

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985

Chapters 1-384

PUBLISHED BY THE REVISOR OF STATUTES IN ACCORDANCE WITH
MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 163-A,
SUBSECTION 4.

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PUBLIC LAWS
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disturbance exists. If any employee, during the continuance of a strike, lockout or other labor trouble advertises for or solicits business for a competitor of the employers engaged in the labor dispute, he shall plainly and explicitly mention in the advertisement or oral or written solicitations that a strike, lockout or other labor disturbance exists. This section shall cease to be operative if the board determines that the business of the employer, in respect to which the strike or other labor trouble occurred, is being carried on in the normal and usual manner and to the normal and usual extent. The board shall determine this question as soon as possible, upon the application of the employer. Any person, firm, association or corporation who violates this section shall be punished by a fine not less than \$250 nor more than \$500.

§939. Proceedings confidential

Any information disclosed by either party to a dispute to the board or any of its members in carrying out this subchapter shall be confidential, except as may be provided otherwise in this subchapter.

Sec. 3. Transition clause. All appointments made by the Governor to the State Board of Arbitration and Conciliation prior to the effective date of this Act shall continue in effect on the effective date of this Act. All current rules of the board shall remain in force and effect until rescinded, amended or otherwise changed by the board, except those which are contrary to the provisions of this Act.

Effective September 19, 1985.

CHAPTER 295

H.P. 1072 - L.D. 1560

AN ACT to Clarify and Make Technical Changes
in the Law Governing Boards and
Commissions.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, there are a number of boards and commissions omitted from the Maine Revised Statutes, Title

5, chapter 379, which authorizes compensation for boards and commissions; and

Whereas, these boards are currently operating and providing an important service to the State; and

Whereas, it is in the best interest of the State to authorize compensation for the members of these boards as soon as possible; and

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

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

Sec. 1. 5 MRSA §8-I, as enacted by PL 1973, c. 427, is amended by adding at the end a new paragraph to read:

This section does not apply to the compensation of state employees appointed to boards and commissions in this State. State employees and other members of state boards and commissions shall be governed by chapter 379.

Sec. 2. 5 MRSA §285, sub-§2, as amended by PL 1979, c. 653, is further amended to read:

2. Coverage. Each state employee to whom this section applies shall be eligible for group accident and sickness or health insurance as provided in Title 24-A, sections 2802 to 2812, including major medical benefits. The provisions of such group insurance policy or policies shall be determined, insofar as such provisions are not inconsistent with terms and conditions contained in collective bargaining agreements negotiated pursuant to Title 26, chapter 9-B, by a board of trustees consisting of 5 members, 2 of whom shall be appointed by the employee organization certified to represent the majority of employees; one of whom shall be a retired state employee selected by a majority vote of the Presidents of the Chapters of the Retired State Employees Association; and 2 state employees who shall be appointed by the Governor. The board of trustees, as authorized by chapter 379, shall hold office for 3 years, with initial appointments to be made as follows: One member appointed by the Governor for 3 years and one member appointed by

the Governor for 2 years; one member appointed by the Maine State Employees Association for 3 years and one member appointed by the Maine State Employees Association for 2 years; and one member, appointed by the Maine State Retirees, for one year. The master policy for such group insurance shall be held by the Commissioner of Finance and Administration who shall be ex officio a member of the board of trustees. Said group insurance shall be administered by the board of trustees herein provided.

Sec. 3. 5 MRSA §12002, sub-§1, as amended by PL 1983, c. 862, §16, is further amended to read:

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

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

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

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

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

E. Special study organizations as defined in subsection 4-; and

F. A joint standing committee of the Legislature or any joint select committee, composed exclusively of Representatives and Senators.

Sec. 4. 5 MRSA §12002, sub-§2, as enacted by PL 1983, c. 812, §39, is amended to read:

2. Expenses. "Expenses" means travel, meals or lodging costs or other necessary costs incurred by a member of a board in the performance of his duties as a member of that board. Noonday meal expenses incurred while in attendance at a board meeting or hearing shall be deemed a reimbursable expense, but shall not exceed \$5 per meal.

Sec. 5. 5 MRSA §12002, sub-§3-A is enacted to read:

3-A. Personal care expenses. "Personal care expenses" means the cost of feeding, dressing, toileting, mobility and personal hygiene assistance provided to developmentally disabled or handicapped persons who are members or the children of members of boards established in this chapter.

Sec. 6. 5 MRSA §12002-A, as enacted by PL 1983, c. 812, §39, is repealed and the following enacted in its place:

§12002-A. Payment of expenses

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

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

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

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

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

E. Participation in official business of the board required by law or by rule of the board or a procedure which is necessary to fulfill the statutory responsibilities of the board, but shall not include any of the prohibited activities as defined in section 12002-B, subsection 2. Members of occupational and professional licensing boards, as defined in section 12004, subsection 1, may receive expenses for meetings relat-

ing to the occupations and professions regulated by each board and which meetings are held out of state.

2. Child care and personal care expenses. Child care expenses and personal care expenses may be reimbursed only as provided in this subsection.

A. For those board members who hold their positions because state statute, federal statute or federal regulation requires membership of low income people, those members may be reimbursed for reasonable child care expenses incurred while engaged in the official business of the board.

B. For those board members who are selected because they are developmentally disabled or handicapped or who are the parents or guardians of handicapped persons, those members may be reimbursed for reasonable child care expenses and personal care expenses incurred while engaged in the official business of the board.

Sec. 7. 5 MRSA §12002-B, sub-§1, ¶D, as enacted by PL 1983, c. 812, §39, is repealed and the following enacted in its place:

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

Sec. 8. 5 MRSA §12002-B, sub-§1-A is enacted to read:

1-A. Payments of compensation for written decisions. A daily rate of compensation may be paid to the following persons for the preparation of a written decision of the board:

A. The chairman of any board who is required by law to prepare and issue a written decision of the board; and

B. A member of the board who has been assigned to serve as a hearing examiner in an adjudicatory proceeding.

The payment of compensation as provided in this subsection shall be provided only in the event that a statutorily required written decision cannot be prepared at a meeting or hearing of the board and shall

not exceed the payment of 5 days of compensation for the preparation and issue of a written decision.

Sec. 9. 5 MRSA §12002-B, sub-§2, as enacted by PL 1983, c. 812, §39, is repealed and the following enacted in its place:

2. Prohibition of payment of compensation. No daily, hourly or annual rate of compensation may be paid to any board member for any of the following:

A. Preparation or review of materials for any meetings or hearings of any board, unless the member is preparing or reviewing materials in his capacity as the assigned hearing examiner in an adjudicatory proceeding;

B. Completion of work, except as provided in subsection 1-A, following meetings or hearings of the board;

C. Lobbying activities;

D. Attendance at meetings or conferences held out of state, unless attendance is mandatory for training purposes or for maintaining qualifications in order to remain on the board, exclusive of a member's professional or occupational requirements and the required training is not available within the State. Compensation may be paid to any board member for attendance at meetings out of state for the purpose of securing an approval by the Federal Government or another state government which the board is required to seek and a rate of compensation is not paid by the Federal Government or other state government to the board member for attendance at these meetings; and

E. Any activity for which approval has not been granted by the chairman, a person authorized by statute to give approval or by a majority of the board members.

Sec. 10. 5 MRSA §12002-C is enacted to read:

§12002-C. Per diem and expense vouchers

In order to receive per diem compensation or reimbursement for expenses as authorized by this chapter, a member of a board, which is required to submit expense vouchers to the Department of Finance and Administration for reimbursement, shall complete and sign an expense voucher form to the satisfaction of

the Commissioner of Finance and Administration. Every board member shall certify in writing on the voucher form whether the per diem or expenses incurred for each item is an official meeting or hearing activity required by statute that has been called by the chairman of the board or by a person authorized by statute to call the meeting or hearing. In the event that the requested per diem or expense reimbursement is not the result of an official meeting or hearing of the board, the board member shall explain on the voucher the reason for the claim. The Commissioner of Finance and Administration may disapprove those expenses or portion of expenses that do not comply with this chapter.

Sec. 11. 5 MRSA §12003, as enacted by PL 1983, c. 812, §39, is repealed.

Sec. 12. 5 MRSA §12003-A is enacted to read:

§12003-A. Standards

Boards established by this chapter shall comply with the following standards.

1. Compensation of substantive boards. Compensation provided to members of boards that are not classified as advisory boards in section 12004 shall not exceed the legislative per diem rate defined in section 12002 for the purposes defined in section 12002-B.

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

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

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

3. Compensation as provided in section 12004. Compensation to members of boards shall be in accordance with the rate established for each board

in section 12004. The defined rate of compensation for each board in section 12004 shall be in compliance with this section.

4. Compensation of state employee members of boards. State employee members of boards may receive their regular wages or salaries or the authorized per diem compensation, but not both, as defined by this subsection.

A. Any state employee, classified or unclassified, who is a member of a board by virtue of the position held by that state employee or who has been designated by the commissioner or director of a state agency to represent the commissioner, director or agency shall not be paid compensation as provided in section 12002-B, subsection 1, for attendance at board meetings, hearings or other board activities. Any expenses incurred by this board member shall be paid from the budget of the agency or organization that the member represents.

B. Any state employee, classified or unclassified, who is a member of a board, who has been appointed at the request of the state employee or because of the personal interest of the state employee in the board's activities and who is not an ex officio member or a representative of a commissioner, director or state agency, shall not be paid his regular wages or salary for attendance at meetings or hearings of the board or for work performed for the board during the normal working hours of the state employee.

5. Records of boards. Records and minutes of all boards shall be open and readily available in a place convenient and accessible to the public, unless the information is required by law to be kept confidential or is privileged information.

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

Sec. 13. 5 MRSA §12004, 3rd ¶, as enacted by PL 1983, c. 812, §39, is repealed.

Sec. 14. 5 MRSA §12004, sub-§1, ¶A, sub-¶¶(24-A) to (39), as amended, are repealed and the following enacted in their place:

(25)	<u>Board of Occupational Therapy Practice</u>	<u>Expenses Only</u>	<u>32 MRSA §2273</u>
(26)	<u>Oil and Solid Fuel Board</u>	<u>\$30/Day</u>	<u>32 MRSA §2351</u>
(27)	<u>State Board of Optometry</u>	<u>\$25/Day</u>	<u>32 MRSA §2415</u>
(28)	<u>Board of Osteopathic Examination and Registration</u>	<u>Legislative Per Diem</u>	<u>32 MRSA §2561</u>
(29)	<u>Board of Commissioners of the Profession of Pharmacy</u>	<u>\$25/Day</u>	<u>32 MRSA §2851</u>
(30)	<u>Board of Examiners in Physical Therapy</u>	<u>\$25/Day</u>	<u>32 MRSA §3112</u>
(31)	<u>Plumbers' Examining Board</u>	<u>\$35/Day</u>	<u>32 MRSA §3401</u>
(32)	<u>Board of Examiners of Podiatrists</u>	<u>\$25/Day</u>	<u>32 MRSA §3601</u>
(33)	<u>State Board of Examiners of Psychologists</u>	<u>\$35/Day</u>	<u>32 MRSA §3821</u>
(34)	<u>Radiologic Technology Board of Examiners</u>	<u>Expenses Only</u>	<u>32 MRSA §9853</u>
(35)	<u>Real Estate Commission</u>	<u>\$35/Day</u>	<u>32 MRSA §4051-A</u>
(36)	<u>State Board of Social Worker Registration</u>	<u>Expenses Only</u>	<u>32 MRSA §7026</u>
(37)	<u>Board of Examiners on Speech Pathology and Audiology</u>	<u>\$25/Day</u>	<u>32 MRSA §6010</u>
(38)	<u>Board of Registration of Substance Abuse Counselors</u>	<u>Not Authorized</u>	<u>32 MRSA §6201</u>
(39)	<u>State Board of Veterinary Medicine</u>	<u>Legislative Per Diem</u>	<u>32 MRSA §4854</u>
(40)	<u>Board for Licensure (Water Treatment Plant Operators)</u>	<u>Expenses Only</u>	<u>22 MRSA §2624</u>
(41)	<u>Penobscot Bay and River Pilotage Commission</u>	<u>Not Authorized</u>	<u>38 MRSA §89</u>
(42)	<u>Maine Athletic Commission</u>		<u>8 MRSA §141</u>

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

Sec. 15. 5 MRSA §12004, sub-§7, ¶A, sub-¶(8), as amended by PL 1983, c. 863, Pt. B, §§42 and 45, is repealed and the following enacted in its place:

(8)	<u>Board of Trustees, Accident and Sickness or Health Insurance Program</u>	<u>Not Authorized</u>	<u>5 MRSA §285</u>
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Sec. 16. 5 MRSA §12004, sub-§7, ¶A, sub-¶(9) and (10) are enacted to read:

(9)	<u>Maine Municipal Bond Bank, Board of Commissioners</u>	<u>Legislative per diem</u>	<u>30 MRSA §5164</u>
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(10)	<u>Maine Public Utility Financing Bank, Board of Commissioners</u>	<u>Legislative per diem</u>	<u>35 MRSA §184</u>
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Sec. 17. 5 MRSA §12004, sub-§8, ¶A, as amended by PL 1983, c. 862, §§20 and 21, is repealed and the following enacted in its place:

A. This classification includes the following boards:

<u>FIELD</u>	<u>NAME OF ORGANIZATION</u>	<u>RATE OF COMPENSATION</u>	<u>STATUTORY REFERENCE</u>
(1) <u>Agriculture</u>	<u>Animal Welfare Board</u>	<u>Legislative Per Diem</u>	<u>17 MRSA §1051-A</u>
(2) <u>Corrections</u>	<u>State Parole Board</u>	<u>Legislative Per Diem</u>	<u>34-A MRSA §5201</u>
(3) <u>Education</u>	<u>State Board of Education</u>	<u>Expenses Only</u>	<u>20-A MRSA §401</u>
(4) <u>Education</u>	<u>Board of Trust- ees - Universi- ty of Maine</u>	<u>Expenses Only</u>	<u>P&SL 1865 c. 532</u>
(5) <u>Education</u>	<u>Maine Criminal Justice Acade- my - Board of Trustees</u>	<u>Expenses Only</u>	<u>25 MRSA §2802</u>
(6) <u>Education</u>	<u>Maine State Mu- seum Commission</u>	<u>Expenses Only</u>	<u>27 MRSA §82</u>
(7) <u>Environment/ Natural Resources</u>	<u>Baxter State Park Authority</u>	<u>Not Authorized</u>	<u>12 MRSA §901</u>

(8)	<u>Environment/ Natural Resources</u>	<u>(General) River Corridor Commission</u>	<u>Not Authorized</u>	<u>30 MRSA \$1961</u>
(9)	<u>Environment/ Natural Resources</u>	<u>Saco River Cor- ridor Commission</u>	<u>Expenses Only</u>	<u>38 MRSA \$954</u>
(10)	<u>Finance</u>	<u>State Lottery Commission</u>	<u>Legislative Per Diem</u>	<u>8 MRSA \$351</u>
			(a) <u>The chairman shall re- ceive no more than \$5,000 per year to include per diem and expenses.</u>	
			(b) <u>The other board mem- bers shall each receive no more than \$3,500 per year to include per diem and expenses.</u>	
(11)	<u>Finance</u>	<u>Board of Emer- gency Municipal Finance</u>	<u>Expenses Only</u>	<u>30 MRSA \$5301</u>
(12)	<u>Human Ser- vices: Human Rights</u>	<u>Human Rights Commission</u>	<u>\$25/Day \$1,000 Max/Yr</u>	<u>5 MRSA \$4561</u>
(13)	<u>Human Ser- vices/Health Facilities</u>	<u>Maine Medical Laboratory Commission</u>	<u>Expenses Only</u>	<u>22 MRSA \$2026</u>
(14)	<u>Human Ser- vices/Drug Therapy</u>	<u>Participation Review Board</u>	<u>\$40/Day</u>	<u>22 MRSA \$2415</u>
(15)	<u>Inland Fish- eries and Wildlife</u>	<u>Advisory Coun- cil (to the De- partment of In- land Fisheries and Wildlife)</u>	<u>\$25/Day</u>	<u>12 MRSA \$7033</u>
(16)	<u>Judiciary: Law</u>	<u>State Court Li- brary Committee</u>	<u>Expenses Only</u>	<u>4 MRSA \$191</u>
(17)	<u>Labor</u>	<u>Board of Occu- pational Safety and Health</u>	<u>Expenses Only</u>	<u>26 MRSA \$564</u>
(18)	<u>Labor</u>	<u>State Appren- ticeship Council</u>	<u>Expenses Only</u>	<u>26 MRSA \$1002</u>
(19)	<u>Labor</u>	<u>Minimum Wage Rate on Con- struction Projects Board</u>	<u>Not Authorized</u>	<u>26 MRSA \$1307</u>
(20)	<u>Marine Resources</u>	<u>Advisory Coun- cil (to the De- partment of Ma- rine Resources)</u>	<u>\$25/Day</u>	<u>12 MRSA \$6024</u>
(21)	<u>Natural Resources</u>	<u>Soil and Water Conservation Commission</u>	<u>Expenses Only</u>	<u>12 MRSA \$51</u>

(22) <u>Public Utilities</u>	<u>Board of Directors, Maine Municipal and Rural Electrification Cooperative Agency</u>	<u>None Authorized</u>	<u>35 MRSA §4101</u>
(23) <u>Sport and Entertainment</u>	<u>State Harness Racing Commission</u>	<u>Legislative Per Diem</u>	<u>8 MRSA §261</u>
(24) <u>State Government</u>	<u>Commission on Governmental Ethics and Election Practices</u>	<u>Expenses Only</u>	<u>1 MRSA §1002</u>
(25) <u>Taxation</u>	<u>Board of Trustees - Mining Excise Tax Trust Fund</u>	<u>Not Authorized</u>	<u>5 MRSA §453</u>
(26) <u>Veterans' Affairs</u>	<u>Board of Trustees - Maine Veterans' Home</u>	<u>Expenses Only</u>	<u>37-B MRSA §603</u>

Sec. 18. 5 MRSA §12004, sub-§9, ¶A, sub-¶¶(14) and (15) are enacted to read:

(14) <u>Maine Marketing Advisory Board</u>	<u>Expenses Only</u>	<u>7 MRSA §1008-B</u>
(15) <u>University of Maine Blueberry Advisory Committee</u>	<u>Expenses Only</u>	<u>36 MRSA §4312</u>

Sec. 19. 5 MRSA §12004, sub-§10, ¶A, as amended by PL 1983, c. 862, §§22 to 25, is repealed and the following enacted in its place:

A. This classification includes the following:

<u>FIELD</u>	<u>NAME OF ORGANIZATION</u>	<u>RATE OF COMPENSATION</u>	<u>STATUTORY REFERENCE</u>
(1) <u>Agriculture</u>	<u>Eastern States Exposition Advisory Board</u>	<u>Not Authorized</u>	<u>7 MRSA §403</u>
(2) <u>Civil Emergency</u>	<u>Citizens' Civil Emergency Commission</u>	<u>Expenses Only</u>	<u>37-A MRSA §56-A</u>
(3) <u>Community Services</u>	<u>Community Services Advisory Board</u>	<u>Expenses Only</u>	<u>5 MRSA §3517</u>
(4) <u>Corrections</u>	<u>Maine Correctional Advisory Commission</u>	<u>\$25/Day</u>	<u>34-A MRSA §1204</u>
(5) <u>Corrections</u>	<u>Board of Visitors (For each institution under the department)</u>	<u>Expenses Only</u>	<u>34-A MRSA §3002</u>

(6)	<u>Education</u>	<u>Advisory Committee on Medical Education</u>	<u>Not Authorized</u>	<u>20-A MRSA §11807</u>
(7)	<u>Education</u>	<u>Archives Advisory Board</u>	<u>Expenses Only</u>	<u>5 MRSA §96</u>
(8)	<u>Education</u>	<u>Committee for the Training of Firemen</u>	<u>Expenses Only</u>	<u>20-A MRSA §9002</u>
(9)	<u>Education</u>	<u>Indian Scholarship Committee</u>	<u>Not Authorized</u>	<u>20-A MRSA §12403</u>
(10)	<u>Education</u>	<u>Interdepartmental Coordinating Committee for Pre-school Handicapped Children</u>	<u>Expenses Only</u>	<u>20-A MRSA §7704</u>
(11)	<u>Education</u>	<u>Maine Education Council</u>	<u>Not Authorized</u>	<u>20-A MRSA §651</u>
(12)	<u>Education</u>	<u>Educational Leave Advisory Board</u>	<u>Not Authorized</u>	<u>5 MRSA §723</u>
(13)	<u>Education</u>	<u>Maine Historic Preservation Commission</u>	<u>Expenses Only</u>	<u>27 MRSA §501</u>
(14)	<u>Education</u>	<u>Maine Library Commission</u>	<u>Expenses Only</u>	<u>27 MRSA §111</u>
(15)	<u>Education</u>	<u>Maine State Commission on the Arts and the Humanities</u>	<u>Expenses Only</u>	<u>27 MRSA §401</u>
(16)	<u>Education: Governor Baxter School</u>	<u>Policy Review Board</u>	<u>Expenses Only</u>	<u>20-A MRSA §7503</u>
(17)	<u>Education: Student Assessment</u>	<u>Advisory Committee on Student Assessment</u>	<u>\$25/Day</u>	<u>20-A MRSA §6203</u>
(18)	<u>Education: Elementary</u>	<u>Advisory Committee on Early Elementary Education</u>	<u>\$25/Day</u>	<u>20-A MRSA §260</u>
(19)	<u>Education: Reform</u>	<u>Special Commission to Study the Implementation of Educational Reform</u>	<u>Legislative Per Diem Legislators Only. Expenses Only for non-Legislators</u>	<u>20-A MRSA §13510</u>
(20)	<u>Energy</u>	<u>Advisory Council on Energy Efficiency Building Performance Standards</u>	<u>Expenses Only</u>	<u>10 MRSA §1414</u>

(21) <u>Energy</u>	<u>State Energy Resources Advisory Board</u>	<u>Not Authorized</u>	<u>5 MRSA §5007</u>
(22) <u>Environment</u>	<u>Low-level Waste Siting Commission</u>	<u>Expenses Only</u>	<u>38 MRSA §1476</u>
(23) <u>Environment: Natural Resources</u>	<u>Ground Water Protection Commission</u>	<u>Expenses Only</u>	<u>P&SL 1979, c. 43</u>
(24) <u>Finance</u>	<u>Advisory Council on Deferred Compensation Plans</u>	<u>Expenses Only</u>	<u>5 MRSA §884</u>
(25) <u>Finance</u>	<u>Natural Resource Financing and Marketing Board</u>	<u>\$25/Day</u>	<u>10 MRSA §985</u>
(26) <u>Finance</u>	<u>Standardization Committee</u>	<u>\$25/Day; Public Member</u>	<u>5 MRSA §1814</u>
(27) <u>Finance</u>	<u>Maine Veterans' Small Business Loan Board</u>	<u>Expenses Only</u>	<u>10 MRSA §1100-A</u>
(28) <u>Finance</u>	<u>Council of Advisors on Consumer Credit</u>	<u>Expenses Only</u>	<u>9-A MRSA §6-301</u>
(29) <u>Housing</u>	<u>Advisory Board to the Maine State Housing Authority</u>	<u>Expenses Only</u>	<u>30 MRSA §4602</u>
(30) <u>Housing</u>	<u>Passamaquoddy Indian Housing Authority - Indian Township</u>	<u>Not Authorized</u>	<u>22 MRSA §4733</u>
(31) <u>Housing</u>	<u>Passamaquoddy Indian Housing Authority - Pleasant Point</u>	<u>Not Authorized</u>	<u>22 MRSA §4733</u>
(32) <u>Housing</u>	<u>Penobscot Tribal Reservation Housing Authority</u>	<u>Not Authorized</u>	<u>22 MRSA §4733</u>
(33) <u>Human Services</u>	<u>Maine Aid to Families With Dependent Children Coordinating Committee</u>	<u>Not Authorized</u>	<u>22 MRSA §3773</u>
(34) <u>Human Services</u>	<u>Advisory Council to Maine Aid to Families With Dependent Children Coordinating Committee</u>	<u>Not Authorized</u>	<u>22 MRSA §3774</u>
(35) <u>Human Services: Health Facilities</u>	<u>Certificate of Need Advisory Committee</u>	<u>\$25/Day</u>	<u>22 MRSA §307</u>

(36)	<u>Human Services</u>	<u>Maine Council on Alcohol and Drug Abuse Prevention and Treatment</u>	<u>Expenses Only</u>	<u>22 MRSA §7107</u>
(37)	<u>Human Services</u>	<u>Maine Dental Health Council</u>	<u>Expenses Only</u>	<u>22 MRSA §2096</u>
(38)	<u>Human Services: Public Health</u>	<u>Environmental Health Advisory Committee</u>	<u>Expenses Only</u>	<u>22 MRSA §1693</u>
(39)	<u>Human Services: Environmental Health</u>	<u>Scientific Advisory Panel</u>	<u>Expenses Only</u>	<u>22 MRSA §1693-A</u>
(40)	<u>Human Services: Hospitals</u>	<u>Hospital Advisory Committee</u>	<u>Not Authorized</u>	<u>22 MRSA §396-P</u>
(41)	<u>Human Services: Health Finance</u>	<u>Payor Advisory Committee</u>	<u>Not Authorized</u>	<u>22 MRSA §396-P</u>
(42)	<u>Human Services</u>	<u>Professional Advisory Committee</u>	<u>Not Authorized</u>	<u>22 MRSA §396-P</u>
(43)	<u>Human Services: Public Health</u>	<u>Radiological Emergency Preparedness Committee</u>	<u>Expenses Only</u>	<u>37-B MRSA §954</u>
(44)	<u>Human Services: Public Health</u>	<u>Advisory Committee on Radiation</u>	<u>Expenses Only</u>	<u>22 MRSA §675</u>
(45)	<u>Judiciary</u>	<u>Judicial Council</u>	<u>Expenses Only</u>	<u>4 MRSA §451</u>
(46)	<u>Judiciary: Criminal Law</u>	<u>Criminal Law Advisory Commission</u>	<u>Expenses Only</u>	<u>17-A MRSA §1351</u>
(47)	<u>Judiciary: Law</u>	<u>Probate Law Revision Commission</u>	<u>Expenses Only</u>	<u>P&SL 1975, c. 14, §1</u>
(48)	<u>Labor</u>	<u>State Advisory Council</u>	<u>\$25/Day</u>	<u>26 MRSA §1082</u>
(49)	<u>Labor</u>	<u>Displaced Homemakers Advisory Council</u>	<u>Not Authorized</u>	<u>26 MRSA §1604</u>
(50)	<u>Local and County Government</u>	<u>County Records Board</u>	<u>Not Authorized</u>	<u>30 MRSA §347</u>
(51)	<u>Local and County Government</u>	<u>Municipal Records Board</u>	<u>Not Authorized</u>	<u>30 MRSA §2214</u>
(52)	<u>Local and County Government</u>	<u>Regional Council of Governments</u>	<u>Paid by Member Governments</u>	<u>30 MRSA §1981</u>

(53)	<u>Marine Re- sources: Industry</u>	<u>Lobster Advisory Council</u>	<u>Expenses Only</u>	<u>12 MRSA §6462</u>
			(a) <u>Total expenses for the council shall not exceed \$2,000 per year.</u>	
(54)	<u>Marine Resources</u>	<u>Atlantic Sea Run Salmon Commission</u>	<u>Expenses Only</u>	<u>12 MRSA §6251</u>
(55)	<u>Marine Resources</u>	<u>Maine Marine Resources Commission</u>	<u>Expenses Only</u>	<u>Senate Paper 64, 1973</u>
(56)	<u>Mental Health and Retardation</u>	<u>Board of Visitors (for each state institution under the department)</u>	<u>Expenses Only</u>	<u>34-B MRSA §1403</u>
(57)	<u>Mental Health and Retardation</u>	<u>Maine Committee on the Problems of the Mentally Retarded</u>	<u>Expenses Only</u>	<u>34-B MRSA §1210</u>
(58)	<u>Mental Health and Retardation</u>	<u>Mental Health Ad- visory Council</u>	<u>Expenses Only</u>	<u>34-B MRSA §1209</u>
(59)	<u>Mental Health and Retardation</u>	<u>State Planning and Advisory Council on Devel- opmental Disabilities</u>	<u>Expenses Only</u>	<u>34-B MRSA §1211</u>
(60)	<u>Mental Health and Retardation</u>	<u>Sterilization Procedures Review Committee</u>	<u>Not Authorized</u>	<u>34-B MRSA §7017</u>
(61)	<u>Natural Re- sources: Forests</u>	<u>Forest Fire Ad- visory Council</u>	<u>Expenses Only</u>	<u>12 MRSA §9621</u>
(62)	<u>Natural Re- sources: Protection and Promotion</u>	<u>Keep Maine Scenic Committee</u>	<u>Expenses Only</u>	<u>12 MRSA §633</u>
(63)	<u>Natural Re- sources: Recreation</u>	<u>Maine Trails Sys- tem Advisory Committee</u>	<u>Not Authorized</u>	<u>12 MRSA §602</u>
(64)	<u>Natural Re- sources: Recreation</u>	<u>White Water Ad- visory Committee</u>	<u>\$25/Day</u>	<u>12 MRSA §7369-A</u>
(65)	<u>Natural Re- sources: Recreation</u>	<u>White Water Safe- ty Committee</u>	<u>\$25/Day</u>	<u>12 MRSA §7367</u>
(66)	<u>Occupations: Auctioneers</u>	<u>Auctioneers Ad- visory Board</u>	<u>Expenses Only</u>	<u>32 MRSA §271</u>
(67)	<u>Occupations: Ambulance Services</u>	<u>Emergency Medical Services Advisory Board</u>	<u>\$20/Day</u>	<u>32 MRSA §88</u>

(68)	<u>Occupations:</u> <u>Computers</u>	<u>Computer Services</u> <u>Advisory Board</u>	<u>\$25/Day</u>	<u>5 MRSA \$1855</u>
(69)	<u>Occupations:</u> <u>Insurance</u>	<u>General Lines</u> <u>Agent Examination</u> <u>Advisory Board</u>	<u>Expenses</u> <u>Only</u>	<u>24-A MRSA \$1525</u>
(70)	<u>Occupations:</u> <u>Insurance</u>	<u>Life Agent Exami-</u> <u>nation Advisory</u> <u>Board</u>	<u>Expenses</u> <u>Only</u>	<u>24-A MRSA \$1525</u>
(71)	<u>Occupations:</u> <u>Real Estate</u>	<u>Continuing Educa-</u> <u>tion Committee</u>	<u>Not</u> <u>Authorized</u>	<u>32 MRSA \$4115-B</u>
(72)	<u>Occupations:</u> <u>Medicine</u>	<u>Professional Mal-</u> <u>practice Advisory</u> <u>Panel</u>	<u>Not</u> <u>Authorized</u>	<u>24 MRSA \$2802</u>
(73)	<u>Public Advo-</u> <u>cate Office</u>	<u>Advisory Commit-</u> <u>tee to the Public</u> <u>Advocate</u>	<u>Expenses</u> <u>Only</u>	<u>Resolves 1983</u> <u>c. 48</u>
(74)	<u>State</u> <u>Government</u>	<u>Capitol Planning</u> <u>Commission</u>	<u>Expenses</u> <u>Only</u>	<u>5 MRSA \$298</u>
(75)	<u>State</u> <u>Government</u>	<u>State Compensa-</u> <u>tion Commission</u>	<u>Expenses</u> <u>Only</u>	<u>3 MRSA \$2-A</u>
(76)	<u>State</u> <u>Government</u>	<u>State Government</u> <u>Internship Pro-</u> <u>gram Advisory</u> <u>Committee</u>	<u>Expenses</u> <u>Only</u>	<u>5 MRSA \$293</u>
(77)	<u>State</u> <u>Planning</u>	<u>Maine Critical</u> <u>Areas Advisory</u> <u>Board</u>	<u>Expenses</u> <u>Only</u>	<u>5 MRSA \$3313</u>
(78)	<u>Transpor-</u> <u>tation: Mo-</u> <u>tor Vehicles</u>	<u>Maine Aeronauti-</u> <u>cal Advisory</u> <u>Board</u>	<u>Not</u> <u>Authorized</u>	<u>6 MRSA \$302</u>
(79)	<u>Transpor-</u> <u>tation:</u> <u>Ferry</u> <u>Service</u>	<u>Maine State Ferry</u> <u>Advisory Board</u>	<u>Not</u> <u>Authorized</u>	<u>23 MRSA \$4301</u>
(80)	<u>Transpor-</u> <u>tation:</u> <u>Highway</u>	<u>Maine Highway</u> <u>Safety Committee</u>	<u>Not</u> <u>Authorized</u>	<u>25 MRSA \$2902</u>
(81)	<u>Transpor-</u> <u>tation: Mo-</u> <u>tor Vehicles</u>	<u>Advisory and Re-</u> <u>view Board on</u> <u>Driver Licensing</u> <u>and Vehicle</u> <u>Registration</u>	<u>Expenses</u> <u>Only</u>	<u>29 MRSA \$2246</u>
(82)	<u>Transpor-</u> <u>tation: Mo-</u> <u>tor Vehicles</u>	<u>Medical Advisory</u> <u>Board (Licensing</u> <u>of Drivers)</u>	<u>Not</u> <u>Authorized</u>	<u>29 MRSA \$547</u>
(83)	<u>Transpor-</u> <u>tation: Pub-</u> <u>lic</u> <u>Transportation</u>	<u>Public Transpor-</u> <u>tation Advisory</u> <u>Committee</u>	<u>Not</u> <u>Authorized</u>	<u>23 MRSA \$4209</u>
(84)	<u>Tourism</u>	<u>Travel Informa-</u> <u>tion Advisory</u> <u>Council</u>	<u>\$25/Day</u>	<u>23 MRSA \$1904</u>

(85) <u>Tourism</u>	<u>Maine Vacation - Travel Commission</u>	<u>Expenses Only</u>	<u>5 MRSA §7005</u>
(86) <u>Tele- communica- tions</u>	<u>Advisory Commit- tee on State Telecommunications</u>	<u>Not Authorized</u>	<u>5 MRSA §350</u>
(87) <u>Tele- communica- tions</u>	<u>Advisory Commit- tee on Maine Pub- lic Broadcasting</u>	<u>Expenses Only</u>	<u>20-A MRSA §801</u>

Sec. 20. 5 MRSA §12004, sub-§11, ¶A, sub-¶(4) is enacted to read:

(4) <u>Employment: Disabled</u>	<u>Governor's Committee on Employment of the Handicapped</u>	<u>Expenses Only</u>	<u>26 MRSA §801</u>
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Sec. 21. 5 MRSA §12004, sub-§13 is enacted to read:

13. Interagency organizations. The primary responsibilities of interagency organizations include the development or implementation of programs; coordination of programs; review of information, data and systems; planning; making recommendations; proposing legislation; holding hearings, entering into agreements; and receiving and administering funds. Those organizations are usually composed of commissioners, or their designees, or directors from different state executive agencies.

A. This classification includes the following boards:

<u>NAME OF ORGANIZATION</u>	<u>RATE OF COMPENSATION</u>	<u>STATUTORY REFERENCE</u>
(1) <u>Alcohol and Drug Abuse Planning Committee</u>	<u>Not Authorized</u>	<u>22 MRSA §7131</u>
(2) <u>Employee Suggestion System Board</u>	<u>Not Authorized</u>	<u>5 MRSA §642</u>
(3) <u>Maine Occupational Information Coor- dinating Committee</u>	<u>Not Authorized</u>	<u>26 MRSA §1452</u>
(4) <u>Maine Vocational Development Commission</u>	<u>Expenses Only</u>	<u>26 MRSA §1263</u>

Sec. 22. 5 MRSA §12006, as enacted by PL 1983, c. 812, §39, is amended to read:

§12006. Penalty for failure to report

Members of any board which fail to report to the Secretary of State, as required by section 12005,

shall not be eligible to receive any daily rate or annual rate of compensation or any money for expenses incurred in the work of the board until the report to the Secretary of State is complete to the satisfaction of the Secretary of State. The Commissioner of Finance and Administration, the Secretary of State or the authorized person to pay compensation or expenses to members of the boards, shall not pay any rate of compensation or expenses to any member of a board which has failed to report to the Secretary of State.

Sec. 23. 5 MRSA §12012, first ¶, as enacted by PL 1983, c. 814, is amended to read:

Persons who serve in any branch of State Government may serve on a board that is solely advisory in authority. A person who serves in a branch of State Government may ~~not~~ serve on a board of another branch of State Government as a nonvoting member in an advisory capacity only if that board is not solely advisory in authority. A person who serves in a branch of State Government may serve on any board that is solely advisory in authority, unless specifically prohibited by another provision of law.

Sec. 24. 7 MRSA §1008-B, sub-§1, as amended by PL 1983, c. 829, §5, is further amended to read:

1. Board membership. There shall be created an An advisory board, as authorized by Title 5, chapter 379, is created to advise the commissioner on potato marketing issues as provided for in this Article. This board shall be known as the Maine Marketing Advisory Board and shall consist of 5 members appointed by the commissioner, of whom 3 shall be first handlers, who are not licensed dealers, and 2 shall be licensed dealers. Members shall each fill a 2-year term, which shall begin on July 1st, except that within 30 days of the effective date of this Article the commissioner shall appoint one first handler and one licensed dealer who shall serve until June 30, 1984, and he shall appoint 2 first handlers and one licensed dealer who shall serve until June 30, 1985.

Sec. 25. 7 MRSA §1008-B, sub-§7, as amended by PL 1983, c. 829, §6, is further amended to read:

7. Expenses and compensation. No board member may receive a salary; but each may be entitled to his actual expenses incurred while engaged in performing his authorized duties. Board members shall be compensated as provided in Title 5, chapter 379. The commissioner may employ necessary personnel, including

an assistant for potato marketing, fix their compensation and terms of employment and authorize them to incur such expenses, as the commissioner may deem necessary and proper to enable the board properly to perform its duties as are authorized in this Article.

Sec. 26. 9-A MRSA §6-301, sub-§1, as enacted by PL 1973, c. 762, §1, is amended to read:

1. ~~There is created the~~ The Council of Advisors on Consumer Credit consisting, as authorized by Title 5, chapter 379, shall consist of 12 members, who shall be appointed by the Governor. One of the advisors shall be designated by the Governor as chairman. In appointing members of the council, the Governor shall seek to achieve a fair representation from the various segments of the consumer credit industry and the public.

Sec. 27. 9-A MRSA §6-301, sub-§3, as enacted by PL 1973, c. 762, §1, is repealed and the following enacted in its place:

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

Sec. 28. 20-A MRSA §260, sub-§2, ¶D, as enacted by PL 1983, c. 859, Pt. K, §2, is amended to read:

D. Appoint As authorized by Title 5, chapter 379, appoint the Advisory Committee on Early Elementary Education of not more than 8 persons qualified and experienced in early elementary education to advise and assist the department in designing and implementing the program. Members shall be compensated according to the provisions of Title 5, chapter 379.

Sec. 29. 20-A MRSA §6203, sub-§4, as enacted by PL 1983, c. 859, Pt. D, §3, is amended to read:

4. Advisory Committee on Student Assessment. To As authorized by Title 5, chapter 379, to select a committee, including teachers, curriculum supervisors and content specialists from higher education, in the areas of reading, writing, mathematics, science and social studies to develop the instructional objectives to be assessed; review and select questions to be included on the tests; and to interpret the assessment results, with specific recommendations to the commissioner on needed improvements.

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

Sec. 30. 20-A MRSA §7503, sub-§8, as enacted by PL 1983, c. 316, §2, is amended to read:

8. Policy Review Board. The Governor shall appoint a 7-member Policy Review Board as authorized by Title 5, chapter 379.

A. The term of office shall be 3 years.

B. The initial appointments shall be as follows:

- (1) Three members for 3 years;
- (2) Two members for 2 years; and
- (3) Two members for one year.

C. Replacements for board members who do not complete their term of office shall be for the remainder of the unexpired term.

D. No member of the Legislature may serve on the board.

E. The board members shall be representative of a broad range of professionals, parents and citizens interested in the education of deaf and hearing impaired students. They may include:

- (1) Professionals not employed by the Governor Baxter School for the Deaf who serve deaf and hearing impaired students;
- (2) Parents of deaf and hearing impaired students at the Governor Baxter School for the Deaf and in school administrative unit programs;
- (3) Representatives of handicap advocacy groups;
- (4) School administrative unit administrators or special education directors;
- (5) Members of the deaf and hearing impaired community; and
- (6) Interested citizens.

F. The board shall have access to the school, but may not participate in the administration of the day-to-day operations of the school.

G. The duties of the board shall include, but not be limited to:

- (1) Making annual recommendations to the commissioner, with copies being sent to the members of the joint standing committee of the Legislature having jurisdiction over education;
- (2) Making policy recommendations to the superintendent and the commissioner;
- (3) Reviewing policy development by the superintendent and commissioner;
- (4) Reviewing the implementation of policy;
- (5) Reviewing staff recruitment, retention, promotion and evaluation policies and procedures;
- (6) Holding hearings for staff, parents, students, alumni, special education directors and general public and otherwise soliciting the opinions of individuals in those groups concerning the operation and role of the school; and
- (7) Conducting exit interviews with the staff members terminating employment with the school.

H. The board shall serve without pay, other than their actual expenses while carrying out the functions of the board be compensated as provided by Title 5, chapter 379.

Sec. 31. 20-A MRSA §7704, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

§7704. Interdepartmental coordination

An Interdepartmental Coordinating Committee for Preschool Handicapped Children pursuant to Title 5, chapter 379, representing the department, the Department of Human Services, the Department of Mental Health and Mental Retardation and the public, shall be appointed by the 3 commissioners to work with the department to establish guidelines, including continuation applications, to monitor grants and to evaluate the performance of programs developed through the grants.

The members of this committee shall be compensated in accordance with Title 5, chapter 379.

Sec. 32. 20-A MRSA §13510, sub-§1, as amended by PL 1983, c. 860, §2, is further amended to read:

1. Commission established. ~~There~~ As authorized by Title 5, chapter 379, there is created the Special Commission to Study the Implementation of Educational Reform. The commission shall consist of 12 members. Eight members shall be legislators of whom 5 shall be members of the Joint Standing Committee on Education and 3 of whom shall be members of the Joint Standing Committee on Appropriations and Financial Affairs. The President of the Senate shall appoint 3 of the legislator members; and the Speaker of the House shall appoint 5 of the legislator members. Legislative members shall represent a bipartisan point of view. The remaining 4 members shall be appointed by the Governor and shall be persons familiar with education and education finance, 2 of whom shall be the Commissioner of Educational and Cultural Services, or his designee, and the Commissioner of Finance and Administration, or his designee. Members shall serve until accomplishment of the tasks specified in this chapter. Legislative members shall not be disqualified for discontinuance of legislative service. Vacancies may be filled with qualified appointees by the appointing authority.

A. Legislative and nonlegislative members shall be compensated according to Title 5, chapter 379.

Sec. 33. 22 MRSA §675, sub-§1, as enacted by PL 1983, c. 345, §§13 and 14, is amended to read:

1. Appointment. The Governor may appoint an Advisory Committee on Radiation in accordance with Title 5, chapter 379, consisting of 5 members with training and experience in the various fields in which sources of radiation are used. Members of the committee shall serve at the discretion of the commissioner and receive no salary for services, but may be reimbursed for actual expenses incurred in connection with attendance at committee meetings or for authorized business of the committee shall be compensated in accordance with Title 5, chapter 379.

Sec. 34. 22 MRSA §2415, first and last ¶¶, as enacted by PL 1983, c. 423, is amended to read:

The commissioner shall appoint a Participation Review Board, as authorized by Title 5, chapter 379,

to review practitioners for participation in the program. The board shall serve at the commissioner's pleasure and shall consist of:

Members of the board may be reimbursed for their attendance at meetings at the rate of \$40 per day shall be compensated as provided in Title 5, chapter 379.

Sec. 35. 22 MRSA §2624, first ¶, as amended by PL 1983, c. 819, Pt. A, §55, is further amended to read:

The Governor shall appoint a Board of Licensure, as authorized by Title 5, chapter 379, which shall be composed of 6 persons as follows: Two operators who shall be licensed under this chapter, with one of these holding a license of the highest classification issued by the board; one person who shall be from the Department of Human Services, as the commissioner may recommend; one person who shall be a water utility management representative; one person who shall be an educator whose field of interest is related to water supply; and one member of the general public.

Sec. 36. 22 MRSA §2624, 5th ¶, as enacted by PL 1975, c. 751, §4, is repealed and the following enacted in its place:

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

Sec. 37. 22 MRSA §7131, sub-§1, as enacted by PL 1983, c. 464, §19, is amended to read:

1. Committee established. The As authorized by Title 5, chapter 379, the Alcohol and Drug Abuse Planning Committee is established within the Department of Human Services.

Sec. 38. 26 MRSA §799, as enacted by PL 1983, c. 176, Pt. A, §9, is amended to read:

§799. Committee

The As authorized by Title 5, chapter 379, the Governor's Committee on Employment of the Handicapped is created and shall consist of 18 members appointed by the Governor.

Sec. 39. 26 MRSA §802, last ¶, as enacted by PL 1983, c. 176, Pt. A, §9, is amended to read:

Members of the committee shall receive no compensation for services on the committee, but shall be entitled to reimbursement for necessary expenses, such as mileage from travel in personally-owned automobiles and meals, incurred in order to attend committee meetings called by the chairman. Members of the committee shall be compensated according to Title 5, chapter 379. Reimbursement shall be based on existing state law for reimbursement for travel by state employees.

Sec. 40. 26 MRSA §1263, as amended by PL 1981, c. 168, §18, is further amended to read:

§1263. Commission

There is established the Maine Vocational Development Commission to, as authorized by Title 5, chapter 379, shall consist of the Commissioner of Educational and Cultural Services, the Commissioner of Labor and the Director of the State Development Office, or their authorized representatives, or their successors under any governmental reorganization. The members of the commission shall serve without pay, other than their actual expenses while carrying out the duties of the commission be compensated according to Title 5, chapter 379.

Sec. 41. 26 MRSA §1452, as amended by PL 1983, c. 469, §3, is further amended to read:

§1452. Maine Occupational Information Coordinating Committee

The Maine Occupational Information Coordinating Committee, as authorized by Title 5, chapter 379, is established to support the development, maintenance and operation of a Comprehensive Career, Occupational and Economic Data-based System and to foster communication and coordination of education, employment and training programs through the use of the system. The committee shall consist of the Commissioner of Labor, Commissioner of Human Services, Commissioner of Educational and Cultural Services and the Director of the State Development Office. The Commissioner of Labor shall be the chairman of the committee with the Department of Labor serving as the fiscal agent for the committee.

Sec. 42. 30 MRSA §4601-A, first ¶, as amended by PL 1983, c. 812, §182, is further amended to read:

The Maine State Housing Authority, as established by Title 57 section 12004, subsection 77 is estab-

lished and 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. 43. 30 MRSA §4602, sub-§2, ¶B, as amended by PL 1981, c. 51, is further amended to read:

B. The state authority, as authorized by Title 5, section 12004, shall have 7 commissioners, 5 of whom shall be appointed by the Governor, subject to review by the Joint Standing Committee on State Government and to confirmation by the Legislature, and one of whom shall be the Treasurer of State or his designee, ex officio, as a non-voting member. The designee of the Treasurer of State shall be the Deputy Treasurer of State. The 7th commissioner shall be the director of the state authority serving ex officio, who shall be chairman of the commissioners. The director of the state authority shall be appointed by the Governor, subject to review by the Joint Standing Committee on State Government and to confirmation by the Legislature. Said 5 commissioners shall include, but not be limited to, representatives of bankers and of low income or elderly people. One commissioner shall be a resident of housing which is subsidized or assisted by programs of the United States Department of Housing and Urban Development or of the Maine State Housing Authority. In making such appointment, the Governor shall give priority consideration to nominations that may be made by tenant associations established in the State.

The commissioners shall elect a vice-chairman of the commissioners from among their number. The commissioners of the state authority shall have the power and duty to establish and revise from time to time policies of the authority relative to the following particular matters.

- (1) Standards of issuing, servicing and redeeming bonds;
- (2) Purchase, sale or commitment to purchase mortgages or notes;
- (3) Initiating project construction and accepting properly completed facilities;
- (4) Setting and establishing selection and evaluation standards, criteria and procedures under which it will purchase, sell or agree to purchase loans, notes or obliga-

tions, having regard among other things to property values, local economic conditions and expectancy, credit and employment, and to local housing conditions and needs and the availability of credit resources to meet the same relative to similar or competing conditions and needs in other localities in the State;

(5) Setting and establishing procedures for the servicing of loans, notes and obligations acquired by it, including the allowance of servicing fees to participating lenders to whom the state authority may entrust such servicing;

(6) Setting and establishing procedures for the collection of moneys due from persons liable for the payment of the same, as to any loan, note or obligation held by the state authority, by subrogation or otherwise, and to initiate and maintain any action at law or in equity, including foreclosure proceedings, to enforce such payment;

(7) Setting and establishing procedures for the orderly liquidation and disposition of any property acquired by the state authority through foreclosure or otherwise in full or partial satisfaction of any debt or obligation held by it; and

(8) Establishing and maintaining out of income or otherwise such reserves as the state authority from time to time determines to be necessary and prudent in addition to those specifically required.

Following reasonable notice to each commissioner, 4 commissioners of the state authority shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes, notwithstanding the existence of any vacancies. Action may be taken by the commissioners upon a vote of a majority of the commissioners present, unless its bylaws shall require a larger number.

Sec. 44. 30 MRSA §5164, first ¶, as enacted by PL 1971, c. 558, is amended to read:

There is established a public body corporate and politic, to be known as the "Maine Municipal Bond

Bank" in accordance with Title 5, chapter 379. The bank is constituted as an instrumentality of the State exercising public and essential governmental functions, and the exercise by the bank of the powers conferred by this Act shall be deemed and held to be an essential governmental function of the State.

Sec. 45. 30 MRSA §5164, 6th ¶, as repealed and replaced by PL 1975, c. 312, is amended to read:

Each public member of the board of commissioners shall receive \$50 per day for the time spent in the discharge or performance of his duties as a commissioner be compensated according to Title 5, chapter 379. Each commissioner shall be reimbursed for his reasonable expenses incurred in carrying out his duties under this Act. Notwithstanding any other law, no officer or employee of the State shall be deemed to have forfeited or shall forfeit his office or employment or any benefits or emoluments thereof by reason of his acceptance of the office of commissioner of the bank or his services therein.

Sec. 46. 30 MRSA §6212, sub-§1, as amended by PL 1983, c. 812, §186, is further amended to read:

1. Commission created. 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. 47. 30 MRSA §6212, sub-§4, as amended by PL 1983, c. 812, §187, is further 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 according to the provisions of Title 5, chapter 379 \$75 per day for

their services and shall be reimbursed for reasonable expenses including travel.

Sec. 48. 32 MRSA §9853, first ¶, as enacted by PL 1983, c. 524, is amended to read:

The Radiologic Technology Board of Examiners, as established in this chapter authorized by Title 5, chapter 379, shall administer this chapter. The board shall consist of 12 members appointed by the Governor.

Sec. 49. 32 MRSA §9853, sub-§4, as enacted by PL 1983, c. 524, is repealed and the following enacted in its place:

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

Sec. 50. 34-B MRSA §7017, as enacted by PL 1983, c. 459, §7, is amended to read:

§7017. Sterilization procedures review committee

A As authorized by Title 5, chapter 379, a committee shall be established whose purpose shall be to review annually the authorization of sterilizations under this chapter for the purpose of assessing the need for any changes in the procedures or standards set forth in this chapter. The committee shall consist of not less than 6 members, including representatives of the Maine court system, the medical community, a designee from the Department of Mental Health and Mental Retardation, a designee from the Department of Human Services, a member of the joint standing committee of the Legislature having jurisdiction over health and institutional services, and a member of the joint standing committee of the Legislature having jurisdiction over the judiciary. The representatives of the 2 joint standing legislative committees shall be appointed by the chairmen of those legislative committees. Other members of the review committee shall be appointed annually by the Governor who shall also designate the chairman of the committee.

Sec. 51. 35 MRSA §184, first ¶, as enacted by PL 1981, c. 473, is amended to read:

There is established, pursuant to Title 5, chapter 379, a public body corporate and politic, to be known as the "Maine Public Utility Financing Bank." The bank is constituted as an instrumentality of the State exercising public and essential governmental

functions, and the exercise by the bank of the powers conferred by this Act shall be deemed and held to be an essential governmental function of the State.

Sec. 52. 35 MRSA §184, 6th and 7th ¶¶, as enacted by PL 1981, c. 473, are repealed and the following enacted in their place:

Each member of the board of commissioners shall be compensated in accordance with Title 5, chapter 379, in addition to such other compensation as he may receive as a Commissioner of the Maine Municipal Bond Bank.

Notwithstanding any other law, no officer or employee of the State forfeits his office or employment or any benefits or emoluments of that office or employment by reason of his acceptance of the office of commissioner of the bank or his services in the bank.

Sec. 53. 35 MRSA §4101, sub-§1, as amended by PL 1983, c. 192, §1, is further amended to read:

1. Establishment. The Maine Municipal and Rural Electrification Cooperative Agency, pursuant to Title 5, chapter 379, is created, declared and established to be a body politic and corporate and political subdivision of the State with the duties and powers set forth in this Act, to carry out this Act. The agency is constituted a public instrumentality exercising public and essential governmental functions and as a quasi-municipal corporation, and the exercise by the agency of the powers conferred by this Act is deemed and held to be the performance of an essential governmental function of the State.

Sec. 54. 36 MRSA §841-B, as amended by PL 1983, c. 812, §271 and c. 855, §4, is repealed and the following enacted in its place:

§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 or the Farm and Open Space 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;

and 2 members, serving 4 years, to be appointed by the Governor. One of these members shall be a municipal officer and one shall be a forest landowner. The initial appointment of the municipal officer shall be for a 2-year period. In the event of the death or resignation of such an appointee, the Governor shall make an appointment to the appeals board for the unexpired term. 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 according to 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. 55. 36 MRSA §4312, first ¶, as repealed and replaced by PL 1983, c. 836, §9, is amended to read:

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

Sec. 56. Savings clause. Nothing in this Act shall be construed as terminating the existence of any board listed in the Maine Revised Statutes, Title 5, section 12004. Except as specifically provided by Title 5, sections 12002-A, 12002-B, 12003-A and 12005, nothing in this Act may 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.

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

Effective June 10, 1985.
