

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

**[DUE TO ITS SIZE, THIS LAW HAS BEEN DIVIDED INTO TWO
ELECTRONIC FILES. THIS IS THE SECOND FILE.]**

Sec. 126. 22 MRSA §2096, as amended by PL 1975, c. 293, §4, is repealed and the following enacted in its place:

§2096. Council

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

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

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

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

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

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

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

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

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

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

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

§4733. Create respective tribal housing authorities

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

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

§5108. Committee

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- A. Sue and be sued;
- B. Have a seal and alter the seal at pleasure;
- C. Adopt from time to time and amend bylaws covering its procedure and rules governing use of the turnpike and any of the other services made available in connection with the turnpike; develop and adopt, in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, rules governing the use of the turnpike and other services; publish those bylaws, rules as publication is necessary or advisable and cause records of its proceedings to be kept;
- D. Construct, maintain, reconstruct and operate a toll turnpike from a point at or near York in York County to a point at or near Augusta in Kennebec County, except that the traveled way shall not be widened or expanded without the express approval of the Legislature;
- E. Acquire, hold and dispose of personal property for its purposes;
- F. Acquire in the name of the authority by purchase, eminent domain, lease or otherwise, real property and rights or easements therein deemed by it necessary or desirable for its purposes, and use that property;
- G. Acquire any such real property by the exercise of the power of eminent domain in the manner provided by section 1967;
- H. Charge and collect fees, fares and tolls for the use of the turnpike and other services made available in connection with the turnpike and use the proceeds of such fees, fares and tolls for the purposes provided in this chapter, both as subject to and in accordance with such agreement with bondholders as may be made as provided in this chapter;
- I. Make contracts with the United States or any instrumentality or agency of the United States, this State or any of its agencies or instrumentalities, municipalities, public corporations, or bodies existing therein, private corporations, partnerships, associations and individuals;
- J. Accept grants and the cooperation of the United States or any agency thereof in the construction, maintenance, reconstruction, operation

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§4301. Board established

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

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

§4420. Purpose

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§171. Board of Boiler Rules

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

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

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

§172. Expenses of board members

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

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

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

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

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

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

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

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

§892. Panel

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§82. Maine State Museum Commission

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

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

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

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

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

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

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

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

§401. Commission

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

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

§402. Membership

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

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

§501. Declaration of policy

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

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

§503. Membership

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

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

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

§51. Administration; enforcement

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

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

§55. Salaries and expenses

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

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

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

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

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

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

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

§2246. Advisory and Review Board

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

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

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

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

§347. County Records Board

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

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

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

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

§1981. Establishment

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

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

§2214. Municipal Records Board

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

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

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

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

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

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

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

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

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

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

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

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

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

§5301. Membership

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§213-A. Compensation

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

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

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

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

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

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

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

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

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

Any vacancy in the board shall be filled by the appointment by the Governor of a person to hold office

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

Sec. 197. 32 MRSA §351, sub-§4, as enacted by PL 1977, c. 398, §7, is repealed and the following enacted in its place:

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

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

§501. Membership; qualifications; term; removal

The Board of Chiropractic Examination and Registration, as ~~heretofore~~ established by Title 5, section 12004, subsection 1, and in this chapter called the "board," shall consist of 6 persons, who shall be appointed by the Governor. Said persons shall be residents of this State, 5 shall be graduates of a legally chartered chiropractic school, college or university having the power to confer degrees in chiropractic and shall have been at the time of their appointment actively engaged in the practice of their profession for a period of at least 3 years in this State and one shall be a representative of the public. Each appointment shall be for the period of 5 years as the terms of the present members expire. Any vacancy in said board caused by death, resignation or for any other cause, except completion of a full term of service, shall be filled by the like appointment of a person qualified as aforesaid to hold office during the unexpired term of the member whose place he fills. Any member of said board may be removed from office for cause by the Governor.

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

§553. Fees; compensation and expenses

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

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

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

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

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

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

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

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

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

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

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

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

§1303. Compensation and expenses

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

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

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

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

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

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

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

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

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

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

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

Sec. 208. 32 MRSA §1601, sub-§4, as enacted by PL 1977, c. 398, §10, is amended to read:

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

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

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

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

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

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

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

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

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

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

§1673. Compensation and expenses

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

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

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

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

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

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

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

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

§2155. Compensation

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

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

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

Sec. 219. 32 MRSA §2351, 6th ¶, as repealed and replaced by PL 1973, c. 384, is repealed and the following enacted in its place:

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

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

§2415. Appointment; tenure; vacancies; removal

The State Board of Optometry, as ~~heretofore~~ established by Title 5, section 12004, subsection 1, and ~~hereinafter~~ in this chapter called the "board," shall consist of 6 persons appointed by the Governor. Five of such persons shall have been resident optometrists engaged in the actual practice of optometry in this State for a period of at least 5 years prior to their appointment and one of such persons shall be a consumer member who shall be a resident of this State and shall have no pecuniary interest in optometry or in the merchandising of optical products. They shall be appointed for terms as the terms of the present members expire, so that eventually the term of one member shall expire each year and each shall hold office for a term of 5 years and until his successor is appointed and qualified. Any vacancy in said board shall be filled by the appointment of a person, qualified as aforesaid, to hold office during the unexpired term of the member whose place he fills. Any member of said board may be removed from office for cause by the Governor. The board shall have a common seal.

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

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

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

§2561. Membership; qualifications; tenure; vacancies

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§3263. Appointment; vacancies; compensation

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

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

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

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

§3401. Membership; vacancies; removal; compensation

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

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

§3601. Appointment

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

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

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

§3602. Meetings; officers; records

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

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

§3603. Compensation; disposition of fees

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

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

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

§3821. Membership; terms; vacancies

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

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

§3822. Meetings; organizations

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

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

§3971. Appointment

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

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

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

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

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

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

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

§4052. Compensation

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

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

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

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

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

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

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

§4854. State Board of Veterinary Medicine

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

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

§4858. Expenses

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

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

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

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

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

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

§5004. State Board of Registration

A State Board of Registration for Professional Foresters ~~is established~~ within the Department of Business, Occupational and Professional Regulation, ~~to~~ as established by Title 5, section 12004, subsection 1, shall administer the provisions of this chapter. The board shall consist of 5 professional foresters and one public member who shall be selected and appointed by the Governor, and the forester members shall be qualified as required by section 5005. Appointments shall be for 5-year terms, except that no more than one forester member's term may expire in

any one calendar year and appointments for terms of less than 5 years may be made in order to comply with this limitation. Upon expiration of a member's term, he shall serve until his successor is qualified and appointed. The successor's term shall be 4 years from the date of the expiration, regardless of the date of his appointment. No person may be eligible to serve more than 2 full consecutive terms, provided that for this purpose only a period actually served which exceeds $1/2$ of the 5-year term shall be deemed a full term.

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

§5006. Compensation and expenses of board members

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

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

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

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

§6012. Expenses

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

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

§6201. Board of Registration of Substance Abuse Counselors

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

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

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

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

§6211. Compensation

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

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

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

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

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

§7028. Compensation and expenses

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

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

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

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

§9554. Compensation and expenses of board members

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§5205. Expenses

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§293. Compensation

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

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

1. Organization; meetings. The State Board of Assessment Review, as established by Title 5, section 12004, subsection 2, shall consist of 15 members appointed by the Governor for a term of 3 years, except for initial appointments which shall be 1/3 of the membership for one year, 1/3 of the membership for 2 years and 1/3 of the membership for 3 years. Vacancies on the board shall be filled for the remainder of the unexpired term. The membership shall be divided among attorneys, real estate brokers and citizens.

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

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

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

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

§584. Advisory Council

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) In arranging for the meetings, the commission may, if it deems desirable, utilize the services and facilities of existing organizations and agencies.

(3) At the meetings, 3 nominees shall be elected for consideration by the commissioner, provided that at least 30% of the growers in the district are present.

(4) The commission shall establish procedures for holding the meetings and shall certify to the commissioner that the nominations have been made in compliance with this section and the procedures so established.

(5) The commission shall forward the nominations to the commissioner, in such manner and form as he may prescribe, not later than August 1st of each year.

(6) If nominations are not made within the time and manner specified by this section, the commissioner may, without regard to nomination, appoint any qualified grower to membership on the commission.

B. The commissioner shall, prior to September 1st of any year in which a processor member is to be appointed and after consulting with the various processor associations, individuals or unorganized groups of processors in the State, appoint one processor member of the commission.

C. The commissioner shall, prior to September 1st of any year in which a shipper member is to be appointed, appoint the shipper member of the commission from nominations made in the following manner.

(1) Prior to July 1st of any year in which a shipper member is appointed, the Maine Potato Commission shall hold or cause to be

held a meeting of agents, brokers and dealers licensed under Title 7, chapter 103, subchapter X, article 3, for the purpose of electing nominees for commission membership.

(2) In arranging for the meeting, the commission may, if it deems desirable, utilize the services and facilities of existing organizations and agencies.

(3) At the meeting, 3 licensed agents, brokers or dealers shall be elected for consideration by the commissioner, provided that at least 30% of the agents, brokers and dealers holding valid licenses in the State are present.

(4) The commission shall establish procedures for holding the meeting, and shall certify to the commissioner that the nominations have been made in compliance with this section and the procedures so established.

(5) The commission shall forward the nominations to the commissioner, in such manner and form as he may prescribe, not later than August 1st of the year in which elections are held.

(6) If nominations are not made within the time and manner specified by this section, the commissioner may, without regard to nominations, appoint any licensed agent, broker or dealer to membership on the commission.

Sec. 278. 36 MRSA §4563, sub-§4, as repealed and replaced by PL 1971, c. 428, §1, is amended to read:

4. Officers. At their first meeting of any fiscal year commission members shall select both a chairman and a vice-chairman from among their number. Five members of the commission shall be necessary to constitute a quorum and 4 concurring votes shall be required to pass any motion or approve any commission action. The members of the commission shall serve without pay except the chairman, or vice-chairman when acting as chairman, who shall receive a per diem of \$25 when in the performance of his duties and all commissioners shall be reimbursed for expenses incurred in the performance of their duties be compensated according to the provisions of Title 5, chapter 379.

Sec. 279. 36 MRSA §4571, sub-§1-A, ¶A, as enacted by PL 1977, c. 653, §1, is amended to read:

A. The Legislature finds and declares that the activities of the Maine Potato Council are of great benefit to the Maine economy and to the health and welfare of Maine citizens. The Legislature further finds that public support for the activities of the Maine Potato Council work, in promotion of Maine potatoes and improvement of potato industry practices, will benefit Maine citizens and the Maine economy. Therefore, the Legislature finds that use of a portion of the potato tax proceeds to support the Maine Potato Council, authorized by Title 5, section 12004, subsection 9, is an expenditure in the public interest.

Sec. 280. 36 MRSA §4693, first ¶, as amended by PL 1981, c. 71, §1, is further amended to read:

The Maine Sardine Council, as ~~heretofore~~ established by Title 5, section 12004, subsection 9, shall consist of not more than 9 nor less than 7 members to be appointed by the Commissioner of Marine Resources. Fifty-one percent of the members of the council shall constitute a quorum and the affirmative vote of at least 51% of the members shall be necessary for the transaction of all business and the carrying out of the duties of the council. The members shall be practical sardine packers, operating within the State, who shall have been actively engaged in packing sardines for not less than 2 years and each shall be so actively engaged during his continuance in office. A person shall be considered actively engaged in packing sardines if he has during the period derived a substantial portion of his income therefrom, or has been the directing or managing head of an entity that derives a substantial portion of its income from packing sardines.

Sec. 281. 36 MRSA §4693, 3rd ¶, as amended by PL 1979, c. 731, §17, is further amended to read:

The members of the council shall ~~serve without compensation but shall be reimbursed for expenses incurred in the performance of their duties~~ be compensated according to the provisions of Title 5, chapter 379. They are authorized to select and employ an executive director-advertising and merchandising manager to administer the advertising, merchandising, research and development program, in concurrence with the Commissioner of Marine Resources, and fix his salary. The council is authorized to consult with the Commissioner of Agriculture, Food and Rural Resources consistent with Title 32, chapter 61. The executive director, with the consent of the council,

is authorized, subject to the Personnel Law, to engage sufficient clerical personnel and other employees for the efficient performance of his duties.

Sec. 282. 37-A MRSA §56-A, sub-§1, as enacted by PL 1983, c. 516, §1, is amended to read:

1. Commission. The Citizens' Civil Emergency Commission, ~~is established by Title 5, section 12004, subsection 10,~~ shall serve as follows.

A. The commission shall consist of 9 members who shall serve 2-year terms. Seven members shall be appointed by the Governor. One member shall be appointed by the President of the Senate and one member shall be appointed by the Speaker of the House of Representatives. The member appointed by the President of the Senate shall be a member of the Senate. The member appointed by the Speaker of the House of Representatives shall be a member of the House of Representatives. Each member shall be a Maine resident. Members of the commission shall select a chairman from among themselves by a majority vote.

B. Commission members shall be compensated ~~for travel expenses to and from all commission meetings and hearings at the same rate as state employees according to the provisions of Title 5, chapter 379.~~

C. The commission shall review civil protection plans designated to deal with nuclear weapons hazards, hold public hearings as required by subsection 2, monitor the development and implementation of nuclear civil protection plans, encourage public discussion of the plans and report its findings and recommendations to the Governor, the Legislature, appropriate counties and municipalities and other interested parties.

Sec. 283. 37-A MRSA §124, sub-§1, as repealed and replaced by PL 1983, c. 472, §1, is amended to read:

1. Created. ~~There is created a~~ The Radiological Emergency Preparedness Committee, ~~as established by Title 5, section 12004, subsection 10,~~ shall be composed of 7 voting members as listed in this subsection. The duties of the committee shall be purely advisory. Members from state agencies shall serve ex officio:

A. The director of Civil Emergency Preparedness, or his designee, who shall act as chairman;

B. The Director of Health Engineering, or his designee;

C. The Commissioner of Public Safety, or his designee;

D. Three public members, one designated by the Governor, one designated by the President of the Senate and one designated by the Speaker of the House of Representatives; and

E. The license holder for a particular nuclear power plant, or his designee, shall serve on the committee for matters relating to emergency planning for that plant.

Sec. 284. 37-A MRSA §124, sub-§5, as repealed and replaced by PL 1983, c. 472, §3, is repealed and the following enacted in its place:

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

Sec. 285. 37-B MRSA §603, as enacted by PL 1983, c. 460, §3, is amended to read:

§603. Board of trustees

The administration of the home is vested in the Board of Trustees of the Maine Veterans' Home, as authorized by Title 5, section 12004, subsection 8. The board shall consist of 9 members, one of whom shall be the Director of the Bureau of Veterans' Services, ex officio, who shall serve without term. The Governor shall appoint the remaining trustees, who shall be honorably discharged war veterans. One member shall be appointed from and shall represent each of the largest veterans' organizations, not exceeding 5, which are nationally chartered and have a department in Maine. The remaining members shall be appointed at large and shall serve staggered 3-year terms. In the event of a vacancy, the successor shall be appointed to complete the unexpired term. Each trustee shall continue to hold office until his successor is appointed and qualified.

Sec. 286. 37-B MRSA §605, as enacted by PL 1983, c. 460, §3, is repealed and the following enacted in its place:

§605. Compensation of the board

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

Sec. 287. 37-B MRSA §954, sub-§1, as enacted by PL 1983, c. 460, §3, is amended to read:

1. Created. There is created a The Radiological Emergency Preparedness Committee, as established by Title 5, section 12004, subsection 10, shall be composed of the following people or their designees:

A. The Director of Civil Emergency Preparedness, ex officio, who shall act as chairman;

B. The Commissioner of Public Safety, ex officio;

C. The Director of Health Engineering, ex officio; and

D. Each license holder as a nonvoting member.

Sec. 288. 38 MRSA §89, as amended by PL 1975, c. 771, §415, is further amended to read:

§89. Pilotage commission

There is created a The Penobscot Bay and River Pilotage Commission consisting, as established by Title 5, section 12004, subsection 1, shall consist of 3 members appointed by the Governor, one of whom shall be a licensed pilot of the Penobscot Bay and River Pilots Association, one of whom shall represent the marine interest of Penobscot Bay and River industry, and one, with a marine background, who shall represent the public. During the first year that sections 85 to 105 shall become law, the Governor shall appoint one member to serve through December 31st of that same year, another member to serve through December 31st of the following year, and another member to serve through December 31st of the 3rd full year after sections 85 to 105 shall become law, or until their successors shall be appointed and qualified. Starting with the year sections 85 to 105 become law, in the month of December annually, the Governor shall appoint a member to hold office from the first day of January to the 31st day of December in the 3rd year of his appointment, each member thereby serving for a term of 3 years or until his successor shall be appointed and qualified. The members appointed by the Governor initially who will serve less than 3 full-year terms will do so only for the purpose of establishing a rotating basis for appointments to the commission. Any vacancy which may

occur in said commission shall be filled by the Governor, as in the case of an original appointment, for the remainder of the unexpired term. Any member shall be eligible to succeed himself. The members of said the commission shall receive no compensation be compensated according to the provisions of Title 5, chapter 379.

Sec. 289. 38 MRSA §341, first ¶, as amended by PL 1977, c. 78, §202, is further amended to read:

The Department of Environmental Protection, as heretofore established and hereinafter called "the department", shall protect and improve the quality of our natural environment and the resources which constitute it and shall enhance the public's opportunity to enjoy the environment by directing growth and development which will preserve for all time an ecologically sound and aesthetically pleasing environment. The department shall consist of the Board of Environmental Protection, established by Title 5, section 12004, subsection 5, which is the successor of the Environmental Improvement Commission, and of a Commissioner of Environmental Protection, hereafter in this Title called "commissioner," who shall be appointed by the Governor, subject to review by the Joint Standing Committee on Natural Resources and to confirmation by the Legislature and who shall serve at the pleasure of the Governor.

Sec. 290. 38 MRSA §361, first ¶, as amended by PL 1983, c. 483, §4, is further amended to read:

The Board of Environmental Protection, as established by Title 5, section 12004, subsection 5, and in this subchapter called the "board," shall consist of 10 members appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over energy and natural resources and to confirmation by the Legislature. Members of the board shall be chosen to represent the broadest possible interest and experience which can be brought to bear in the implementation of this Title and all other laws which the board is charged with the duty of administering. The members shall be appointed for a term of 4 years and until their successors are appointed and duly qualified. The Governor shall appoint one member to serve as chairman.

Sec. 291. 38 MRSA §361, 2nd ¶, as amended by PL 1975, c. 614, §1, is repealed and the following enacted in its place:

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

Sec. 292. 38 MRSA §532, as amended by PL 1975, c. 771, §421, is further amended to read:

§532. Commissioners; appointment

There shall be 5 members, hereinafter in this subchapter called Commissioners of the New England Interstate Water Pollution Control Commission from the State of Maine, as authorized by Title 5, section 12004, subsection 12. One commissioner shall be the Commissioner of the Department of Human Services and one the Chairman of the Maine Board of Environmental Protection. The term of any such commissioner shall terminate at the time he ceases to hold said state office and his successor in that office shall be his successor as commissioner on this commission. The Governor shall appoint 3 more commissioners who shall be citizens of the State, one to represent municipal interests, one to represent industrial interests and one to represent the public generally. The term of the last 3 said commissioners shall be for a period of 3 years and he shall hold office until his successor shall be appointed and qualified. The terms of each of the initial 5 members shall begin at the date of the appointment, provided the said compact shall then have been executed by the Governor of this State as prescribed in section 531; otherwise they shall begin upon the effective date of the compact in accordance with section 537.

Any commissioner may be removed from office by the Governor upon charges and after a hearing.

Sec. 293. 38 MRSA §951, last ¶, as enacted by PL 1979, c. 459, §1, is amended to read:

In view of the dangers of intensive and poorly planned development, it is the purpose of this chapter to preserve existing water quality, prevent the diminution of water supplies, to control erosion, to protect fish and wildlife populations, to prevent undue extremes of flood and drought, to limit the loss of life and damage to property from periodic floods; to preserve the scenic, rural and unspoiled character of the lands adjacent to these rivers; to prevent obstructions to navigation; to prevent overcrowding; to avoid the mixture of incompatible uses; to protect those areas of exceptional scenic, historic, archaeological, scientific and educational importance; and to protect the public health, safety and general wel-

fare by establishing the Saco River Corridor, authorized by Title 5, section 12004, subsection 8, and by regulating the use of land and water within this area.

Sec. 294. 38 MRSA §954, first ¶, as enacted by PL 1979, c. 459, §1, is amended to read:

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

Sec. 295. 38 MRSA §954-A, first ¶, as enacted by PL 1979, c. 459, §1, is amended to read:

The commission shall elect annually, from its own membership, a chairman and secretary and such other officers as it deems necessary. Meetings shall be held at the call of the chairman or at the call of more than 1/2 of the membership. The meetings shall be held no less frequently than 8 times a year. The minutes of all proceedings of the commission shall be a public record available and on file in the office of the commission. Members of the commission ~~shall not be paid a salary, but may be reimbursed for expenses incurred in carrying out their responsibilities~~ be compensated according to the provisions of Title 5, chapter 379.

Sec. 296. 38 MRSA §1476, sub-§1, as reallocated by PL 1983, c. 381, §5, is amended to read:

1. Establishment. There is established a The Low-level Waste Siting Commission, established by Title 5, section 12004, subsection 10, shall hereafter be referred to as the "commission."

Sec. 297. 38 MRSA §1476, sub-§5, as reallocated by PL 1983, c. 381, §5, is amended to read:

5. Compensation. Members, except state employees, ~~shall receive reimbursement for the necessary~~

actual expenses incurred in carrying out their duties be compensated according to the provisions of Title 5, chapter 379.

Sec. 298. P&SL 1937, c. 18, §1, that part relating to "ARTICLE III", first sentence, is amended to read:

The Authority shall consist of 6 members, 3 residents of the state of New Hampshire and 3 residents of the State of Maine, as authorized by the Revised Statutes, Title 5, section 12004, subsection 12.

Sec. 299. P&SL 1949, c. 75, §2, first sentence is amended to read:

In pursuance of Article III of said compact, there shall be 3 members, hereinafter called commissioners, of the Northeastern Forest Fire Protection Commission, hereinafter called Commission, from the State of Maine, as authorized by the Revised Statutes, Title 5, section 12004, subsection 12.

Sec. 300. P&SL 1973, c. 126, §1, first sentence, as amended by P&SL 1975, c. 14, §1, is further amended to read:

A special commission, as authorized by the Revised Statutes, Title 5, section 12004, subsection 10, shall be constituted and appointed to supervise the preparation, in final legislative draft form, of a proposed Probate Code for the State of Maine, such proposed code to be presented to the special session of the 107th Legislature or the regular session of the 108th Legislature.

Sec. 301. P&SL 1973, c. 126, §5 is repealed and the following enacted in its place:

Sec. 5. Reimbursement of expenses. The members of the commission shall be compensated in accordance with the Revised Statutes, Title 5, chapter 379.

Sec. 302. Savings clause. Nothing in this Act shall be construed as terminating the existence of any board listed in the Revised Statutes, Title 5, section 12004. Except as specifically provided by Title 5, sections 12002-A, 12002-B, 12003 and 12005, nothing in this Act shall be construed as modifying the powers, privileges, rights or liabilities of any board as in effect immediately prior to the effective date of this Act. Each board is declared to continue in existence, and all rules, licenses, contracts, resolutions and the official actions in effect or

outstanding immediately prior to the effective date of this Act shall be unaffected by this Act.

Sec. 303. Allocation. The following funds are allocated from the General Fund to carry out the purposes of this Act.

1984-85

AGRICULTURE, FOOD AND RURAL RESOURCES,
DEPARTMENT OF

Harness Racing Commission	
Personal Services	<u>(\$1,125)</u>
Reduces funds for per diem for members.	
Total	(\$1,125)

CONSERVATION, DEPARTMENT OF

Maine Land Use Regulation Commission	
Personal Services	<u>(\$ 840)</u>
Reduces funds for per diem for commissioners	
Total	(\$ 840)

CORRECTIONS, DEPARTMENT OF

Department of Corrections, Administration	
Personal Services	(\$ 215)
Reduces funds for per diem for members of the Correctional Advisory Commission.	
State Parole Board	
Personal Services	<u>(2,160)</u>
Reduces funds for per diem for members.	
Total	(\$2,375)

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Environmental Protection, Administration	
Personal Services	<u>(\$3,125)</u>
Reduces funds for per diem member of the Board of Environmental Protection.	
Total	(\$3,125)

FINANCE AUTHORITY OF MAINE

Natural Resource Finance and Marketing Agency	
Personal Services	(\$ 480)
Reduces funds for per diem for members of the Natural Resources Finance and Marketing Board.	
Total	(\$ 480)

SECRETARY OF STATE, DEPARTMENT OF

Secretary of State, Administration	
All Other	\$ 800
Capital Expenditures	<u>350</u>
Provides funds for gathering and compiling information required by this Act.	
Total	\$1,150
TOTAL ALLOCATIONS	(\$6,795)

Effective July 25, 1984.

CHAPTER 813

H.P. 1861 - L.D. 2466

AN ACT to Revise Child Custody Terminology, Enact "Best Interest of the Child" Criteria and Provide for Mandatory Mediation in Cases of Separation, Annulment or Divorce where there is a Contested Issue Involving Children.

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

Sec. 1. 19 MRSA §214, as amended by PL 1983, c. 564, §1, is repealed and the following enacted in its place:

§214. Parenting and support decreed when parents live apart

1. Legislative findings and purpose. The Legislature finds and declares as public policy that encouraging mediated resolutions of disputes between parents is in the best interest of minor children.