

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.

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

**[DUE TO ITS SIZE, THIS LAW HAS BEEN DIVIDED INTO TWO
ELECTRONIC FILES. FOR THE REMAINDER OF THE
CHAPTER, SEE THE SECOND FILE.]**