by Title 5, section 12004, subsection 1, and in this chapter called the "board," shall consist of 7 members, appointed by the Governor as follows: Five members of the dental profession, one dental hygienist and one representative of the public.

Sec. 201. 32 MRSA §1071, sub-§5, as enacted by PL 1981, c. 440, §2, is repealed and the following enacted in its place:

5. Compensation. The members of the board shall each be compensated according to the provisions of Title 5, chapter 379. Expenses of the board shall be certified by the secretary of the board.

Sec. 202. 32 MRSA §1151, first ¶, as amended by PL 1983, c. 553, §§26 and 46, is further amended to read:

The Electricians' Examining Board, as established by Title 5, section 12004, subsection 1, and in this chapter called the "board," shall consist of 6 members appointed by the Governor, called the "appointive members," and the Commissioner of Business, Occupational and Professional Regulation or a representative appointed by the commissioner.

Sec. 203. 32 MRSA §1151, last ¶, as repealed and replaced by PL 1983, c. 413, §34, is repealed and the following enacted in its place:

The members of the board shall each be compensated according to the provisions of Title 5, chapter 379.

Sec. 204. 32 MRSA §1301, first ¶, as repealed and replaced by PL 1983, c. 413, §42, is amended to read:

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

Sec. 205. 32 MRSA §1303 is repealed and the following enacted in its place:

§1303. Compensation and expenses

Members of the board shall be compensated according to the provisions of Title 5, chapter 379. Clerical expenses shall not be allowed any member of the board, except as provided in section 1307.

Sec. 206. 32 MRSA §1451, first and 4th ¶¶, as amended by PL 1983, c. 553, §30, is amended to read:

The State Board of Funeral Service, as established by Title 5, section 12004, subsection 1, and in this chapter called the "board," shall consist of 7 members, 6 of whom shall be persons licensed for the practice of funeral service for 10 consecutive years or who have had 10 consecutive years' experi-

ence as an embalmer or funeral director in this State immediately preceding their appointment and one of whom shall be a representative of the public. Members shall be appointed by the Governor for a term of 4 years, except that no more than 2 members' terms may expire in any one calendar year and appointments for terms of less than 4 years may be made in order to comply with this limitation. Upon expiration of a member's term, he shall serve until his successor is qualified and appointed. The successor's term shall be 4 years from the date of the expiration, regardless of the date of his appointment. Any vacancy in the board shall be filled by appointment of a person, qualified as was the board member being replaced, to hold office during the unexpired term. No person may be eligible to serve more than 2 full consecutive terms, provided that for this purpose only a period actually served which exceeds $1/2$ of the 4-year term shall be deemed a full term. A board member may be removed by the Governor for cause.

The members of the board shall each receive \$20 a day and expenses while engaged in the business of the board be compensated according to the provisions of Title 5, chapter 379.

Sec. 207. 32 MRSA §1601, sub-§1, as amended by PL 1983, c. 413, §66, is further amended to read:

1. Membership. The State Board of Cosmetology, as established by Title 5, section 12004, subsection 1, and in this chapter designated as the "board," shall consist of 7 members who shall be citizens of this State, 5 of whom shall have been engaged in the practice of cosmetology for at least 3 years immediately prior to their appointment and one of whom shall be a representative of the public. The 7th member of the board shall be the Director of Health who shall have no board vote.

The 6 voting members of the board shall be appointed by the Governor and their terms shall be for 3 years. None of them may be eligible to serve more than 3 consecutive 3-year terms or to serve more than 9 years consecutively, provided that for this purpose only a period actually served which exceeds $1/2$ of the 3-year term shall be deemed a full term. Upon expiration of a member's term, he shall serve until his successor is qualified and appointed. The successor's term shall be 3 years from the date of the expiration, regardless of the date of his appointment. The cosmetologist members shall at all times be registered cosmetologists and shall be ac-

tively engaged in the practice during their membership on the board. A board member may be removed by the Governor for cause.

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

No person operating or employed by a school of cosmetology 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. 208. 32 MRSA §1601, sub-§4, as enacted by PL 1977, c. 398, §10, is amended to read:

4. Compensation. The members of the board shall receive as compensation for their services \$35 per day for no more than 18 days per calendar year be compensated according to the provisions of Title 5, chapter 379 for no more than 18 meetings per calendar year, or, in the case of the chairman, for no more than 25 days per calendar year, and in addition thereto all necessary expenses incurred in the discharge of their duties whether or not compensated for said services. Expenses as related to duties out of the State shall be reimbursable for no more than 5 calendar days per calendar year unless approved in advance by the Governor.

Sec. 209. 32 MRSA §1658, sub-§1, as repealed and replaced by PL 1975, c. 463, §3, is amended to read:

1. Board. "Board" shall mean means the Board of Hearing Aid Dealers and Fitters, as established by Title 5, section 12004, subsection 1.

Sec. 210. 32 MRSA §1660-A, sub-§1, as repealed and replaced by PL 1981, c. 703, Pt. A, §72, is amended to read:

1. Board. There shall be established a The Board of Hearing Aid Dealers and Fitters is established by Title 5, section 12004, subsection 1.

Sec. 211. 32 MRSA §1660-A, sub-§4, as enacted by PL 1975, c. 465, §3, is repealed and the following enacted in its place:

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

Sec. 212. 32 MRSA §1671, first ¶, as repealed and replaced by PL 1983, c. 413, §90, is amended to read:

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

Sec. 213. 32 MRSA §1673, as enacted by PL 1967, c. 423, §1, is repealed and the following enacted in its place:

§1673. Compensation and expenses

Each member shall be compensated according to the provisions of Title 5, chapter 379.

Sec. 214. 32 MRSA §2001, first ¶, as amended by PL 1983, c. 553, §46, is further amended to read:

The Arborist Examining Board, as established by Title 5, section 12004, subsection 1, within the Department of Business, Occupational and Professional Regulation and called "the board," shall administer this chapter and shall consist of 6 members. The Governor shall appoint 4 members as follows: Two members shall be licensed commercial arborists, each of whom shall have been continuously engaged in practice as licensed commercial arborists for a period of 10 years prior to his appointment; one member shall be a plant pathologist who is either on the state or University of Maine staff and part of whose work is concerned with trees; and one member shall be a representative of the public. The remaining 2 members shall be selected by the Director of the Bureau of Forestry from the Bureau of Forestry and shall be ex officio members.

Sec. 215. 32 MRSA §2001, last ¶, as repealed and replaced by PL 1983, c. 413, §103, is repealed and the following enacted in its place:

Board members shall be compensated according to the provisions of Title 5, chapter 379.

Sec. 216. 32 MRSA §2151, first ¶, as repealed and replaced by PL 1983, c. 176, Pt. A, §12, is amended to read:

A State Board of Nursing, as created in this section established by Title 5, section 12004, subsection 1, shall consist of 7 members who shall be appointed by the Governor. Five members of the board shall be professional nurses, one of whom shall be active in practical nurse education or in a school of practical nursing at the time of appointment. One member shall be a licensed practical nurse. One member shall be a representative of the public. Except to fill vacancies in unexpired terms, all appointments shall be for a term of 5 years after such appointment or until their successors have been duly appointed and qualified. No person may be eligible for more than one reappointment. Any public member vacancy on the board shall be filled for the unexpired term by the appointment of another public member by the Governor.

Sec. 217. 32 MRSA §2155, as repealed and replaced by PL 1979, c. 39, is amended to read:

§2155. Compensation

The members of the board shall receive \$50 per day and actual necessary expenses incurred while in performance of their official duties be compensated according to the provisions of Title 5, chapter 379.

Sec. 218. 32 MRSA §2351, first ¶, as amended by PL 1983, c. 553, §36, is further amended to read:

An Oil and Solid Fuel Board, as established by Title 5, section 12004, subsection 1, and in this chapter called the "board," shall consist of the Commissioner of Business 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. 219. 32 MRSA §2351, 6th ¶, as repealed and replaced by PL 1973, c. 384, is repealed and the following enacted in its place:

The members of the board shall be compensated according to the provisions of Title 5, chapter 379.

Sec. 220. 32 MRSA §2415, as amended by PL 1975, c. 771, §354, is further amended to read:

§2415. Appointment; tenure; vacancies; removal

The State Board of Optometry, as ~~heretofore~~ established by Title 5, section 12004, subsection 1, and ~~hereinafter~~ 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 successor is appointed and qualified. Any vacancy in said board shall be filled by the appointment of a person, qualified as aforesaid, to hold office during the unexpired term of the member whose place he fills. Any member of said board may be removed from office for cause by the Governor. The board shall have a common seal.

Sec. 221. 32 MRSA §2416, 2nd ¶, as enacted by PL 1973, c. 788, §156, is amended to read:

The members of the board shall each ~~receive~~ \$25 ~~for each day actually engaged in the duties of his office, and actual expenses incurred in connection therewith~~ be compensated according to the provisions of Title 5, chapter 379, except that the secretary of said board shall receive an annual salary of \$500. Any year in which the income of the board, from examination fees and annual license fees collected under this chapter, plus any unexpended balances on hand, is not sufficient to pay members of the board, available funds shall be prorated, except that the secretary's compensation shall have prior claim to available funds.

Sec. 222. 32 MRSA §2561, as amended by PL 1975, c. 771, §§355 and 356, is further amended to read:

§2561. Membership; qualifications; tenure; vacancies

The Board of Osteopathic Examination and Registration, as ~~heretofore~~ established by Title 5, section 12004, subsection 1, and in this chapter called the "board," shall consist of 6 persons appointed by the Governor. Said persons shall be residents of this State. Five of said persons shall be graduates of a legally chartered college of osteopathic medicine or

university having the power to confer degrees in osteopathic medicine and shall have been at the time of their appointment actively engaged in the practice of their profession in Maine for a period of at least 5 years, and one of said persons shall be a representative of the public. Each appointment shall be for a 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 full term of service, shall be filled by the appointment of a person qualified as was the member whose place he fills to hold office during the unexpired term of such member. Any member of said board may be removed from office, for cause, by the Governor. Members of the board on October 4, 1973 shall continue in office to the date of expiration of their current terms.

Sec. 223. 32 MRSA §2562, 2nd ¶, as enacted by PL 1973, c. 374, §1, is amended to read:

Each member of the board shall ~~receive \$50 per day, or any part thereof, plus necessary expenses incurred in the discharge of his duties be compensated~~ according to the provisions of Title 5, chapter 379. All requisitions for payment of money shall be signed by the chairman and the secretary of said board. If the fees to be collected under any of the provisions of this chapter are insufficient to pay the salaries and expenses provided by this section, the members of said board shall be entitled to only a pro rata payment for salary in any years in which such fees are insufficient.

Sec. 224. 32 MRSA §2851, first ¶, as amended by PL 1983, c. 47, is further amended to read:

A Board of Commissioners of the Profession of Pharmacy, as ~~heretofore~~ established by Title 5, section 12004, subsection 1, and in this chapter called the "board," shall consist of 5 pharmacists all of whom shall be residents of this State and actually engaged in the practice of their profession, and one representative of the public, who shall be appointed and may be removed for cause by the Governor. At least one of the 5 pharmacists on the board shall be, at the time of appointment, actively engaged in the practice of hospital pharmacy, one member shall be actively engaged in the practice of chain pharmacy, and one member shall be actively engaged in the practice of pharmacy other than hospital or chain pharmacy. Chain pharmacy shall be defined as retail pharmacy practiced in a group of at least 4 pharmacies of

common ownership which are located within the State. The public representative commissioner shall hold office for 5 years from the first day of December of the year in which he is appointed or until his successor is appointed and qualified. The terms of office of the pharmacist commissioners shall be so arranged that one pharmacist member of that board shall be appointed annually as the terms of the present members expire, to hold office for 5 years from the first day of December in each year or until his successor is appointed and qualified. Vacancies shall be filled by appointment for the unexpired term. No pharmacist may be appointed to serve as a commissioner unless he has had at least 5 years' experience in Maine in the practice of pharmacy as a registered pharmacist prior to his appointment. At least 3 commissioners serving on the board shall possess a degree in pharmacy from an accredited college of pharmacy. The board shall have power:

Sec. 225. 32 MRSA §2851, last ¶, as amended by PL 1967, c. 390, §16, is further amended to read:

The members of the board shall each receive as compensation for their services \$25 per day for the time actually spent and their necessary expenses incurred in the discharge of their duties be compensated according to the provisions of Title 5, chapter 379. The secretary of the board shall certify to the accounts. The secretary of the board shall be the treasurer thereof and shall receive all fees, charges and assessments payable to the board, and account for and pay over the same according to law.

Sec. 226. 32 MRSA §3112, first ¶, as amended by PL 1981, c. 501, §61, is repealed and the following enacted in its place:

The Board of Examiners in Physical Therapy, as established by Title 5, section 12004, subsection 1, and within the Department of Business, Occupational and Professional Regulation, shall consist of 2 physical therapists, one physical therapist assistant, one physician and one public member.

Sec. 227. 32 MRSA §3112, sub-§2, as repealed and replaced by PL 1983, c. 413, §127, is amended to read:

2. Meetings. The board shall meet at least once a year to conduct its business and to elect a chairman and a secretary who shall serve for 2 years. Additional meetings shall be held as necessary to conduct the business of the board, and may be convened

at the call of the chairman or a majority of the board members. The board shall keep such records and minutes as are necessary to the ordinary dispatch of its functions. Members of the board shall receive \$25 for every day actually spent in the performance of the duties imposed upon them by this chapter and necessary traveling and hotel expenses actually incurred be compensated according to the provisions of Title 5, chapter 379.

Sec. 228. 32 MRSA §3263, as amended by PL 1983, c. 176, §16, is further amended to read:

§3263. Appointment; vacancies; compensation

The Board of Registration in Medicine, as established by Title 5, section 12004, subsection 1, and in this chapter called the "board," shall consist of 9 persons who are residents of this State, appointed by the Governor. Two persons shall be representatives of the public. Seven persons shall be graduates of a legally chartered medical college or university having authority to confer degrees in medicine and shall have been actively engaged in the practice of their profession in this State for a continuous period of 5 years preceding their appointments to the board. Three persons, qualified as aforesaid, including at most one public representative, shall be appointed members of the board on or before July 1st of every uneven-numbered year, each to hold office for 6 years from July 1st following his appointment. Any vacancy in the board shall be filled by the appointment of a person, qualified as was the member whose place he fills, to hold office during the unexpired term of that member. Any member of the board may be removed from office for cause by the Governor.

Members of said board shall receive annual salaries of \$17,250 each, except the chairman, who shall receive \$17,500 a year, and the secretary, who shall receive \$7,500 be compensated according to the provisions of Title 5, chapter 379. In addition, each member shall receive necessary traveling expenses in attending the meetings of the board and meetings authorized by the board. Extra compensation for each day actually spent in an investigation or prosecution of complaints and cases under this chapter shall be allowed to each member of the board actually engaged therein, in addition to the aforementioned traveling expenses. If the fees to be collected under any of the provisions of this chapter are insufficient to pay the salaries and expenses provided by this section, the members of said board shall be entitled to

only a pro rata payment for salary in any years in which such fees are insufficient.

Sec. 229. 32 MRSA §3401, as amended by PL 1983, c. 553, §39, is further amended to read:

§3401. Membership; vacancies; removal; compensation

A Plumbers' Examining Board, as established by Title 5, section 12004, subsection 1, shall consist of 3 members, who shall be appointed by the Governor. One of the members shall be a representative of the public, one shall be a master plumber as defined in section 3301, and one shall be a journeyman plumber as defined in section 3301, and who has been engaged in the business of plumbing for at least 2 years. Members shall be appointed for terms of 2 years, with no person being eligible to serve more than 4 full consecutive terms, provided that for this purpose only a period actually served which exceeds 1/2 of the 2-year term shall be deemed a full term. Upon expiration of a member's term, he shall serve until his successor is qualified and appointed. The successor's terms shall be 2 years from the date of the expiration, regardless of the date of his appointment. Any vacancy in the board caused by death, resignation or removal of any member shall be filled by the appointment of a person qualified, to hold office during the unexpired term of the member whose place is thus filled. Any member of the board may be removed from office for cause, by the Governor. The members of the board shall each be ~~allowed~~ the sum of \$35 per day and their necessary traveling expenses for actual attendance upon any examination of candidates for license and for any necessary hearings compensated according to the provisions of Title 5, chapter 379. The board may examine and license plumbers.

Sec. 230. 32 MRSA §3601, as amended by PL 1983, c. 176, Pt. A, §18, is further amended to read:

§3601. Appointment

The Board of Examiners of Podiatrists, as ~~appointed~~ established in Title 5, section 12004, subsection 1, and in this chapter called the "~~examiners~~", "board", shall be 2 members of the Board of Registration in Medicine together with 2 podiatrists and a representative of the public appointed by the Governor. One of the ~~examiners members~~ shall be chosen by a majority of the ~~examiners members~~ to act as chairman of the ~~examiners board~~ for a term of 2 years and the secretary-treasurer of the Board of Registra-

tion in Medicine shall act as secretary-treasurer of the examiners board. The podiatrists appointed by the Governor shall be appointed for a term of 4 years from nominations submitted by the Podiatry Association of Maine and by other organizations and individuals, except that the first appointment of the new member shall be for a term of 2 years. The podiatrists selected shall at the time of their appointment have been actively engaged in the practice of podiatry for a period of at least 2 years. The representative of the public shall be appointed for a term of 4 years.

Sec. 231. 32 MRSA §3602, as amended by PL 1979, c. 61, §2, is further amended to read:

§3602. Meetings; officers; records

The examiners board shall hold regular meetings, one in March, one in July and one in November and such additional meetings at such times and places as the said examiners board may determine. One of the examiners members shall be chosen by a majority of the examiners board to act as chairman of the examiners board for a term of 2 years. The secretary and treasurer of the Board of Registration in Medicine shall act as secretary and treasurer of the examiners board and shall keep a record of the proceedings of said examiners the board, which record shall include, among other things, a record of all money received and disbursed, a list of all applicants for licenses to practice podiatry and the fact of whether the applicant was granted or denied a license. Said The records shall be filed in the office of the secretary of the board and shall always be open to inspection during regular office hours. Four members of the examiners board shall constitute a quorum for the transaction of business but no license to practice podiatry shall be granted except upon the affirmative vote of 4 members of said examiners the board.

Sec. 232. 32 MRSA §3603, as amended by PL 1975, c. 575, §42, is further amended to read:

§3603. Compensation; disposition of fees

The treasurer of the examiners board shall receive all fees, charges and assessments payable to said examiners the board and account for and pay over the same these according to law. Members of the Board of Registration in Medicine, the secretary of said the board, the podiatrists and the public member appointed by the Governor, as provided in section 3601,

shall each receive \$25 for every day actually spent in the performance of the duties imposed upon them by this chapter, and in addition thereto necessary traveling and hotel expenses actually incurred, to be compensated according to the provisions of Title 5, chapter 379, and all expenses shall be certified by the chairman and secretary.

Sec. 233. 32 MRSA §3821, as amended by PL 1983, c. 413, §148, is further amended to read:

§3821. Membership; terms; vacancies

The State Board of Examiners of Psychologists, as established by Title 5, section 12004, subsection 1, and called the "board," shall consist of 6 members who shall be appointed by the Governor to serve a term of 5 years. One member of the board shall be a representative of the public. Five members of the board shall be licensed psychologists or psychological examiners. Any vacancy occurring on the board shall be filled by the Governor for the unexpired term by a person qualified and selected as was the member he is replacing. No person may be eligible to serve more than 2 full consecutive terms, provided that for this purpose only a period actually served which exceeds 1/2 of the 5-year term shall be deemed a full term. Upon expiration of a member's term, he shall serve until his successor is qualified and appointed. The successor's term shall be 5 years from the date of that expiration, regardless of the date of his appointment. Prior to the filling of any vacancies of professional members, the Governor shall solicit recommendations. A board member may be removed by the Governor for cause.

Sec. 234. 32 MRSA §3822, as amended by PL 1983, c. 413, §149, is further amended to read:

§3822. Meetings; organizations

The board shall meet at least once a year to conduct its business and to elect a chairman, secretary and treasurer. Additional meetings shall be held as necessary to conduct the business of the board, and may be convened at the call of the chairman or a majority of the board members. Each member shall receive all ordinary expenses incident to holding meetings be compensated according to the provisions of Title 5, chapter 379, provided that the expense shall not exceed the fees collected by the board. Four members of the board shall at all times constitute a quorum. The board shall keep such records and minutes as are necessary to the ordinary dispatch of its functions.

Sec. 235. 32 MRSA §3971, as amended by PL 1983, c. 413, §160, is further amended to read:

§3971. Appointment

The Board of Accountancy, as established by Title 5, section 12004, subsection 1, shall consist of 7 members appointed by the Governor. Each member of the board shall be a citizen of the United States and a resident of this State. Three members shall be persons registered in accordance with subchapter III and whose principal occupation has been in active practice as a certified public accountant for at least the 5 preceding years. Three members shall be persons registered in accordance with subchapter IV and whose principal occupation has been in active practice as a noncertified public accountant for at least the 5 preceding years. One member of the board shall be a representative of the public. Appointments shall be for 3-year terms, except that the terms of 2 members other than the public member shall expire each calendar year and appointments of less than 3 years may be made in order to comply with this limitation. Any vacancy occurring during a term shall be filled by appointment for the unexpired term. Upon the expiration of his term of office, a member shall continue to serve until his successor shall have been appointed and shall have qualified, and the successor's term shall be 3 years from the date of the expiration, regardless of the date of his appointment. No person may be eligible to serve more than 3 full consecutive terms, provided that for this purpose only a period actually served which exceeds 1/2 of the 3-year term shall be deemed a full term. The Governor shall remove from the board any member whose permit to practice has become void, revoked or suspended, and may, after hearing, remove any member of the board for cause.

Sec. 236. 32 MRSA §3972, first ¶, as repealed and replaced by PL 1983, c. 413, §161, is amended to read:

The board shall meet at least once a year to conduct its business and elect its officers. Additional meetings shall be held as necessary to conduct the business of the board, and may be convened at the call of the chairman or a majority of the board members. Annually, the members shall elect from their number a chairman, a secretary who shall be a certified public accountant and a treasurer. The offices of secretary and treasurer may be held by the same person. The board may adopt a seal. Four members shall constitute a quorum for the transaction of

business. All fees and other moneys collected by the board shall be promptly transmitted by the treasurer of the board to the Treasurer of State, together with an account of these receipts. The moneys are to be used only for expenses of the board upon requisition drawn on the State Controller. Each member of the board shall receive \$10 per hour and his necessary expenses, while engaged in the discharge of his official duties. Travel expense reimbursement shall not exceed the rate paid to state employees be compensated according to Title 5, chapter 379. If receipts of the board are not sufficient to cover all expenses and compensation of the board, the board may reduce equitably the compensation of its individual members.

Sec. 237. 32 MRSA §4051-A, sub-§1, as repealed and replaced by PL 1983, c. 511, is amended to read:

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

Sec. 238. 32 MRSA §4052, as repealed and replaced by PL 1975, c. 767, §52, is amended to read:

§4052. Compensation

Each member of the commission appointed by the Governor shall receive as full compensation for each day actually spent on the work of that commission the sum of \$40 and his actual and necessary expenses incurred in the performance of duties pertaining to his office be compensated according to the provisions of Title 5, chapter 379.

Sec. 239. 32 MRSA §4115-B, first ¶, as enacted by PL 1979, c. 196, §2, is amended to read:

Each biennial licensing period, actively licensed real estate brokers and real estate salesmen shall attend 12 clock hours of real estate oriented educational programs, approved by the Continuing Education Committee, as authorized by Title 5, section 12004, subsection 10, appointed by the commission. The committee shall consist of one member of the commission, one member from the field of education, one member representing the public and 4 licensees, each representing a different geographical area of the State, at least one of whom shall not belong to a profes-

sional real estate trade association. Members shall be appointed for staggered 3-year terms, except the commission member who shall be appointed annually.

Sec. 240. 32 MRSA §4152, first ¶, as repealed and replaced by PL 1979, c. 731, §15, is amended to read:

The Maine Sardine Council, as established by Title 36, ~~section 4693~~ 5, section 12004, subsection 9, shall meet with the commissioner at regular intervals to be determined by it and more often if called by the commissioner.

Sec. 241. 32 MRSA §4854, as amended by PL 1976, c. 731, §19, is further amended to read:

§4854. State Board of Veterinary Medicine

There is established in the Department of Agriculture a The State Board of Veterinary Medicine, which as established by Title 5, section 12004, subsection 1, within the Department of Agriculture, Food and Rural Resources, shall consist of 6 members, appointed by the Commissioner of Agriculture, Food and Rural Resources, 5 of whom shall be licensed Maine veterinarians who are residents of this State, graduates of a veterinary school and who have been licensed to practice veterinary medicine in Maine for the 5 years preceding their appointment and one member who shall be a representative of the public. At least 30 days before the appointment of any licensed Maine veterinarian to the board, the State Veterinary Medical Association shall forward to the commissioner for his consideration the names of 3 or more qualified veterinarians. The term of office of each present member of the board shall expire as now provided. One new member to be appointed to the board shall serve a 3-year term. One new member to be appointed to the board shall serve a 4-year term. The public member to be appointed to the board shall serve a 5-year term. Thereafter, all members shall be appointed for 5-year terms. No person shall serve 2 consecutive 5-year terms, but a person appointed for a term of less than 5 years may succeed himself. No person may serve on the board who is, or has been during the 2 years preceding his appointment, a trustee or a member of the faculty or advisory board of a veterinary school.

Sec. 242. 32 MRSA §4858, as enacted by PL 1975, c. 477, §4, is repealed and the following enacted in its place:

§4858. Expenses

Members of the board shall be compensated according to the provisions of Title 5, chapter 379. Expenses shall be paid by vouchers approved by the commissioner.

Sec. 243. 32 MRSA §4907, first ¶, as amended by PL 1983, c. 553, §46, is further amended to read:

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

Sec. 244. 32 MRSA §4907, sub-§3, as enacted by PL 1973, c. 558, §1, is repealed and the following enacted in its place:

3. Compensation. Each member of the board shall be compensated according to the provisions of Title 5, chapter 379.

Sec. 245. 32 MRSA §5004, as amended by PL 1983, c. 553, §46, is further amended to read.

§5004. State Board of Registration

A State Board of Registration for Professional Foresters ~~is established~~ within the Department of Business, Occupational and Professional Regulation, ~~to~~ as established by Title 5, section 12004, subsection 1, shall administer the provisions of this chapter. The board shall consist of 5 professional foresters and one public member who shall be selected and appointed by the Governor, and the forester members shall be qualified as required by section 5005. Appointments shall be for 5-year terms, except that no more than 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 member's term, he shall serve until his successor is qualified and appointed. The successor's term shall be 4 years from the date of the expiration, regardless of the date of his appointment. No person may be eligible to serve more than 2 full consecutive terms, provided that for this purpose only a period actually served which exceeds 1/2 of the 5-year term shall be deemed a full term.

Sec. 246. 32 MRSA §5006, as enacted by PL 1975, c. 490, is repealed and the following enacted in its place:

§5006. Compensation and expenses of board members

Members of the board shall be compensated according to the provisions of Title 5, chapter 379.

Sec. 247. 32 MRSA §6010, first ¶, as repealed and replaced by PL 1983, c. 413, §197, is amended to read:

The Board of Examiners on Speech Pathology and Audiology, as established by Title 5, section 12004, subsection 1, 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 and of 2 representatives of the public.

Sec. 248. 32 MRSA §6012, as enacted by PL 1975, c. 705, §4, is repealed and the following enacted in its place:

§6012. Expenses

Members of the board shall be compensated according to the provisions of Title 5, chapter 379.

Sec. 249. 32 MRSA §6201, as amended by PL 1983, c. 553, §46, is further amended to read:

§6201. Board of Registration of Substance Abuse Counselors

There is created and established the The Board of Registration of Substance Abuse Counselors within the Department of Business, Occupational and Professional Regulation ~~to~~ as established by Title 5, section 12004, subsection 1, shall carry out the purposes of this chapter.

Sec. 250. 32 MRSA §6208-A, sub-§1, as enacted by PL 1983, c. 413, §211, is amended to read:

1. Membership. The Board of Registration of Substance Abuse Counselors, as established by Title 5, section 12004, subsection 1, shall consist of 9 members appointed by the Governor. Seven members shall be registered substance abuse counselors. Two members shall be nonproviders, one of whom shall be a consumer.

Sec. 251. 32 MRSA §6211, as enacted by PL 1977, c. 466, §2, is amended to read:

§6211. Compensation

Members of the board shall ~~receive no compensation for their services as members of the board, but they shall be reimbursed for reasonable travel and incidental expenses incurred in carrying out this chapter, provided that such be compensated according to the provisions of Title 5, chapter 379, provided that expenses do not exceed the fees collected by the board.~~ If the fees to be collected under this chapter are insufficient to pay the expenses provided by this section, the board members shall be entitled to a pro rata payment in any years in which such fees are insufficient.

Sec. 252. 32 MRSA §7026, first ¶, as amended by PL 1983, c. 553, §46, is further amended to read:

The State Board of Social Worker Registration, as established ~~in~~ by Title 5, section 12004, subsection 1, and within the Department of Business, Occupational and Professional Regulation, shall administer this chapter. The board shall consist of 8 members appointed by the Governor. Four members of the board shall be certified social workers, 2 shall be registered social workers, one shall be an associate social worker and there shall be a public member. In

addition, board members shall meet the qualifications required under section 7027.

Sec. 253. 32 MRSA §7028, as enacted by PL 1977, c. 673, §3, is repealed and the following enacted in its place:

§7028. Compensation and expenses

Compensation of members shall be in accordance with the provisions of Title 5, chapter 379.

Sec. 254. 32 MRSA §9552, first ¶, as repealed and replaced by PL 1983, c. 413, §232, is amended to read:

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

Sec. 255. 32 MRSA §9554, as enacted by PL 1981, c. 456, Pt. A, §113, is repealed and the following enacted in its place:

§9554. Compensation and expenses of board members

Members of the board shall be compensated according to the provisions of Title 5, chapter 379, except that the public members shall be compensated for no more than 4 days per calendar year.

Sec. 256. 34-A MRSA §1204, first ¶, as enacted by PL 1983, c. 459, §6, is amended to read:

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

Sec. 257. 34-A MRSA §1204, sub-§4, ¶A, as repealed and replaced by PL 1983, c. 581, §§8 and 59, is repealed and the following enacted in its place:

A. Each member of the commission shall be compensated according to the provisions of Title 5, chapter 379.

Sec. 258. 34-A MRSA §3002, sub-§1, as repealed and replaced by PL 1983, c. 581, §§13 and 59, is 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, subsection 10.

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.

D. Each member of the boards of visitors may receive his actual and necessary expenses incurred in the performance of duties pertaining to his office shall be compensated according to the provisions of Title 5, chapter 379.

Sec. 259. 34-A MRSA §5201, first ¶, as enacted by PL 1983, c. 459, §6, is amended to read:

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

Sec. 260. 34-A MRSA §5205, as amended by PL 1983, c. 581, §§54 and 59, is further amended to read:

§5205. Expenses

The members of the board shall be paid \$50 per day and necessary expenses for each day actually spent in the work of the board compensated according to the provisions of Title 5, chapter 379.

Sec. 261. 34-B MRSA §1209, sub-§1, as enacted by PL 1983, c. 459, §7, is amended to read:

1. Establishment. The Governor, as authorized by Title 5, section 12004, subsection 10, with the advice of the commissioner, shall establish appoint a Mental Health Advisory Council and appoint its membership.

Sec. 262. 34-B MRSA §1210, first ¶, as enacted by PL 1983, c. 459, §7, is amended to read:

There is established the The Maine Committee on the Problems of the Mentally Retarded, as established by Title 5, section 12004, subsection 10, shall be appointed as follows;

Sec. 263. 34-B MRSA §1210, sub-§4, as enacted by PL 1983, c. 459, §7, is repealed and the following enacted in its place:

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

Sec. 264. 34-B MRSA §1211, sub-§1, as enacted by PL 1983, c. 459, §7, is amended to read:

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

Sec. 265. 34-B MRSA §1403, sub-§1, as enacted by PL 1983, c. 459, §7, is amended to read:

1. Appointment. The Governor shall appoint a board of 5 visitors for each state institution under the department, as authorized by Title 5, section 12004, subsection 10.

A. The term of the visitors is for one year.

B. Members of 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.

D. Members of boards of visitors are not entitled to compensation shall be compensated according to the provisions of Title 5, chapter 379.

Sec. 266. 36 MRSA §291, first ¶, as amended by PL 1975, c. 545, §2, is further amended to read:

There is established a The Municipal Valuation Appeals Board, as established by Title 5, section 12004, subsection 2, shall serve as an appeals board to which a municipality may appeal from the Bureau of Taxation's determination of equalized valuation or minimum assessing standards when the municipality feels aggrieved by such determination.

Sec. 267. 36 MRSA §293, as repealed and replaced by PL 1969, c. 502, §3, is amended to read:

§293. Compensation

Members of the board shall receive \$50 a day for their services for the time actually employed in the discharge of their official duties and shall receive their traveling and other necessary expenses be compensated according to the provisions of Title 5, chapter 379. The board may employ such part-time secretarial assistance as they deem necessary for the proper performance of records keeping pertaining to the evidence and records of appeals as filed with the board. There shall be made available in the State Office Building at Augusta, upon request of the chairman of the board, a hearing room with adequate facilities for the purpose of hearing the appeals.

Sec. 268. 36 MRSA §486, sub-§1, as amended by PL 1975, c. 765, §7, is further amended to read:

1. Organization; meetings. The State Board of Assessment Review, as established by Title 5, section 12004, subsection 2, shall consist of 15 members appointed by the Governor for a term 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 unexpired term. The membership shall be divided among attorneys, real estate brokers and citizens.

The board shall annually elect a chairman and secretary. The secretary need not be chosen from the members of the board.

Sec. 269. 36 MRSA §486, sub-§8, as enacted by PL 1973, c. 620, §10, is amended to read:

8. Compensation. Board members serving on an abatement appeal shall be entitled to \$50 per diem and necessary expenses while in actual performance of their duties compensated according to the provisions of Title 5, chapter 379.

Sec. 270. 36 MRSA §584, as amended by PL 1975, c. 771, §§400 and 401, is further amended to read:

§584. Advisory Council

There is established a The Forest Land Valuation Advisory Council, as established by Title 5, section 12004, subsection 10, and hereinafter called the "Advisory Council", ~~which~~ shall consist of the State Director of the Bureau of Forestry ex officio and 3 members, serving staggered 4-year terms, to be appointed by the Governor. One of these members shall be a municipal officer; one shall be a forest landowner and one shall be a member of the general public who shall have a background in economics. The initial appointment of a municipal officer shall be for a 2-year period; the initial appointment of a forest landowner shall be for a 3-year period; the initial appointment of a member of the general public shall be for a 4-year period. Thereafter, said appointees shall be appointed to serve 4-year terms and, in the event of the death or resignation of such an appointee, the Governor shall make an appointment to the Advisory Council for the unexpired term. The members of the Advisory Council shall receive no compensation for their services, but said Advisory Council shall be allowed actual expenses not to exceed \$2,000 for each fiscal year. The Advisory Council shall render to the State Tax Assessor information and advice concerning the administration of the Maine Tree Growth Tax Law. The Advisory Council shall hold a regular meeting with the State Tax Assessor or his deputy in February of each year, and special meetings at such other times and places within the State as would seem advisable. At the meeting held in February of each year, the Advisory Council may elect one of its members as chairman and one as vice-chairman.

Sec. 271. 36 MRSA §841-B, as amended by PL 1983, c. 556, §17, is further amended to read:

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

The Land Classification Appeals Board, as established by Title 5, section 12004, subsection 2, is established to hear appeals from decisions of municipal tax assessors, chief assessors and the State Tax Assessor acting as assessor of the unorganized territory relating to the Maine Tree Growth Tax Law, the Farm and Open Space Tax Law or the Forest Fire Suppression Tax Law. The board shall be composed of 4 voting members: The Commissioner of Conservation or his designee; the Commissioner of Agriculture, Food

and Rural Resources or his designee; the person who, pursuant to section 584, is currently serving on the Forest Land Valuation Advisory Council as the landowner member; and the person who, pursuant to section 584, is currently serving on the Forest Land Valuation Advisory Council as the municipal officer. The Commissioner of Finance and Administration or his designee shall serve in an advisory capacity as a nonvoting member and as chairman of the board. In the case of a tie vote, the Commissioner of Finance and Administration or his designee shall vote to break the tie. The landowner member and the municipal officer shall be compensated by the Bureau of Taxation at \$25 per day plus actual expenses according to the provisions of Title 5, chapter 379. All other members shall be compensated by the agency they represent for actual expenses incurred in the performance of their duties under this section.

Sec. 272. 36 MRSA §4312-B, sub-§§1 and 5, as enacted by PL 1979, c. 731, §19, are amended to read:

1. Established. ~~There shall be established a The~~ Maine Blueberry Commission ~~consisting, as established by Title 5, section 12004, subsection 10, shall~~ consist of 5 members who shall be appointed by the Commissioner of Agriculture, Food and Rural Resources. Each member appointed to this commission shall assume office on September 1st of the year appointed and shall serve for a term of 3 years or until a successor is duly appointed and qualified, except that when the commission is first organized under this section, one member shall be appointed for a term of one year; 2 members shall be appointed for a term of 2 years; and 2 members shall be appointed for a term of 3 years. To fill any vacancy, however caused, the commissioner shall appoint a successor for the duration of the unexpired term.

5. Compensation of commissioners. Members of the commission shall be ~~reimbursed for actual expenses incurred in the performance of their duties but shall receive no compensation for their services~~ compensated in accordance with Title 5, chapter 379.

Sec. 273. 36 MRSA §4503, first ¶, as repealed and replaced by PL 1983, c. 573, §5, is amended to read:

~~There is established the~~ The Maine Dairy Promotion Board, ~~consisting as established by Title 5, section 12004, subsection 9, shall consist of the following 5 members:~~ The Commissioner of Agricul-

ture, Food and Rural Resources or his designee, who shall serve ex officio, and 4 producers.

Sec. 274. 36 MRSA §4503, 4th ¶, as enacted by PL 1983, c. 573, §5, is repealed and the following enacted in its place:

The appointed members shall be compensated according to the provisions of Title 5, chapter 379.

Sec. 275. 36 MRSA §4523, first ¶, as repealed and replaced by PL 1983, c. 573, §13, is amended to read:

The Maine Dairy and Nutrition Council, as established by Title 5, section 12004, subsection 9, within the Department of Agriculture, Food and Rural Resources, shall consist of the following 5 members: Four producers and one dealer to be appointed by the Commissioner of Agriculture, Food and Rural Resources on recommendation of the various producer and dealer associations, individuals or unorganized groups of producers and dealers in this State.

Sec. 276. 36 MRSA §4523, last ¶, as enacted by PL 1983, c. 573, §13, is amended to read:

Members of the council shall be allowed actual traveling and other necessary expenses incurred in the performance of their duties and each member shall receive a per diem compensation for the time actually spent in the performance of his duties; that compensation to be determined by the Governor compensated according to the provisions of Title 5, chapter 379. The cost of administration of the council, including expenses and compensation of members, shall not exceed the moneys collected under this chapter. The council shall be furnished a suitable office in the State Capitol together with all necessary equipment and supplies therefor.

Sec. 277. 36 MRSA §4563, sub-§1, as amended by PL 1979, c. 731, §19, is further amended to read:

1. Membership. The Maine Potato Commission, as established by Title 5, section 12004, subsection 9, shall consist of 7 members of whom 5 shall be growers, one shall be a processor and one shall be a shipper, appointed by the Commissioner of Agriculture, Food and Rural Resources in the following manner.

A. The commissioner shall, prior to September 1st of any year in which a grower member or mem-

bers are to be appointed, appoint one grower member for each of the appropriate districts from nominations made in the following manner.

(1) Prior to July 1st of each year, the Maine Potato Commission shall hold or cause to be held in the affected district or districts a meeting of growers for the purpose of electing nominees for commission membership.

(2) In arranging for the meetings, the commission may, if it deems desirable, utilize the services and facilities of existing organizations and agencies.

(3) At the meetings, 3 nominees shall be elected for consideration by the commissioner, provided that at least 30% of the growers in the district are present.

(4) The commission shall establish procedures for holding the meetings and shall certify to the commissioner that the nominations have been made in compliance with this section and the procedures so established.

(5) The commission shall forward the nominations to the commissioner, in such manner and form as he may prescribe, not later than August 1st of each year.

(6) If nominations are not made within the time and manner specified by this section, the commissioner may, without regard to nomination, appoint any qualified grower to membership on the commission.

B. The commissioner shall, prior to September 1st of any year in which a processor member is to be appointed and after consulting with the various processor associations, individuals or unorganized groups of processors in the State, appoint one processor member of the commission.

C. The commissioner shall, prior to September 1st of any year in which a shipper member is to be appointed, appoint the shipper member of the commission from nominations made in the following manner.

(1) Prior to July 1st of any year in which a shipper member is appointed, the Maine Potato Commission shall hold or cause to be

held a meeting of agents, brokers and dealers licensed under Title 7, chapter 103, subchapter X, article 3, for the purpose of electing nominees for commission membership.

(2) In arranging for the meeting, the commission may, if it deems desirable, utilize the services and facilities of existing organizations and agencies.

(3) At the meeting, 3 licensed agents, brokers or dealers shall be elected for consideration by the commissioner, provided that at least 30% of the agents, brokers and dealers holding valid licenses in the State are present.

(4) The commission shall establish procedures for holding the meeting, and shall certify to the commissioner that the nominations have been made in compliance with this section and the procedures so established.

(5) The commission shall forward the nominations to the commissioner, in such manner and form as he may prescribe, not later than August 1st of the year in which elections are held.

(6) If nominations are not made within the time and manner specified by this section, the commissioner may, without regard to nominations, appoint any licensed agent, broker or dealer to membership on the commission.

Sec. 278. 36 MRSA §4563, sub-§4, as repealed and replaced by PL 1971, c. 428, §1, is amended to read:

4. Officers. At their first meeting of any fiscal year commission members shall select both a chairman and a vice-chairman from among their number. Five members of the commission shall be necessary to constitute a quorum and 4 concurring votes shall be required to pass any motion or approve any commission action. The members of the commission shall serve without pay except the chairman, or vice-chairman when acting as chairman, who shall receive a per diem of \$25 when in the performance of his duties and all commissioners shall be reimbursed for expenses incurred in the performance of their duties be compensated according to the provisions of Title 5, chapter 379.

Sec. 279. 36 MRSA §4571, sub-§1-A, ¶A, as enacted by PL 1977, c. 653, §1, is amended to read:

A. The Legislature finds and declares that the activities of the Maine Potato Council are of great benefit to the Maine economy and to the health and welfare of Maine citizens. The Legislature further finds that public support for the activities of the Maine Potato Council work, in promotion of Maine potatoes and improvement of potato industry practices, will benefit Maine citizens and the Maine economy. Therefore, the Legislature finds that use of a portion of the potato tax proceeds to support the Maine Potato Council, authorized by Title 5, section 12004, subsection 9, is an expenditure in the public interest.

Sec. 280. 36 MRSA §4693, first ¶, as amended by PL 1981, c. 71, §1, is further amended to read:

The Maine Sardine Council, as ~~heretofore~~ established by Title 5, section 12004, subsection 9, shall consist of not more than 9 nor less than 7 members to be appointed by the Commissioner of Marine Resources. Fifty-one percent of the members of the council shall constitute a quorum and the affirmative vote of at least 51% of the members shall be necessary for the transaction of all business and the carrying out of the duties of the council. The members shall be practical sardine packers, operating within the State, who shall have been actively engaged in packing sardines for not less than 2 years and each shall be so actively engaged during his continuance in office. A person shall be considered actively engaged in packing sardines if he has during the period derived a substantial portion of his income therefrom, or has been the directing or managing head of an entity that derives a substantial portion of its income from packing sardines.

Sec. 281. 36 MRSA §4693, 3rd ¶, as amended by PL 1979, c. 731, §17, is further amended to read:

The members of the council shall ~~serve without compensation but shall be reimbursed for expenses incurred in the performance of their duties~~ be compensated according to the provisions of Title 5, chapter 379. They are authorized to select and employ an executive director-advertising and merchandising manager to administer the advertising, merchandising, research and development program, in concurrence with the Commissioner of Marine Resources, and fix his salary. The council is authorized to consult with the Commissioner of Agriculture, Food and Rural Resources consistent with Title 32, chapter 61. The executive director, with the consent of the council,

is authorized, subject to the Personnel Law, to engage sufficient clerical personnel and other employees for the efficient performance of his duties.

Sec. 282. 37-A MRSA §56-A, sub-§1, as enacted by PL 1983, c. 516, §1, is amended to read:

1. Commission. The Citizens' Civil Emergency Commission, ~~is established by Title 5, section 12004, subsection 10,~~ shall serve as follows.

A. The commission shall consist of 9 members who shall serve 2-year terms. Seven members shall be appointed by the Governor. One member shall be appointed by the President of the Senate and one member shall be appointed by the Speaker of the House of Representatives. The member appointed by the President of the Senate shall be a member of the Senate. The member appointed by the Speaker of the House of Representatives shall be a member of the House of Representatives. Each member shall be a Maine resident. Members of the commission shall select a chairman from among themselves by a majority vote.

B. Commission members shall be compensated ~~for travel expenses to and from all commission meetings and hearings at the same rate as state employees according to the provisions of Title 5, chapter 379.~~

C. The commission shall review civil protection plans designated to deal with nuclear weapons hazards, hold public hearings as required by subsection 2, monitor the development and implementation of nuclear civil protection plans, encourage public discussion of the plans and report its findings and recommendations to the Governor, the Legislature, appropriate counties and municipalities and other interested parties.

Sec. 283. 37-A MRSA §124, sub-§1, as repealed and replaced by PL 1983, c. 472, §1, is amended to read:

1. Created. ~~There is created a~~ The Radiological Emergency Preparedness Committee, ~~as established by Title 5, section 12004, subsection 10,~~ shall be composed of 7 voting members as listed in this subsection. The duties of the committee shall be purely advisory. Members from state agencies shall serve ex officio:

A. The director of Civil Emergency Preparedness, or his designee, who shall act as chairman;

B. The Director of Health Engineering, or his designee;

C. The Commissioner of Public Safety, or his designee;

D. Three public members, one designated by the Governor, one designated by the President of the Senate and one designated by the Speaker of the House of Representatives; and

E. The license holder for a particular nuclear power plant, or his designee, shall serve on the committee for matters relating to emergency planning for that plant.

Sec. 284. 37-A MRSA §124, sub-§5, as repealed and replaced by PL 1983, c. 472, §3, is repealed and the following enacted in its place:

5. Compensation. Members shall be compensated according to the provisions of Title 5, chapter 379.

Sec. 285. 37-B MRSA §603, as enacted by PL 1983, c. 460, §3, is amended to read:

§603. Board of trustees

The administration of the home is vested in the Board of Trustees of the Maine Veterans' Home, as authorized by Title 5, section 12004, subsection 8. The board shall consist of 9 members, one of whom shall be the Director of the Bureau of Veterans' Services, ex officio, who shall serve without term. The Governor shall appoint the remaining trustees, who shall be honorably discharged war veterans. One member shall be appointed from and shall represent each of the largest veterans' organizations, not exceeding 5, which are nationally chartered and have a department in Maine. The remaining members shall be appointed at large and shall serve staggered 3-year terms. In the event of a vacancy, the successor shall be appointed to complete the unexpired term. Each trustee shall continue to hold office until his successor is appointed and qualified.

Sec. 286. 37-B MRSA §605, as enacted by PL 1983, c. 460, §3, is repealed and the following enacted in its place:

§605. Compensation of the board

Trustees shall be compensated according to the provisions of Title 5, chapter 379.

Sec. 287. 37-B MRSA §954, sub-§1, as enacted by PL 1983, c. 460, §3, is amended to read:

1. Created. There is created a The Radiological Emergency Preparedness Committee, as established by Title 5, section 12004, subsection 10, shall be composed of the following people or their designees:

A. The Director of Civil Emergency Preparedness, ex officio, who shall act as chairman;

B. The Commissioner of Public Safety, ex officio;

C. The Director of Health Engineering, ex officio; and

D. Each license holder as a nonvoting member.

Sec. 288. 38 MRSA §89, as amended by PL 1975, c. 771, §415, is further amended to read:

§89. Pilotage commission

There is created a The Penobscot Bay and River Pilotage Commission consisting, as established by Title 5, section 12004, subsection 1, shall consist of 3 members appointed by the Governor, one of whom shall be a licensed pilot of the Penobscot Bay and River Pilots Association, one of whom shall represent the marine interest of Penobscot Bay and River industry, and one, with a marine background, who shall represent the public. During the first year that sections 85 to 105 shall become law, the Governor shall appoint one member to serve through December 31st of that same year, another member to serve through December 31st of the following year, and another member to serve through December 31st of the 3rd full year after sections 85 to 105 shall become law, or until their successors shall be appointed and qualified. Starting with the year sections 85 to 105 become law, in the month of December annually, the Governor shall appoint a member to hold office from the first day of January to the 31st day of December in the 3rd year of his appointment, each member thereby serving for a term of 3 years or until his successor shall be appointed and qualified. The members appointed by the Governor initially who will serve less than 3 full-year terms will do so only for the purpose of establishing a rotating basis for appointments to the commission. Any vacancy which may

occur in said commission shall be filled by the Governor, as in the case of an original appointment, for the remainder of the unexpired term. Any member shall be eligible to succeed himself. The members of said the commission shall receive no compensation be compensated according to the provisions of Title 5, chapter 379.

Sec. 289. 38 MRSA §341, first ¶, as amended by PL 1977, c. 78, §202, is further amended to read:

The Department of Environmental Protection, as heretofore established and hereinafter called "the department", shall protect and improve the quality of our natural environment and the resources which constitute it and shall enhance the public's opportunity to enjoy the environment by directing growth and development which will preserve for all time an ecologically sound and aesthetically pleasing environment. The department shall consist of the Board of Environmental Protection, established by Title 5, section 12004, subsection 5, which is the successor of the Environmental Improvement Commission, and of a Commissioner of Environmental Protection, hereafter in this Title called "commissioner," who shall be appointed by the Governor, subject to review by the Joint Standing Committee on Natural Resources and to confirmation by the Legislature and who shall serve at the pleasure of the Governor.

Sec. 290. 38 MRSA §361, first ¶, as amended by PL 1983, c. 483, §4, is further amended to read:

The Board of Environmental Protection, as established by Title 5, section 12004, subsection 5, and in this subchapter called the "board," shall consist of 10 members appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over energy and natural resources and to confirmation by the Legislature. Members of the board shall be chosen to represent the broadest possible interest and experience which can be brought to bear in the implementation of this Title and all other laws which the board is charged with the duty of administering. The members shall be appointed for a term of 4 years and until their successors are appointed and duly qualified. The Governor shall appoint one member to serve as chairman.

Sec. 291. 38 MRSA §361, 2nd ¶, as amended by PL 1975, c. 614, §1, is repealed and the following enacted in its place:

The members appointed by the Governor shall be compensated according to the provisions of Title 5, chapter 379.

Sec. 292. 38 MRSA §532, as amended by PL 1975, c. 771, §421, is further amended to read:

§532. Commissioners; appointment

There shall be 5 members, hereinafter in this subchapter called Commissioners of the New England Interstate Water Pollution Control Commission from the State of Maine, as authorized by Title 5, section 12004, subsection 12. One commissioner shall be the Commissioner of the Department of Human Services and one the Chairman of the Maine Board of Environmental Protection. The term of any such commissioner shall terminate at the time he ceases to hold said state office and his successor in that office shall be his successor as commissioner on this commission. The Governor shall appoint 3 more commissioners who shall be citizens of the State, one to represent municipal interests, one to represent industrial interests and one to represent the public generally. The term of the last 3 said commissioners shall be for a period of 3 years and he shall hold office until his successor shall be appointed and qualified. The terms of each of the initial 5 members shall begin at the date of the appointment, provided the said compact shall then have been executed by the Governor of this State as prescribed in section 531; otherwise they shall begin upon the effective date of the compact in accordance with section 537.

Any commissioner may be removed from office by the Governor upon charges and after a hearing.

Sec. 293. 38 MRSA §951, last ¶, as enacted by PL 1979, c. 459, §1, is amended to read:

In view of the dangers of intensive and poorly planned development, it is the purpose of this chapter to preserve existing water quality, prevent the diminution of water supplies, to control erosion, to protect fish and wildlife populations, to prevent undue extremes of flood and drought, to limit the loss of life and damage to property from periodic floods; to preserve the scenic, rural and unspoiled character of the lands adjacent to these rivers; to prevent obstructions to navigation; to prevent overcrowding; to avoid the mixture of incompatible uses; to protect those areas of exceptional scenic, historic, archaeological, scientific and educational importance; and to protect the public health, safety and general wel-

fare by establishing the Saco River Corridor, authorized by Title 5, section 12004, subsection 8, and by regulating the use of land and water within this area.

Sec. 294. 38 MRSA §954, first ¶, as enacted by PL 1979, c. 459, §1, is amended to read:

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

Sec. 295. 38 MRSA §954-A, first ¶, as enacted by PL 1979, c. 459, §1, is amended to read:

The commission shall elect annually, from its own membership, a chairman and secretary and such other officers as it deems necessary. Meetings shall be held at the call of the chairman or at the call of more than 1/2 of the membership. The meetings shall be held no less frequently than 8 times a year. The minutes of all proceedings of the commission shall be a public record available and on file in the office of the commission. Members of the commission ~~shall not be paid a salary, but may be reimbursed for expenses incurred in carrying out their responsibilities~~ be compensated according to the provisions of Title 5, chapter 379.

Sec. 296. 38 MRSA §1476, sub-§1, as reallocated by PL 1983, c. 381, §5, is amended to read:

1. Establishment. There is established a The Low-level Waste Siting Commission, established by Title 5, section 12004, subsection 10, shall hereafter be referred to as the "commission."

Sec. 297. 38 MRSA §1476, sub-§5, as reallocated by PL 1983, c. 381, §5, is amended to read:

5. Compensation. Members, except state employees, ~~shall receive reimbursement for the necessary~~

actual expenses incurred in carrying out their duties be compensated according to the provisions of Title 5, chapter 379.

Sec. 298. P&SL 1937, c. 18, §1, that part relating to "ARTICLE III", first sentence, is amended to read:

The Authority shall consist of 6 members, 3 residents of the state of New Hampshire and 3 residents of the State of Maine, as authorized by the Revised Statutes, Title 5, section 12004, subsection 12.

Sec. 299. P&SL 1949, c. 75, §2, first sentence is amended to read:

In pursuance of Article III of said compact, there shall be 3 members, hereinafter called commissioners, of the Northeastern Forest Fire Protection Commission, hereinafter called Commission, from the State of Maine, as authorized by the Revised Statutes, Title 5, section 12004, subsection 12.

Sec. 300. P&SL 1973, c. 126, §1, first sentence, as amended by P&SL 1975, c. 14, §1, is further amended to read:

A special commission, as authorized by the Revised Statutes, Title 5, section 12004, subsection 10, shall be constituted and appointed to supervise the preparation, in final legislative draft form, of a proposed Probate Code for the State of Maine, such proposed code to be presented to the special session of the 107th Legislature or the regular session of the 108th Legislature.

Sec. 301. P&SL 1973, c. 126, §5 is repealed and the following enacted in its place:

Sec. 5. Reimbursement of expenses. The members of the commission shall be compensated in accordance with the Revised Statutes, Title 5, chapter 379.

Sec. 302. Savings clause. Nothing in this Act shall be construed as terminating the existence of any board listed in the Revised Statutes, Title 5, section 12004. Except as specifically provided by Title 5, sections 12002-A, 12002-B, 12003 and 12005, nothing in this Act shall be construed as modifying the powers, privileges, rights or liabilities of any board as in effect immediately prior to the effective date of this Act. Each board is declared to continue in existence, and all rules, licenses, contracts, resolutions and the official actions in effect or

outstanding immediately prior to the effective date of this Act shall be unaffected by this Act.

Sec. 303. Allocation. The following funds are allocated from the General Fund to carry out the purposes of this Act.

1984-85

AGRICULTURE, FOOD AND RURAL RESOURCES,
DEPARTMENT OF

Harness Racing Commission	
Personal Services	<u>(\$1,125)</u>
Reduces funds for per diem for members.	
Total	(\$1,125)

CONSERVATION, DEPARTMENT OF

Maine Land Use Regulation Commission	
Personal Services	<u>(\$ 840)</u>
Reduces funds for per diem for commissioners	
Total	(\$ 840)

CORRECTIONS, DEPARTMENT OF

Department of Corrections, Administration	
Personal Services	<u>(\$ 215)</u>
Reduces funds for per diem for members of the Correctional Advisory Commission.	
State Parole Board	
Personal Services	<u>(2,160)</u>
Reduces funds for per diem for members.	
Total	(\$2,375)

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Environmental Protection, Administration	
Personal Services	<u>(\$3,125)</u>
Reduces funds for per diem member of the Board of Environmental Protection.	
Total	(\$3,125)

FINANCE AUTHORITY OF MAINE

Natural Resource Finance and Marketing Agency	
Personal Services	(\$ 480)
Reduces funds for per diem for members of the Natural Resources Finance and Marketing Board.	
Total	(\$ 480)

SECRETARY OF STATE, DEPARTMENT OF

Secretary of State, Administration	
All Other	\$ 800
Capital Expenditures	<u>350</u>
Provides funds for gathering and compiling information required by this Act.	
Total	\$1,150
TOTAL ALLOCATIONS	(\$6,795)

Effective July 25, 1984.

CHAPTER 813

H.P. 1861 - L.D. 2466

AN ACT to Revise Child Custody
Terminology, Enact "Best Interest of the Child"
Criteria and Provide for Mandatory Mediation in
Cases of Separation, Annulment or Divorce where
there is a Contested Issue Involving Children.

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

Sec. 1. 19 MRSA §214, as amended by PL 1983, c.
564, §1, is repealed and the following enacted in its
place:

§214. Parenting and support decreed when parents
live apart

1. Legislative findings and purpose. The Legis-
lature finds and declares as public policy that en-
couraging mediated resolutions of disputes between
parents is in the best interest of minor children.