

# MAINE STATE LEGISLATURE

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**LAWS**

OF THE

**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND FOURTEENTH LEGISLATURE

**FIRST REGULAR SESSION**

December 7, 1988 to July 1, 1989

THE GENERAL EFFECTIVE DATE FOR  
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J.S. McCarthy Company  
Augusta, Maine  
1989

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION  
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ONE HUNDRED AND FOURTEENTH LEGISLATURE  
1989

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## CHAPTER 503

S.P. 630 - L.D. 1724

## An Act to Correct Errors and Inconsistencies in the Laws Relating to 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,** the revision of the law relating to boards and commissions, Public Law 1987, chapter 786, has resulted in certain technical errors and inconsistencies in the laws of Maine; and

**Whereas,** these errors and inconsistencies create uncertainties and confusion in interpreting legislative intent; and

**Whereas,** it is vitally necessary that these uncertainties and this confusion be resolved in order to prevent any injustice or hardship to the citizens of Maine; 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:**

## PART A

**Sec. 1. 5 MRSA §12004,** as amended, is repealed and the following is enacted in its place:

§12004. Classifications and definitions of boards

Boards established or authorized by this chapter shall be classified according to the similarities of the powers and duties of the several boards. Members of boards shall be eligible for the rate of compensation specified for each board, except when compensation is not authorized. A reference to the statutory description of each board shall also be provided. For the purposes of sections 12004-G to 12004-J, the term "field" does not designate the state agency or department with which a board is associated or affiliated, but only refers to the generic subject matter before the board.

The definitions of responsibilities and authority of each classification of boards may not necessarily apply in total to each board within each classification. Each board may possess some but not all of the responsibilities and authority as defined for the classification in which the board is included. The primary function of each board complies with the primary responsibilities and authority of the classification in which the board is included.

**Sec. 2. 5 MRSA §12004-A, sub-§14,** as enacted by PL 1987, c. 786, §5, is amended to read:

14. Board of Elevator and Tramway Safety	Expenses Only	26 MRSA §475
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**Sec. 3. 5 MRSA §12004-A, sub-§15,** as enacted by PL 1987, c. 786, §5, is amended to read:

15. Board of Emergency Medical Services' Board	\$20/Day	32 MRSA <del>§1301</del> §88
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**Sec. 4. 5 MRSA §12004-A, sub-§24,** as enacted by PL 1987, c. 786, §5, is amended to read:

24. Board of Registration in Medicine	\$1,250/Year - Member \$1,500/Year - <u>Chairman</u> <u>Chair</u> \$7,500/Year - Secretary	32 MRSA §3263
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**Sec. 5. 5 MRSA §12004-A, sub-§30,** as enacted by PL 1987, c. 786, §5, is amended to read:

30. Board of Commissioners of the Profession of Pharmacy	\$25 <u>35</u> /Day	32 MRSA <del>§2854</del> §13711
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**Sec. 6. 5 MRSA §12004-A, sub-§45** is enacted to read:

45. Board of Licensure of Railroad Personnel	Expenses Only	32 MRSA §4145
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**Sec. 7. 5 MRSA §12004-B, sub-§2,** as enacted by PL 1987, c. 786, §5, is amended to read:

2. Maine Labor Relations Board	\$75/Day \$100/Day <u>Chairman</u> <u>Chair</u>	26 MRSA §968
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**Sec. 8. 5 MRSA §12004-D, sub-§2,** as enacted by PL 1987, c. 786, §5, is amended to read:

2. Board of Environmental Protection	Legislative Per Diem	38 MRSA <del>§344</del> §361
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**Sec. 9. 5 MRSA §12004-F, sub-§§2 and 3,** as enacted by PL 1987, c. 786, §5, are amended to read:

2. Maine Municipal Bond Bank, Board of Commissioners	Legislative Per Diem	30 <del>30-A</del> MRSA <del>§5464</del> §5951
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3. Maine State Housing Authority	Legislative Per Diem	30 <del>30-A</del> MRSA <del>§4601-A</del> §4722
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**Sec. 10. 5 MRSA §12004-F, sub-§10**, as enacted by PL 1987, c. 786, §5, is repealed and the following enacted in its place:

<u>10. State Employee</u>	<u>Expenses</u>	<u>5 MRSA §285-A</u>
<u>Health Commission</u>	<u>Only</u>	

**Sec. 11. 5 MRSA §12004-F, sub-§§14 and 15** are enacted to read:

<u>14. Board of Trustees,</u>	<u>Expenses</u>	<u>38 MRSA §1382</u>
<u>Sludge and Residuals Utilization</u>	<u>Only</u>	
<u>Research Foundation</u>		

<u>15. Maine Educational</u>	<u>Legislative</u>	<u>20-A MRSA</u>
<u>Loan Authority</u>	<u>Per Diem</u>	<u>§11414</u>

**Sec. 12. 5 MRSA §12004-G, sub-§3-A** is enacted to read:

<u>3-A. Agricul-</u>	<u>Pull Events</u>	<u>Expenses</u>	<u>7 MRSA §75</u>
<u>ture</u>	<u>Commission</u>	<u>Only</u>	

**Sec. 13. 5 MRSA §12004-G, sub-§13-A** is enacted to read:

<u>13-A. Environ-</u>	<u>State Emergency</u>	<u>Not</u>	<u>22 MRSA</u>
<u>ment/Natural</u>	<u>Response</u>	<u>Authorized</u>	<u>§1696-H</u>
<u>Resources</u>	<u>Commission</u>		

**Sec. 14. 5 MRSA §12004-G, sub-§14-A** is enacted to read:

<u>14-A. Human</u>	<u>Adaptive</u>	<u>Expenses</u>	<u>10 MRSA §373</u>
<u>Services</u>	<u>Equipment</u>	<u>Only</u>	
	<u>Loan Program</u>		
	<u>Fund Board</u>		

**Sec. 15. 5 MRSA §12004-G, sub-§15**, as enacted by PL 1987, c. 786, §5, is amended to read:

<u>15. Human</u>	<u>Maine Human</u>	<u>\$25/Day</u>	<u>5 MRSA §4561</u>
<u>Services: Human</u>	<u>Rights</u>	<u>\$1,000</u>	
<u>Rights</u>	<u>Commission</u>	<u>Max/Yr</u>	

**Sec. 16. 5 MRSA §12004-G, sub-§15-A** is enacted to read:

<u>15-A. Human</u>	<u>Driver Education</u>	<u>\$75/Day</u>	<u>22 MRSA §7207</u>
<u>Services</u>	<u>Evaluation</u>		
	<u>Program Appeals</u>		
	<u>Board</u>		

**Sec. 17. 5 MRSA §12004-G, sub-§25**, as enacted by PL 1987, c. 786, §5, is amended to read:

<u>25. Labor</u>	<u>State Appren-</u>	<u>Expenses</u>	<u>26 MRSA §1002</u>
	<u>ticeship and</u>		
	<u>Training Council</u>		

**Sec. 18. 5 MRSA §12004-G, sub-§31-A** is enacted to read:

<u>31-A. Science</u>	<u>Maine Science</u>	<u>Expenses</u>	<u>5 MRSA §13122</u>
<u>and Technology</u>	<u>and Technology</u>	<u>Only</u>	
	<u>Commission</u>		

**Sec. 19. 5 MRSA §12004-G, sub-§33-A** is enacted to read:

<u>33-A. Taxation</u>	<u>Board of</u>	<u>Not</u>	<u>5 MRSA §453</u>
	<u>Trustees, Min-</u>	<u>Authorized</u>	
	<u>ing Excise Tax</u>		
	<u>Trust Fund</u>		

**Sec. 20. 5 MRSA §12004-G, sub-§34**, as enacted by PL 1987, c. 786, §5, is amended to read:

<u>34. Veter-</u>	<u>Board of Trust-</u>	<u>Expenses</u>	<u>37-B MRSA §603</u>
<u>ans' Affairs</u>	<u>ees - of the</u>	<u>Only</u>	
	<u>Maine Veterans'</u>		
	<u>Home Homes</u>		

**Sec. 21. 5 MRSA §12004-H, sub-§9**, as enacted by PL 1987, c. 786, §5, is amended to read:

<u>9. Maine</u>	<u>Potato Marketing</u>	<u>Expenses</u>	<u>7 MRSA §995</u>
<u>Committee</u>		<u>Only</u>	

**Sec. 22. 5 MRSA §12004-H, sub-§13** is enacted to read:

<u>13. Maine Blueberry</u>	<u>Expenses</u>	<u>36 MRSA</u>
<u>Commission</u>	<u>Only</u>	<u>§4312-B</u>

**Sec. 23. 5 MRSA §12004-I, sub-§9**, as enacted by PL 1987, c. 786, §5, is amended to read:

<u>9. Educa-</u>	<u>Committee for</u>	<u>Expenses</u>	<u>20-A MRSA</u>
<u>tion</u>	<u>the Training</u>	<u>Only</u>	<u>§9002</u>
	<u>of Firemen</u>		
	<u>Firefighters</u>		

**Sec. 24. 15 MRSA §12004-I, sub-20**, as enacted by PL 1987, c. 786, §5, is repealed.

**Sec. 25. 5 MRSA §12004-I, sub-§20-A** is enacted to read:

<u>20-A. Environ-</u>	<u>Commission on</u>	<u>Expenses</u>	<u>7 MRSA §231</u>
<u>ment</u>	<u>Biotechnology</u>	<u>Only</u>	
	<u>and Genetic</u>		
	<u>Engineering</u>		

**Sec. 26. 5 MRSA §12004-I, sub-§21**, as enacted by PL 1987, c. 786, §5, is amended to read:

<u>21. Environ-</u>	<u>Citizen's</u>	<u>\$25/Day</u>	<u>12 MRSA</u>
<u>ment: Natural</u>	<u>Citizens' For-</u>		<u>§5101-B</u>
<u>Resources</u>	<u>estry Advisory</u>		
	<u>Council</u>		

**Sec. 27. 5 MRSA §12004-I, sub-§§23 and 24,** as enacted by PL 1987, c. 786, §5, are amended to read:

23. Environ- ment: Natural Resources	Advisory Board for the Licensing of Guides	<del>Expenses</del> <del>Only</del> <u>\$50/Day</u>	12 MRSA <del>\$7304</del> <u>\$7320</u>
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24. Environ- ment: Natural Resources	Junior Maine Guides and Trip <del>Leaders'</del> <u>Leaders</u> Curriculum Advisory Board	Expenses Only	12 MRSA <del>\$7302</del> <u>\$7323</u>
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**Sec. 28. 5 MRSA §12004-I, sub-§25-A** is enacted to read:

<u>25-A. Finance</u>	<u>Board of Emergency Municipal Finance</u>	<u>Expenses Only</u>	<u>30-A MRSA \$6101</u>
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**Sec. 29. 5 MRSA §12004-I, sub-§27,** as enacted by PL 1987, c. 786, §5, is amended to read:

27. Finance	Maine Veterans' Small Business Loan Board	Expenses Only	10 MRSA <del>\$1100-A</del> <u>\$980-B</u>
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**Sec. 30. 5 MRSA §12004-I, sub-§31,** as enacted by PL 1987, c. 786, §5, is amended to read:

31. Housing	Advisory Board to the Maine State Housing Authority	Expenses Only	<del>30-MRSA-4402</del> 30-A MRSA <u>\$4723</u>
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**Sec. 31. 5 MRSA §12004-I, sub-§34,** as enacted by PL 1987, c. 786, §5, is amended to read:

34. Housing	Penobscot Tribal Reservation Housing Authority :	Not Authorized	22 MRSA <u>\$4733</u>
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**Sec. 32. 5 MRSA §12004-I, sub-§42,** as enacted by PL 1987, c. 786, §5, is amended to read:

42. Human Services	Committee to Advise the Department of Services on AIDS	Expenses Only	5 MRSA <del>\$17002</del> <u>\$19202</u>
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**Sec. 33. 5 MRSA §12004-I, sub-§57,** as enacted by PL 1987, c. 786, §5, is amended to read:

56. Local and County Government	Municipal Records Board	Not Authorized	<del>30-MRSA-2214</del> 30-A MRSA <u>\$2754</u>
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57. Local and County Government	Regional Council of Governments	Paid by Member Governments	<del>30-MRSA-11981</del> 30-A MRSA <u>\$2311</u>
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**Sec. 34. 5 MRSA §12004-I, sub-§§69 and 70,** as enacted by PL 1987, c. 786, §5, is amended to read:

69. Natural Resources: Recreation	<del>White Water</del> <u>Whitewater</u> Advisory Committee	\$25/Day	12 MRSA <u>\$7369-A</u>
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70. Natural Resources: Recreation	<del>White Water</del> <u>Whitewater</u> Safety Committee	\$25/Day	12 MRSA <u>\$7367</u>
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**Sec. 35. 5 MRSA §12004-I, sub-§§74-A and 74-B** are enacted to read:

<u>74-A. Public Safety</u>	<u>E-9-1-1 Advisory Committee</u>	<u>Expenses Only</u>	<u>25 MRSA \$2925</u>
<u>74-B. State Government</u>	<u>State Capitol Commission</u>	<u>Expenses Only</u>	<u>3 MRSA \$901</u>

**Sec. 36. 5 MRSA §12004-I, sub-§80,** as repealed by PL 1987, c. 735, §11 and as enacted by PL 1987, c. 786, §5, is repealed.

**Sec. 37. 5 MRSA §12004-I, sub-§85,** as enacted by PL 1987, c. 786, §5, is amended to read:

85. Trans- portation	Maine Trans- portation Capital Im- provement Plan- ning Commission	Not Authorized	23 MRSA <del>\$4504</del> <u>\$4261</u>
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**Sec. 38. 5 MRSA §12004-K, sub-§4-A** is enacted to read:

<u>4-A. Environ- ment: Natural Resources</u>	<u>Planning Advisory Council</u>	<u>Expenses Only</u>	<u>30-A MRSA \$4341</u>
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**PART B**

**Sec. 1. 1 MRSA §1002, sub-§1,** as amended by PL 1983, c. 812, §1, is further amended to read:

**1. Membership.** The Commission on Governmental Ethics and Election Practices, established by Title 5, section ~~12004~~ 12004-G, subsection 8 ~~33~~, called the "commission," shall consist of 7 members to be appointed as follows:

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

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

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

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

**Sec. 2. 3 MRSA §2-A, sub-§1**, as repealed and replaced by PL 1987, c. 402, Pt. A, §6, is amended to read:

**1. State Compensation Commission established.** The State Compensation Commission, established by Title 5, section ~~42004~~ 12004-I, subsection ~~40~~ 76, shall consist of 5 members appointed in January of every odd-numbered year as follows: Two members shall be appointed by the President of the Senate; 2 members shall be appointed by the Speaker of the House; and one member shall be appointed by a majority of the preceding 4 commissioners and shall serve as ~~chairman~~ chair of the commission. The 5 members shall be residents of the State, appointed from the public. No one may be appointed who is a Legislator at the time of ~~his~~ appointment.

All members shall be appointed for terms to coincide with the legislative biennium. Vacancies shall be filled in the same manner as the original appointments, for the balance of the unexpired term. The commission shall be appointed in January at the first regular session of each Legislature.

The commission may request staff support from the Legislative Council.

The members of the commission shall be compensated as authorized by Title 5, chapter 379.

**Sec. 3. 3 MRSA §227, first ¶**, as amended by PL 1985, c. 775, §3 and c. 809, is further amended to read:

The Maine-Canadian Legislative Advisory Commission, as authorized by Title 5, section ~~42004~~ 12004-K, subsection ~~42~~ 10, shall consist of 8 members, all of whom shall be citizens of this State. The Speaker of the House shall appoint 4 members, 2 for a term of one year and 2 who must be members of the House of Representatives who shall each hold office from the date of ~~his~~ appointments appointment until the term of ~~his~~ election to the Legislature expires. The

President of the Senate shall appoint 3 members, 2 for a term of one year and 2 who must be Senators who shall each hold office from the date of ~~his~~ appointments appointment until the term of ~~his~~ election to the Legislature expires. At least one member appointed by the President of the Senate and one member appointed by the Speaker of the House shall be fluent in the French language. In the event of the death or resignation of any member, the vacancy shall be filled for the remainder of the term in the same manner as the original appointment.

**Sec. 4. 3 MRSA §231, sub-§1**, as enacted by PL 1985, c. 775, §4, is amended to read:

**1. Commission.** The New England and Eastern Canada Legislative Commission, as established by Title 5, section ~~42004~~ 12004-K, subsection ~~42~~ 11, and in this chapter called the "commission," shall consist of 4 members from Maine, together with the same number of members appointed according to the laws of each of the other member jurisdictions.

**Sec. 5. 3 MRSA §241, first ¶**, as amended by PL 1987, c. 501, §1, is further amended to read:

The Commission on Uniform State Laws, as established by Title 5, section ~~42004~~ 12004-K, subsection ~~42~~ 8, shall consist of 3 members to be appointed for a term of 4 years by the Governor. The commission shall also consist of any residents who, because of long service in the cause of state legislation, are elected life members of the National Conference of Commissioners on Uniform State Laws. The commission shall examine subjects on which uniformity of legislation in the different states is desirable; ascertain the best means to effect uniformity; cooperate with the commissioners of other states in the consideration and drafting of uniform acts for submission to the Legislatures of the several states; and prepare bills for introduction in the Legislature.

**Sec. 6. 3 MRSA §901, first ¶**, as enacted by PL 1987, c. 816, Pt. EE, §1, is amended to read:

The State Capitol Commission, as established in Title 5, section ~~42004~~ 12004-I, subsection ~~40~~ 74-B, in this chapter called the "commission," shall consist of 10 voting members and 5 ex officio, nonvoting members who shall be appointed and shall serve as described in this section.

**Sec. 7. 4 MRSA §191**, as amended by PL 1983, c. 812, §9, is further amended to read:

**§191. State Court Library Committee**

The State Court Library Committee, as established in Title 5, section ~~42004~~ 12004-G, subsection 8 23, shall consist of 7 voting members, 2 of whom shall be members of the public, 2 of whom shall be members of the judiciary and 3 of whom shall be attorneys. The members shall be appointed by and serve at the pleasure of the Chief Justice of

the Supreme Judicial Court. The Chief Justice shall designate the ~~chairman~~ chair. The State Law Librarian and the State Court Administrator shall be ex officio nonvoting members. A quorum shall consist of 4 of the voting members. The committee shall meet at least 4 times each year. Secretarial assistance shall be provided by the Administrative Office of the Courts.

**Sec. 8. 4 MRSA §451**, as amended by PL 1985, c. 779, §6, is further amended to read:

**§451. Establishment**

A Judicial Council, as established by Title 5, section ~~42004~~ 12004-I, subsection ~~40~~ 51, shall make a continuous study of the organization, rules and methods of procedure and practice of the judicial system of the State, the work accomplished and the results produced by that system and its various parts. The council shall be composed of the Chief Justice of the Supreme Judicial Court, who shall also serve as ~~chairman~~ chair, the Attorney General, the Chief Justice of the Superior Court, the Chief Judge of the District Court, and the Dean of the University of Maine System School of Law, each to serve ex officio, and an Active or Retired Justice of the Supreme Judicial Court, one Justice of the Superior Court, one Judge of the District Court, one Judge of a Probate Court, one clerk of the judicial courts, 2 members of the bar and 6 laymen, to be appointed by the Governor. The appointments by the Governor shall be for such periods, not exceeding 4 years, as he shall determine.

**Sec. 9. 5 MRSA §96**, as amended by PL 1983, c. 812, §13, is further amended to read:

**§96. Archives Advisory Board**

The Archives Advisory Board, established by section ~~42004~~ 12004-I, subsection ~~40~~ 8, shall serve to advise the State Archivist in ~~his~~ administration of this chapter and to perform such other duties as may be prescribed by law. The board shall consist of 9 persons especially interested in the history of the State appointed by the Governor as advisors for overlapping terms of 6 years. The 3 new advisors shall be first appointed one for one year, one for 3 years and one for 5 years. Their successors shall be appointed for terms of 6 years. Each advisor shall serve for the term of ~~his~~ appointment and thereafter until ~~his~~ a successor is appointed and qualified. In case of the termination of an advisor's service during ~~his~~ that advisor's term, the Governor shall appoint a successor for the unexpired term. Advisors shall be compensated as provided in chapter 379.

**Sec. 10. 5 MRSA §251**, as enacted by PL 1985, c. 555, §1, is amended to read:

**§251. Commission established**

The Maine-New Hampshire Boundary Commission as established by Title 5, section ~~42004~~ 12004-J, subsection

~~41~~ 5, shall be composed of 5 members: One appointed by the Governor; one Senate member representing York County to be appointed by the President of the Senate; one member from the House of Representatives representing York County to be appointed by the Speaker of the House of Representatives; the Commissioner of ~~the Department of~~ Marine Resources; and the Commissioner of ~~the Department of~~ Conservation.

**Sec. 11. 5 MRSA §293**, as repealed and replaced by PL 1987, c. 402, Pt. A, §§16 and 17, is amended to read:

**§293. Internship committee**

The State Government Internship Program Advisory Committee, established by section ~~42004~~ 12004-J, subsection ~~40~~ 77, shall serve to further the purposes of the program and to provide for broad representation of institutions of higher learning within Maine and of State Government. The State Government Internship Program Advisory Committee shall be comprised of the President of the Senate and Speaker of the House of Representatives or their designated representatives; the Governor or ~~his~~ a designated representative; the Director of the Bureau of Human Resources; and the Director of the Bureau of Public Administration. In addition, one faculty member from each of 4 accredited, degree-granting institutions of higher learning in the State shall be appointed by the Director of the Bureau of Public Administration for 4-year terms, provided that the initial appointments under this chapter shall be for one, 2, 3 and 4-year terms. No faculty member may ~~be eligible to succeed himself~~ serve consecutive terms if he that faculty member has served a full 4-year term, nor shall a faculty member be succeeded by another from the same institution. Vacancies shall be filled by the director for the unexpired term. The members of the internship committee shall organize by electing a ~~chairman~~ chair and ~~vice-chairman~~ vice-chair and shall be compensated as provided in chapter 379 and as authorized by the Bureau of Public Administration.

**Sec. 12. 5 MRSA §298, first ¶**, as amended by PL 1983, c. 812, §15, is further amended to read:

The Capitol Planning Commission, established by section ~~42004~~ 12004-I, subsection ~~40~~ 75, shall administer this chapter and perform such other duties as may be prescribed by law.

**Sec. 13. 5 MRSA §350**, as amended by PL 1985, c. 819, Pt. A, §3, is further amended to read:

**§350. Statement of purpose; Advisory Committee on State Telecommunications**

The Department of Administration, as the principal administrative department of the State Government, has responsibilities for the general administration of state telecommunications services, including, but not limited to, telephone services, radio, teletype, microwave and data trans-



mission links. It is recognized that the department should serve to provide needed coordination between state agencies utilizing telecommunications services in such areas as engineering assistance, systems maintenance, frequency allocation, systems planning, and the purchase of services and equipment. The Advisory Committee on State Telecommunications, established by section ~~42004~~ 12004-I, subsection ~~40~~ 79, shall assist the Department of Administration in providing for the coordination of state telecommunications services.

**Sec. 14. 5 MRSA §453, first ¶**, as amended by PL 1983, c. 812, §18, is further amended to read:

The Mining Excise Tax Trust Fund Board of Trustees, established by section ~~42004~~ 12004-G, subsection 8 33-A, shall be subject to the following provisions.

**Sec. 15. 5 MRSA §723**, as amended by PL 1985, c. 785, Pt. B, §21, is further amended to read:

**§723. Educational Leave Advisory Board**

The Educational Leave Advisory Board, established by section ~~42004~~ 12004-I, subsection ~~40~~ 11, shall advise and consult with the Bureau of Human Resources to review and authorize all educational leave requests from classified and unclassified state employees for durations of more than one week. The board shall consist of 3 members as follows: The Director of the Bureau of Human Resources who shall serve as ~~chairman~~ chair of the board, the Commissioner of Educational and Cultural Services or ~~his~~ a designee; and one member who shall be a state employee appointed by the Governor to serve for a term of 3 years. Members of the board shall be compensated as provided in chapter 379.

**Sec. 16. 5 MRSA §884**, as amended by PL 1985, c. 785, Pt. A, §40, is further amended to read:

**§884. Advisory Council on Deferred Compensation**

An Advisory Council on Deferred Compensation Plans, established by section ~~42004~~ 12004-I, subsection 40 25, shall consist of 7 members, who shall be the Commissioner of Finance, ex officio, or ~~his~~ a designee; the Insurance Superintendent, ex officio, or ~~his~~ a designee; the Superintendent of Banking, ex officio, or ~~his~~ a designee; and 4 state employees to be appointed by the Governor, who shall be appointed for terms of 3 years, except that of the first appointments one shall be for one year, 2 for 2 years and one for 3 years. Members of the advisory council shall be compensated as provided in chapter 379. The council shall meet at least once a year and shall review the operations of the deferred compensation program and advise the Department of Finance on matters of policy relating to the activities thereunder. The Commissioner of Finance, or ~~his~~ a designee, shall be the ~~chairman~~ chair of the advisory council.

**Sec. 17. 5 MRSA §1658**, as enacted by PL 1985, c. 792, §8, is amended to read:

**§1658. Advisory Committee on Single State Audits**

The Commissioner of Finance ~~and Administration~~ may appoint and maintain ~~an advisory committee~~ the Advisory Committee on Single State Audits composed of persons representing a cross section of interests governed by this chapter, such as community agencies and representatives of interested government agencies. All members of the advisory committee shall serve without compensation or reimbursement of expenses, as set out in section ~~42004~~ 12004-I, subsection ~~40~~ 29.

**Sec. 18. 5 MRSA §1814, first ¶**, as amended by PL 1983, c. 812, §25, is further amended to read:

A Standardization Committee, as established by section ~~42004~~ 12004-I, subsection ~~40~~ 1, shall consist of the Governor or ~~his~~ a representative, 4 public members and 2 department or agency heads or their representatives as may be designated by the Governor. In addition, the State Purchasing Agent shall be an ex officio, nonvoting member of the committee. The 4 public members and the department or agency heads or their representatives shall serve at the pleasure of the Governor. The 4 public members shall be representative of the industry, commerce and political subdivisions of Maine, and shall not be officials or employees of the State.

**Sec. 19. 5 MRSA §3313, first ¶**, as amended by PL 1983, c. 812, §29, is further amended to read:

The Maine Critical Areas Advisory Board established by section ~~42004~~ 12004-I, subsection ~~40~~ 78, shall advise and assist the State Planning Office in the establishment and maintenance of the Register of Critical Areas. The Maine Critical Areas Advisory Board, in this chapter referred to as the "board," shall be appointed by the Governor and shall be convened by the State Planning Office and shall consist of 11 members, one of whom shall be a permanent member.

**Sec. 20. 5 MRSA §3517, sub-§1**, as amended by PL 1983, c. 812, §31, is further amended to read:

**1. Appointment.** The Governor shall appoint a Community Services Advisory Board, as established by section ~~42004~~ 12004-I, subsection ~~40~~ 3, to advise the Governor, the Legislature and the Director of Community Services on programs and policy matters relative to this chapter.

**Sec. 21. 5 MRSA §4561**, as amended by PL 1987, c. 709, §1, is further amended to read:

**§4561. Members**

The Maine Human Rights Commission, established by section ~~42004~~ 12004-G, subsection 8 15, shall be an independent commission of no more than 5 members. No

more than 3 of the members ~~shall~~ may be of the same political party. The members shall be appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over judiciary matters and confirmation by the Legislature. The Governor shall designate one member to be the ~~chairman~~ chair.

**Sec. 22. 5 MRSA §6205, sub-§3**, as enacted by PL 1987, c. 506, §§1 and 4, is amended to read:

**3. Compensation.** Appointed members shall receive compensation equal to legislative per diem and travel expenses as allowed under Title 5, section ~~42004~~ 12004-G, subsection 8 29, while engaged in board activities.

**Sec. 23. 5 MRSA §7021**, as repealed and replaced by PL 1983, c. 812, §37, is amended to read:

**§7021. Commission established**

The Maine Commission for Women, established by section ~~42004~~ 12004-J, subsection ~~41~~ 6, referred to in this chapter as the "commission," shall be an independent commission. The commission shall promote, carry out and coordinate programs designed to improve opportunities for women in the State.

**Sec. 24. 5 MRSA §7081, first ¶**, as enacted by PL 1985, c. 785, Pt. B, §38, is amended to read:

The State Civil Service Appeals Board, established by section ~~42004~~ 12004-B, subsection ~~3~~ 4, shall be composed of 5 members with experience in personnel management or labor relations. No more than 3 members of the board may be of the same political party. No member may be a state employee.

**Sec. 25. 5 MRSA §12002-A, sub-§1, ¶E**, as repealed and replaced by PL 1985, c. 295, §6, is amended to read:

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 ~~42004~~, ~~subsection 1~~ 12004-A, may receive expenses for meetings relating to the occupations and professions regulated by each board and which meetings are held out of state.

**Sec. 26. 5 MRSA §12002-B, first ¶**, as enacted by PL 1983, c. 812, §39, is amended to read:

Members of boards shall be paid a legislative per diem, another specified daily rate of compensation, a salary, expenses only or no compensation, as established for each

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

**Sec. 27. 5 MRSA §12002-B, sub-§1**, as amended by PL 1985, c. 295, §7, is further amended to read:

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

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

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

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

D. Participation in 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. 28. 5 MRSA §12003-A, sub-§§1, 2 and 3**, as enacted by PL 1985, c. 295, §12, are amended to read:

**1. Compensation of substantive boards.** Compensation provided to members of boards that are not classified as advisory boards in ~~section 12004~~ sections 12004-A to 12004-L 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~~ 12004-I 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~~ 12004-I, which are not authorized by law to be reimbursed for expenses shall not be eligible for this reimbursement.

**3. Compensation as provided in sections 12004-A to 12004-K.** Compensation to members of boards shall be in accordance with the rate established for each board in ~~section 12004~~ sections 12004-A to 12004-K. The defined rate of compensation for each board in ~~section 12004~~ sections 12004-A to 12004-K shall be in compliance with this section.

**Sec. 29. 5 MRSA §12003-A, sub-§8**, as enacted by PL 1985, c. 732, §2, is amended to read:

**8. Accounting procedure.** Every board defined in ~~section 12004~~ sections 12004-A to 12004-I shall have separate accounting activities as required and in the form prescribed by the Commissioner of Finance and Administration. These accounting procedures shall show the income, expenses and expenditures of the board as separate from the income and expenditures of the department with which the board is associated or ~~a part and~~ separate from the expenditures of the staff associated with or employed by the board. The expenses of the board to be shown in the activity accounts, at a minimum, shall include any per diem or rate of compensation paid to the board members, travel expenses in state and out of state of board members and any other expenses deemed necessary or reasonable by the commissioner.

**Sec. 30. 5 MRSA §13093, sub-§1**, as enacted by PL 1987, c. 534, Pt. A, §§17 and 19, is amended to read:

**1. Maine Tourism Commission.** The Maine Tourism Commission, established by ~~Title 5, section 12004~~ 12004-I, subsection 87, shall assist, advise and recommend the operation of the Office of Tourism. It shall consist of 9 members of major tourism trade associations and 8 public members who shall represent their respective regions and who are experienced in the field or who have demonstrated a concern for the travel industry. The terms of the members shall be for 4 years each; except that, for the members first appointed, 4 members shall be appointed for terms of 4 years, 4 members for terms of 3 years, 4 members for terms of 2 years and 5 members for terms of one year. The members shall be appointed by the Governor, who shall fill any vacancy in the membership for the unexpired term. The commissioner, director or ~~his~~ a designee of the following state departments or offices shall serve as ex officio, nonvoting members of the commission: Department of Economic and Community Development; State Planning Office; Department of Conservation; Department of Transportation; Department of Inland Fisheries and Wildlife; Department of Agriculture, Food and Rural Resources; Department of Educational and Cultural Services; Bureau of Public Improvements; and Canadian Affairs Coordinator. A

~~chairman chair and vice-chairman vice-chair~~ shall be elected annually from the appointed membership.

**Sec. 31. 5 MRSA §13095, sub-§1**, as enacted by PL 1987, c. 534, Pt. A, §§17 and 19, is amended to read:

**1. Maine State Film Commission established.** The Maine State Film Commission, as established by section ~~12004~~ 12004-I, subsection 88, shall be within the Office of Tourism and shall advise and assist the office as necessary. The commission shall advise the commissioner and the director with respect to the operation of the Maine State Film Commission program.

A. The commission shall consist of 11 members appointed by the Governor.

(1) The members appointed shall be involved in a related business field or possess experience or familiarity with media marketing or public relations. The Governor shall ensure an equitable regional representation from the State.

(2) The Executive Director of the Maine Arts Commission and the commissioner of the department shall serve as ex officio nonvoting members of the board.

B. The terms of office shall be as follows.

(1) All members shall be appointed for 3-year terms. Of those first appointed, 3 shall be appointed for 3-year terms, 4 shall be appointed for 2-year terms and 4 shall be appointed for one-year terms. The Governor shall designate the terms of office of those first appointed at the time of appointment.

(2) Members shall serve until their successors are appointed and take office. The Governor may terminate the membership of any appointee for just cause and the reason for the termination shall be communicated in writing to each member whose term is so terminated.

(3) Vacancies shall be filled in the same manner as original appointments, except that any person appointed to fill a vacancy shall serve only for the unexpired term of the vacancy.

C. The ~~chairman chair and vice-chairman vice-chair~~ shall be appointed by the Governor annually at the

first meeting of the board and shall serve for one-year terms.

- (1) The ~~chairman~~ chair shall call meetings of the board.

D. Members shall be compensated for expenses only in accordance with chapter 379.

E. Financing of promotional and development materials and expenses pursuant to this section and section 13096, shall be made with funds within the limit of the budget of the department for the Office of Tourism.

**Sec. 32. 5 MRSA §17001, sub-§7**, as enacted by PL 1985, c. 801, §§5 and 7, is amended to read:

7. **Board.** "Board" means the board of trustees, established under section ~~12004~~ 12004-F, subsection ~~7~~ 9, to administer the Maine State Retirement System.

**Sec. 33. 5 MRSA §17102, sub-§1**, as amended by PL 1987, c. 715, §§4 and 5, is further amended to read:

1. **Composition.** The Board of Trustees of the Maine State Retirement System, established by section ~~12004~~ 12004-F, subsection ~~7~~ 9, shall be composed of 8 trustees, as follows:

A. The Treasurer of State or ~~as his designee~~, the Deputy Treasurer of State, ex officio, as a nonvoting trustee;

B. A person who is a member of the retirement system through employment as a teacher and who is duly elected by the Maine Teachers' Association;

C. A person who is a member of the retirement system through employment as a state employee and who is duly elected by the Maine State Employees' Association;

D. Four persons appointed by the Governor and subject to review by the joint standing committee of the Legislature having jurisdiction over aging, veterans and retirement and to confirmation by the Legislature:

(1) At least 2 of whom shall be qualified through training or experience in the field of investments, accounting, banking, insurance or law;

(2) One of whom shall be selected from a list of 3 nominees submitted by the Maine Retired Teachers' Association; and

(3) One of whom shall be the recipient of a retirement allowance through the retirement system and who shall be selected from a list or lists of nominees submitted by retired state employees, retired participating local district employees or a committee comprised of representatives of these groups; and

E. A person who is a member of the retirement system through a participating local district and who shall be appointed by the governing body of the Maine Municipal Association.

**Sec. 34. 5 MRSA §19101**, as enacted by PL 1987, c. 542, Pt. C, §§2 and 3, is amended to read:

**§19101. Establishment; role**

The Maine Health Policy Advisory Council, as established in section ~~12004~~ 12004-I, subsection ~~40~~, ~~paragraph A~~ 30, shall advise and be available for consultation to the Governor, Commissioner of Human Services, Commissioner of Mental Health and Mental Retardation, other executive branch agencies, the Legislature and the Maine congressional delegation on health policy issues related to health status, health promotion and health care delivery that the council believes to be significant and that it has the resources to address.

**Sec. 35. 6 MRSA §302, sub-§1, ¶A**, as amended by PL 1983, c. 812, §40, is further amended to read:

A. The Maine Aeronautical Advisory Board, established by Title 5, section ~~12004~~ 12004-I, subsection ~~40~~ 81, and in this section called "the board," shall be a board within the Department of Transportation.

**Sec. 36. 7 MRSA §231, sub-§1**, as enacted by PL 1987, c. 805, §2, is amended to read:

1. **Members; terms.** The Commission on Biotechnology and Genetic Engineering, as established in Title 5, section ~~12004~~ 12004-I, subsection ~~40~~ 20-A, shall be composed of 9 members appointed by the Governor, subject to approval by the joint standing committee of the Legislature having jurisdiction over agriculture and confirmation by the Legislature. To provide the knowledge and experience necessary for carrying out the duties of the commission, one person shall be appointed who has practical experience and knowledge in agricultural procedures, one who has practical experience and knowledge in environmental and conservation issues, a health care professional, a representative from the forest products industry, the Director of the Maine Agricultural Experiment Station, a representative from the marine fisheries industry, a person appointed to represent the general public, one practicing scientist who shall be a representative of industry and one practicing scientist who shall be a representative of the academic community. The

terms shall be for 4 years, except that, of the initial appointments, 3 shall serve 4-year terms, 2 shall serve 3-year terms, 2 shall serve 2-year terms and 2 shall serve a one-year term. Any vacancy shall be filled by an appointment for the remainder of the unexpired term.

**Sec. 37. 7 MRSA §313, sub-§1**, as enacted by PL 1985, c. 482, §2, is amended to read:

**1. Membership.** The Maine Agricultural Viability Advisory Committee, as established by Title 5, section ~~42004~~ 12004-I, subsection ~~40~~ 2, shall consist of the following 7 members:

- A. One representative of the Maine Farm Bureau;
- B. One representative of the Maine State Grange;
- C. One representative of the National Farm Organization;
- D. One representative of the Maine Small Farm Association;
- E. One representative of the Maine Organic Farmers and Gardeners Association;
- F. One representative of the Maine Association of Conservation Districts; and
- G. The ~~Chairman~~ Chair of the Soil and Water Conservation Commission or ~~his~~ the chair's designee, who shall serve during ~~his~~ the chair's tenure in that office.

**Sec. 38. Repeal date.** The Maine Revised Statutes, Title 7, section 313, subsection 1, as amended by this Act, is repealed on June 30, 1991.

**Sec. 39. 7 MRSA §332, sub-§1**, as enacted by PL 1987, c. 435, §3, is amended to read:

**1. Membership.** The Aroostook Water and Soil Management Board, as established by Title 5, section ~~42004~~ 12004-G, subsection ~~8~~ 4, shall consist of the following: The ~~Chairman~~ Chair of the Maine Potato Board; one person designated by the Maine Potato Board who shall be a farmer with irrigation experience; a representative of each of the 3 Aroostook County Soil and Water Conservation Districts chosen by the boards of supervisors of the 3 districts, each representative chosen being a farmer; the Director of the Maine Agricultural Experiment Station; the Director of the University of Maine Cooperative Extension Service; the State Conservationist of the United States Department of Agriculture Soil Conservation Service; the Director of the Maine Geological Survey; the Director of the Northern Maine Regional Planning Commission; and the Commissioner of Agriculture, Food and Rural Resources.

**Sec. 40. 7 MRSA §402-A, sub-§1**, as amended by PL 1983, c. 812, §42, is further amended to read:

**1. Agriculture Promotion Committee.** The commissioner may appoint ~~a promotional committee~~ the Agriculture Promotion Committee, as authorized by Title 5, section ~~42004~~ 12004-H, subsection ~~9~~ 1, to advise and assist the department in its general efforts to promote Maine agricultural products. The committee shall include, at a minimum, representatives involved in the production or marketing of those agricultural commodities which maintain, through state taxes or otherwise, an ongoing promotion and advertising program.

**Sec. 41. 7 MRSA §427, sub-§1**, as amended by PL 1983, c. 812, §44, is further amended to read:

**1. Establishment.** For market orders, the commissioner shall, and for market agreements, the commissioner may, establish a commodity marketing committee or committees, as authorized by Title 5, section ~~42004~~ 12004-H, subsection ~~9~~ 2, to administer and implement the provisions of the orders or agreements. Members of the committees shall be initially appointed by the commissioner to equitably represent the producers, handlers or processors who are directly affected by the order or agreement. The size of a committee, its geographic representation, membership qualification, selection procedure, term of office and operating procedures shall be prescribed by rule for each market order or market agreement for which a committee or committees may be established; provided that in each case where a market order or market agreement is in effect for a period greater than 12 months, the rules shall provide for a system for election of the producer, handler and processor members.

**Sec. 42. 7 MRSA §972**, as repealed and replaced by PL 1987, c. 769, Pt. A, §35, is amended to read:

**§972. Potato Marketing Improvement Committee**

There is established an advisory committee, as authorized by Title 5, section ~~42004~~ 12004-H, subsection ~~9~~ 10, of 10 members to be known as the Potato Marketing Improvement Committee. The Potato Marketing Improvement Committee shall advise the commissioner on the development and implementation of improved potato marketing systems, including the modernization, construction and operation of storage and central packing facilities. The Potato Marketing Improvement Committee shall also advise the commissioner concerning the funding and expenditures of the Potato Marketing Improvement Fund created pursuant to section 973. The commissioner shall appoint one member representing the University of Maine System, one member representing the Farmers Home Administration, one member representing the Farm Credit System, one member representing the Department of Economic and Community Development and one member representing the public. Each executive council established pursuant to Title 36, section 4603, subsection 3, shall appoint one person to

serve as a member of the committee. The commissioner and the executive councils shall appoint as members persons with education, training or experience relevant to the development and implementation of improved potato marketing systems, including the modernization, construction and operation of storage and central packing facilities and with an understanding of the importance of those facilities for potato quality and marketing. When the commissioner finds it appropriate, the members representing the Farmers Home Administration and the Farm Credit System may serve as a loan review committee and advise the commissioner, on a confidential basis, on applications for funding.

**Sec. 43. 7 MRSA §995, sub-§1**, as amended by PL 1983, c. 812, §46, is further amended to read:

**1. Membership of committee.** Any marketing order issued pursuant to sections 991 to 1006 shall provide for the establishment of an administrative committee to administer such order in accordance with its terms and provisions. This committee, authorized by Title 5, section ~~42004~~ 12004-H, subsection ~~40~~ 2, shall be known as the "Maine Potato Marketing Committee" and shall consist of 8 members, of whom 5 shall be producers and 3 shall be handlers. For each member of the committee there shall be an alternate who shall have the same qualifications as the member. Persons selected as committee members or alternates to represent producers shall be individuals who are producers in the respective district for which selected or officers or employees of a corporate producer in such district and such persons shall be residents of the respective district for which selected. Persons selected as committee members or alternates to represent handlers shall be individuals who are handlers in the State or officers or employees of a corporate handler in this State and such persons shall be residents of the State.

**Sec. 44. 7 MRSA §1033, sub-§1**, as amended by PL 1987, c. 99, §6, is further amended to read:

**1. Board.** The Maine Potato Quality Control Board established by Title 5, section ~~42004~~ 12004-H, subsection 9 6, shall consist of the following members:

A. Two representatives elected by the executive council of the dealers assembly established pursuant to Title 36, chapter 710;

B. Seven representatives of growers of tablestock potatoes, one elected by the assembly of tablestock growers in each of the districts established pursuant to Title 36, section 4602, subsection 3;

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

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

Members shall be elected or appointed, as the case may be, within 30 days of the effective date of this section as amended

and shall serve for staggered 2-year terms. In the initial membership, the board shall determine that 5 of its members shall serve for one-year terms. The board shall elect a ~~chairman~~ chair and shall meet at the call of the ~~chairman~~ chair and at the call of the Maine Potato Board. The members shall be compensated as provided in Title 5, chapter 379.

**Sec. 45. 7 MRSA §2151**, as amended by PL 1983, c. 812, §50, is further amended to read:

**§2151. Creation and membership**

The Seed Potato Board, established by Title 5, section ~~42004~~ 12004-H, subsection 9 5, and located in the Department of Agriculture, Food and Rural Resources, shall consist of the commissioner and 8 additional members appointed by ~~him~~ the commissioner. Of the 8 appointed members, 7 shall be chosen from representatives of the potato industry in Aroostook County and one from elsewhere in the State, provided that one appointed member shall be primarily a table stock producer and one primarily a processor producer.

**Sec. 46. 7 MRSA §2952, first ¶**, as amended by PL 1983, c. 812, §52, is further amended to read:

The Maine Milk Commission, as established by Title 5, section ~~42004~~ 12004-E, subsection 6 2, shall consist of 5 members and at all times shall include within its membership the Commissioner of Agriculture, Food and Rural Resources or ~~his~~ the commissioner's designee, ex officio. In addition to the limitations of Title 5, section 18, none of the remaining 4 members of the commission shall at the time of appointment or while serving as a member of the commission, and no employee of the commission may have any official business, other than retail purchases of milk, or professional connection or relation with, or hold any interest or stock or securities in, any producer, dealer, store or other person whose activities are subject to the jurisdiction of the commission; nor may any member or employee of the commission render any professional or other service against any such producer, dealer, store or other person whose activities are subject to the jurisdiction of the commission or be a member of a firm which shall render any such service.

**Sec. 47. 7 MRSA §3906, first ¶**, as enacted by PL 1987, c. 383, §3, is amended to read:

The Animal Welfare Board, as established by Title 5, section ~~42004~~ 12004-G, subsection 8 3, is authorized to fulfill the purposes set forth in section 3902 to enforce this Part and Title 17, and has powers and duties to:

**Sec. 48. 8 MRSA §261, sub-§1**, as repealed and replaced by PL 1987, c. 402, Pt. A, §81, is amended to read:

**1. Number of members.** The State Harness Racing Commission, as established by Title 5, section ~~42004~~ 12004-G, subsection 8 32, shall consist of 5 members who

shall be appointed by the Governor. Members may be removed by the Governor for cause.

**Sec. 49. 8 MRSA §373, first ¶**, as enacted by PL 1987, c. 505, §2, is amended to read:

The State Lottery Commission, established by Title 5, section ~~12004~~ 12004-G, subsection 8 14, shall consist of 5 members, all of whom must be citizens and residents of this State and shall be appointed by the Governor, and shall be subject to review by the joint standing committee of the Legislature having jurisdiction over legal affairs and confirmation by the Senate. No more than 3 of the 5 members may be members of the same political party. The members shall be appointed for terms of 5 years. The members shall annually elect one of them as ~~chairman~~ chair of the commission.

**Sec. 50. 10 MRSA §304**, as amended by PL 1983, c. 812, §60, is further amended to read:

**§304. Creation of commission -- Article III**

The New England Interstate Planning Commission, established by Title 5, section ~~12004~~ 12004-K, subsection ~~12~~ 9, shall be called the "commission."

**Sec. 51. 10 MRSA §962, 3rd ¶**, as amended by PL 1985, c. 714, §5, is further amended to read:

The Finance Authority of Maine, as established by this chapter and authorized by Title 5, section ~~12004~~ 12004-F, subsection 7 1, to fulfill these purposes is, in addition to its other powers, authorized to:

**Sec. 52. 10 MRSA §980-B, sub-§1**, as enacted by PL 1985, c. 344, §26, is amended to read:

**1. General.** The Maine Veterans' Small Business Loan Board, as established by Title 5, section ~~12004~~ 12004-I, subsection ~~40~~ 27, shall consist of 9 members, including the Director of Veterans' Services and 8 members-at-large appointed by the Governor for a period of 4 years, provided that, of the members first appointed, 2 shall be appointed for terms of one year, 2 for terms of 2 years, 2 for terms of 3 years and 2 for terms of 4 years. Two public members of the veterans' loan board shall be appointed by the Governor to serve as members of the authority. A vacancy in the office of an appointive member, other than by expiration, shall be filled in like manner as an original appointment, but only for the remainder of the term of the retiring member. Appointive members may be removed by the Governor for cause. The veterans' loan board shall elect one of its members as ~~chairman~~ chair and may elect such other officers as it deems necessary. Five members of the veterans' loan board shall constitute a quorum. The affirmative vote of 5 members present and voting shall be necessary for any action taken by the veterans' loan board. No vacancy in the membership of the veterans' loan board may impair the right of the quorum

to exercise all rights and perform all the duties of the veterans' loan board.

**Sec. 53. 10 MRSA §1414, sub-§1**, as amended by PL 1983, c. 812, §67, is further amended to read:

**1. Establishment.** The Advisory Council on Energy Efficiency Building Performance Standards, established by Title 5, section ~~12004~~ 12004-I, subsection ~~40~~ 19, is hereinafter referred to as the advisory council. The advisory council shall consist of 10 persons. The Governor shall appoint one member who is a registered professional architect, one member who is a registered professional engineer, one member who is primarily a residential building contractor, one member who is primarily a nonresidential building contractor, one member who is a practicing building inspector, one member who represents the banking industry, one member who represents industry, one member who represents the commercial community and 2 members who are elected officials of a county or municipality. Public members shall serve for 4 years except as provided in this section and may be reappointed by the Governor for a succeeding term. Elected county and municipal officials shall be appointed to a term of office to coincide with their terms of office, not to exceed 4 years. Members shall not serve for more than 2 successive terms. The terms of the initial public members shall be as follows: The banking representative and building contractor shall initially serve for 2 years and the registered professional engineer, the practicing building inspector and the registered professional architect shall initially serve for 3 years.

**Sec. 54. 12 MRSA §51, first ¶**, as amended by PL 1987, c. 578, is further amended to read:

The State Soil and Water Conservation Commission, as established by Title 5, section ~~12004~~ 12004-G, subsection 8 30, shall serve as an agency of the State and shall perform the functions conferred upon it in this chapter. It shall consist of the following 11 members: The Vice-president for Research and Public Service of the University of Maine, the Commissioner of Agriculture, Food and Rural Resources, the Commissioner of Conservation, the Commissioner of Inland Fisheries and Wildlife, the Commissioner of Marine Resources and the Commissioner of Environmental Protection, who shall serve ex officio, except that each ex officio member may delegate one of that member's staff with policy-making authority to serve regularly in his absence, and 6 soil and water conservation district supervisors, one of which shall represent each of the following 6 areas: Area 1, composed of St. John Valley, Central Aroostook and Southern Aroostook Soil and Water Conservation Districts; Area 2, composed of Washington and Hancock County Soil and Water Conservation Districts; Area 3, composed of Penobscot, Piscataquis and Somerset County Soil and Water Conservation Districts; Area 4, composed of Kennebec, Knox-Lincoln and Waldo County Soil and Water Conservation Districts; Area 5, composed of Androscoggin Valley, Oxford and Franklin County Soil and Water Conservation Districts; Area 6, composed of Cumberland and York

County Soil and Water Conservation Districts. Any district organized after October 1, 1975, shall be included in one of these 6 areas as determined by the State Soil and Water Conservation Commission.

**Sec. 55. 12 MRSA §683, first ¶**, as amended by PL 1987, c. 132, is further amended to read:

The Maine Land Use Regulation Commission, as established by Title 5, section ~~42004~~ 12004-D, subsection 5 1, to carry out the purposes stated in section 681, is created within the Department of Conservation, and in this chapter called the "commission." The commission is charged with implementing this chapter in all of the unorganized and deorganized areas of the State. The commission shall consist of 7 public members, none of whom shall be state employees, who shall be appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over natural resources and to confirmation by the Legislature, for staggered 4-year terms. Among the public members, there shall be 4 who shall be knowledgeable in at least one of each of the following areas: Commerce and industry; fisheries and wildlife; forestry; and conservation. Of the potential appointees to the commission, the Governor shall actively seek and give consideration to persons residing in or near the unorganized areas of the State and at least 2 members shall be residents within the commission's jurisdiction.

**Sec. 56. 12 MRSA §901, first ¶**, as amended by PL 1983, c. 812, §77, is further amended to read:

All the lands in Townships 2, 3, 4, 5 and 6, Range 9 W.E.L.S. and in Townships 3, 4, 5 and 6, Range 10 W.E.L.S., Piscataquis County, and Township 6, Range 8 W.E.L.S., Penobscot County, that have been donated and conveyed to the State in trust by Percival Proctor Baxter and all lands in the Townships 2, 3, 4, 5 and 6, Range 9 and in Townships 3, 4, 5 and 6, Range 10, and in Township 6, Range 8 and all lands in Piscataquis and Penobscot Counties that hereafter shall be donated and conveyed to the State by Percival Proctor Baxter in trust for state forest, public park and public recreational purposes are named and shall hereafter be named "Baxter State Park" in honor of the donor, and the same hereafter shall forever be so designated on the official maps and records of the State. They shall be under the joint supervision and control of, and shall be administered by the Director of the Bureau of Forestry, the Commissioner of Inland Fisheries and Wildlife and the Attorney General, and the commissioner, director and Attorney General shall have full power in the control and management of the same, under the title of Baxter State Park Authority, as authorized by Title 5, section ~~42004~~ 12004-G, subsection 8 11. The authority shall receive moneys available from trust funds established by the donor of the park and shall include fees collected, income from park trust funds invested by the Treasurer of State and other miscellaneous income derived from the park for maintenance and operation of the park.

**Sec. 57. 12 MRSA §4603**, as amended by PL 1983, c. 812, §79, is further amended to read:

**§4603. Commission -- Article III**

Each state joining herein shall appoint 3 representatives to a commission constituted and designated as the Atlantic States Marine Fisheries Commission, as authorized by Title 5, section ~~42004~~ 12004-K, subsection ~~42~~ 6. One shall be the executive officer of the administrative agency of the state charged with the conservation of the fisheries resources to which this compact pertains or, if there be more than one officer or agency, the official of that state named by the governor thereof. The 2nd shall be a member of the legislature of the state designated by the commission or committee on interstate cooperation of that state, or if there be none, or if the commission on interstate cooperation cannot constitutionally designate the member, that legislator shall be designated by the governor thereof; provided, if it is constitutionally impossible to appoint a legislator as a commissioner from that state, the 2nd member shall be appointed by the governor of that state in ~~his~~ that governor's discretion. The 3rd shall be a citizen who shall have a knowledge of and interest in the marine fisheries problem to be appointed by the governor. This commission shall be a body corporate with the powers and duties set forth herein.

**Sec. 58. 12 MRSA §5101-B, sub-§1**, as enacted by PL 1985, c. 488, §6, is amended to read:

1. **Citizens' Forestry Advisory Council.** The Citizens' Forestry Advisory Council, as established by Title 5, section ~~42004~~ 12004-I, subsection ~~40~~ 21, and in this chapter called the "council" shall advise the Commissioner of Conservation on all aspects of the program and shall review all interim and final products and documents produced by the program.

A. The council shall consist of 7 members, appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over natural resources and to confirmation by the Legislature. Members of the council shall be chosen to represent the broadest possible interest and experience which can be brought to bear in the implementation of this chapter.

B. The members shall be appointed for a term of 5 years and until their successors are appointed and qualified, except that at the time of the first appointments, 2 shall be appointed for a term of 3 years, 2 for a term of 4 years and 3 for a term of 5 years. The council shall select its ~~chairman~~ chair from its own members.

C. The council shall report annually to the Legislature and the Governor on its activities, including any comments it may have on the reports issued under



section 5103 and on any recommendations it may have for legislative actions needed to achieve the purposes of this chapter.

D. The council shall meet at least twice per year.

E. No more than 2 members of the council may be an employee of a corporation, firm, partnership or other organization with financial or other interest in the forest resource.

**Sec. 59. 12 MRSA §6024, sub-§1**, as amended by PL 1989, c. 8, §1, is further amended to read:

**1. Appointment; composition; term; compensation.**

The advisory council, established by Title 5, section ~~42004-I~~ 12004-G, subsection ~~58 27~~, shall consist of 10 members. One member, who shall be a nonvoting member, shall be the chair of the Lobster Advisory Council, ex officio. Each other member shall be appointed by the Governor and shall be subject to review by the joint standing committee of the Legislature having jurisdiction over marine resources and to confirmation by the Legislature. Eight of the appointed members shall be selected from persons directly engaged in commercial activities or industries based on marine resources, and one of the appointed members shall be selected from persons who represent recreational fishing interests. The composition of the council shall adequately represent the commercial fisheries' activities over which the department has jurisdiction and shall also reflect a geographical distribution along the coast. All appointed members shall be appointed for a term of 3 years, except a vacancy shall be filled in the same manner as an original for the unexpired portion of the term. No member may serve more than 2 consecutive terms at any one time. Members shall serve until their successors are appointed. Members shall be compensated as provided in Title 5, chapter 379.

**Sec. 60. Repeal date.** The Maine Revised Statutes, Title 12, section 6024, subsection 1, as amended by this Act, is repealed on November 6, 1989.

**Sec. 61. 12 MRSA §6024, sub-§1-A**, as enacted by PL 1989, c. 8, §2, is amended to read:

**1-A. Appointment; composition; term; compensation.** The advisory council, established by Title 5, section ~~42004-I~~ 12004-G, subsection ~~58 27~~, shall consist of 9 members. The chair of the Lobster Advisory Council shall be an ex officio member of the council. Each other member shall be appointed by the Governor and shall be subject to review by the joint standing committee of the Legislature having jurisdiction over marine resources and to confirmation by the Legislature. Seven of the appointed members shall be selected from persons directly engaged in commercial activities or industries based on marine resources. These 7 members shall be selected so as to adequately represent, together with the chair of the Lobster Advisory Council, the various aspects of commercial fisheries' activities over which the department has jurisdiction. One of the appointed

members shall be selected from persons who represent recreational fishing interests. The composition of the council shall reflect a geographical distribution along the coast. All appointed members shall be appointed for a term of 3 years, except a vacancy shall be filled in the same manner as an original member for the unexpired portion of the term. No appointed member may serve for more than 2 consecutive terms at any one time. Appointed members shall serve until their successors are appointed. The chair of the Lobster Advisory Council shall serve until a new chair of the Lobster Advisory Council is chosen. Members shall be compensated as provided in Title 5, chapter 379.

**Sec. 62. Effective date.** The Maine Revised Statutes, Title 12, section 6024, subsection 1-A, as amended by this Act, shall take effect November 6, 1989.

**Sec. 63. 12 MRSA §6462, sub-§1**, as amended by PL 1983, c. 812, §84, is further amended to read:

**1. Appointment; composition.** The Lobster Advisory Council, established by Title 5, section ~~42004-I~~ 12004-I, subsection ~~40 58~~, shall consist of 11 members. Each member shall be appointed by the Governor as follows.

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

- (1) Cumberland;
- (2) Hancock;
- (3) Knox;
- (4) Lincoln;
- (5) Sagadahoc;
- (6) Waldo;
- (7) Washington; and
- (8) York.

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

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

**Sec. 64. 12 MRSA §7033, sub-§1**, as amended by PL 1983, c. 812, §87, is further amended to read:

**1. Appointment.** The advisory council, established by Title 5, section ~~42004-I~~ 12004-G, subsection ~~40 20~~, shall consist of one member representing each of the management units the commissioner establishes to administer chap-

ters 701 to 721. Members of the advisory council shall be appointed by the Governor, subject to review by the ~~Joint Standing Committee on Fisheries and Wildlife~~ joint standing committee of the Legislature having jurisdiction over fisheries and wildlife matters and to confirmation by the Legislature. The commissioner shall be a nonvoting member of the council ex officio, but may vote to break a tie.

**Sec. 65. 12 MRSA §7320, sub-§1**, as enacted by PL 1987, c. 742, §7, is amended to read:

**1. Members.** The Advisory Board for the Licensing of Guides, established by Title 5, section ~~42004~~ 12004-I, subsection ~~40~~ 23, shall consist of the following 7 members:

- A. One subordinate officer of the department designated by the commissioner;
- B. Two wardens of the department; and
- C. Four representatives of the public, with no more than 3 holding a license under this subchapter, to be appointed by the Governor for a term of 3 years to reflect a wide diversity of guiding experience. At least 2 members shall be chosen for their expertise in outdoor recreation. The public members shall be compensated as provided in Title 5, chapter 379.

**Sec. 66. 12 MRSA §7323, sub-§1**, as enacted by PL 1987, c. 742, §7, is amended to read:

**1. Board established.** The commissioner shall appoint a board of 5 members, to be known as the "Junior Maine Guides and Trip Leaders Curriculum Advisory Board" as authorized by Title 5, section ~~42004~~ 12004-I, subsection ~~40~~ 24.

**Sec. 67. 12 MRSA §7367, sub-§2**, as amended by PL 1983, c. 812, §91, is further amended to read:

**2. Whitewater Safety Committee.** The Whitewater Safety Committee established by Title 5, section ~~42004~~ 12004-I, subsection ~~40~~ 70 shall advise the commissioner in establishing and reviewing safety requirements for whitewater trips, developing a safety information program and reviewing the safety record of whitewater guides and outfitters. The committee shall submit a written report annually on each outfitter's safety record to the Whitewater Advisory Committee, while the advisory committee remains in existence.

A. The Whitewater Safety Committee shall be composed of 8 members: Two members of the whitewater guides board designated by the board; 2 commercial whitewater outfitters and 2 whitewater guides designated by the Governor; and 2 members from the general public, one designated by the President of the Senate and one designated by the Speaker of the House of Representatives.

B. Terms of members of the Whitewater Safety Committee shall be for 2 years, expiring on December 31st, except that initially the members shall draw

lots for a one-year or a 2-year term. Terms shall be staggered so that the term of one member in each category expires each year. Members shall serve until their successors are nominated and qualified. Members appointed to fill a vacancy created by the resignation, death or incapacity of a member shall complete the term of the vacancy and be eligible for reappointment. Members shall be compensated as provided in Title 5, chapter 379 for no more than 4 meetings a year.

**Sec. 68. 12 MRSA §7369-A, first ¶**, as amended by PL 1983, c. 812, §92, is further amended to read:

The Whitewater Advisory Committee is established by Title 5, section ~~42004~~ 12004-I, subsection ~~40~~ 69, to advise the department and report to the Legislature on the implementation of the allocation process and other aspects of the operation of the industry which relate to the purposes of this subchapter.

**Sec. 69. 13 MRSA §1956, sub-§1**, as repealed and replaced by PL 1983, c. 812, §95, is amended to read:

**1. Board.** The Maine Agricultural Bargaining Board, established by Title 5, section ~~42004~~ 12004-B, subsection ~~3~~ 7, and located in the Department of Agriculture, Food and Rural Resources, shall administer this ~~Article~~ article.

**Sec. 70. 13 MRSA §1956, sub-§2**, as repealed and replaced by PL 1987, c. 155, §2, is amended to read:

**2. Membership.** The Maine Agricultural Bargaining Board established by Title 5, section ~~42004~~ 12004-B, subsection ~~3~~ 7, shall consist of 5 members and 2 alternates, who shall be appointed by the Governor. One member and one alternate shall be appointed from a list of names submitted by agricultural producer organizations organized under this subchapter and chapter 81. One member and one alternate shall be appointed from a list of names submitted by processors of agricultural products. In appointing these members and alternates, the Governor shall seek to represent as many different agricultural products as possible and a member and the alternate for that member shall not be associated with the same agricultural product, unless suitable persons cannot otherwise be appointed. An alternate shall serve when for any reason the respective member is unable to serve. Three members shall be representatives of the public.

A. The term of office for all members and alternates shall be 3 years. Members selected from lists submitted by agricultural producer organizations and by processors of agricultural products may serve no more than 2 terms in succession, not to include the current term of a member serving at the time this section becomes effective. The limitation to 2 successive terms shall not apply to the public members or to alternates.

B. Board members serving at the time this section becomes effective shall continue as members for the

duration of their present terms. The Governor shall appoint 2 alternate members in accordance with this subsection. The initial terms of these alternates shall expire at the same time as that of the current respective members. The Governor shall designate one of the public members to be the board's ~~chairman~~ chair. In the event of a vacancy, the Governor shall, within one month, appoint a successor to fill the unexpired term. All appointments to the board shall be made in conformity with the foregoing plan. Members shall take the oath of office prescribed for state officers.

**Sec. 71. 17-A MRSA §1351**, as repealed and replaced by PL 1983, c. 812, §99, is amended to read:

**§1351. Establishment**

The Criminal Law Advisory Commission, established by Title 5, section ~~42004~~ 12004-I, subsection ~~40~~ 52, is created for the purpose of conducting a continuing study of the criminal law of Maine.

**Sec. 72. 20-A MRSA §401, first ¶**, as amended by PL 1987, c. 851, §1, is further amended to read:

The State Board of Education is established by Title 5, section ~~42004~~ 12004-C, subsection ~~8~~ 1. The State Board of Education shall be an autonomous body and shall maintain an office in Augusta. The appointments, terms and expenses of the State Board of Education members shall be as follows.

**Sec. 73. 20-A MRSA §603, sub-§1**, as amended by PL 1983, c. 812, §103, is further amended to read:

**1. Commission established.** The Education Commission of the States, hereafter in this chapter called "the commission," is authorized by Title 5, section ~~42004~~ 12004-K, subsection ~~42~~ 1.

**Sec. 74. 20-A MRSA §651, sub-§1**, as amended by PL 1983, c. 812, §104, is further amended to read:

**1. Council established.** The Maine Education Council, established by Title 5, section ~~42004~~ 12004-I, subsection ~~40~~ 12, shall be composed of the members of the Education Commission of the States representing this State, and 7 other persons appointed by the Governor.

**Sec. 75. 20-A MRSA §9002, first ¶**, as amended by PL 1987, c. 124, §4, is further amended to read:

An advisory committee, the Committee for the Training of Firefighters, established by Title 5, section ~~42004~~ 12004-I, subsection ~~40~~ 9, shall advise the executive director in the administration of the Maine Fire Training and Education Program.

**Sec. 76. 20-A MRSA §11002, sub-§1**, as repealed and replaced by PL 1983, c. 812, §110, is amended to read:

**1. Creation.** The New England Board of Higher Education, established by Title 5, section ~~42004~~ 12004-K,

subsection ~~42~~ 2, and referred to as the "board," shall be an agency of each state party to the compact.

**Sec. 77. 20-A MRSA §11801, sub-§3**, as amended by PL 1983, c. 812, §111, is further amended to read:

**3. Advisory committee.** The Advisory Committee on Medical Education, established by Title 5, section ~~42004~~ 12004-I, subsection ~~40~~ 7, shall assist the commissioner in planning and administration of the professional health program and particularly in the development of clinical education sites and continuing education, which are funded primarily by sources other than patient charges.

**Sec. 78. 20-A MRSA §15704, sub-§1**, as amended by PL 1983, c. 812, §113, is further amended to read:

**1. Establishment.** The Maine School Building Authority, established by Title 5, section ~~42004~~ 12004-F, subsection 7, shall be a public instrumentality of the State. The exercise by the authority of the powers conferred by this chapter shall be the performance of essential governmental functions.

**Sec. 79. 22 MRSA §307, sub-§2-A**, as repealed and replaced by PL 1985, c. 737, Pt. A, §48, is amended to read:

**2-A. Certificate of Need Advisory Committee.** The Certificate of Need Advisory Committee, established by Title 5, section ~~42004~~ 12004-I, subsection ~~40~~ 38, and created within the Department of Human Services, shall participate with the department in the public hearing process.

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

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

(a) One member shall represent the hospitals.

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

(c) One member shall represent major 3rd-party payors.

(d) One member shall represent physicians.

In appointing these representatives, the Governor shall consider recommendations made by the Maine Hospital Association, the Maine Health Care Association, the Maine Medical Association, the Maine Osteopathic

Association and other representative organizations.

(2) Five public members shall be appointed as consumers of health care. One of these members shall be designated on an annual basis by the Governor as ~~chairman~~ chair of the committee. Neither the public members nor their spouses or children may, within 12 months preceding the appointment, have been affiliated with, employed by, or have had any professional affiliation with any health care facility or institution, health product manufacturer or corporation or insurer providing coverage for hospital or medical care, and provided that neither membership in or subscription to a service plan maintained by a nonprofit hospital and medical service organization, nor enrollment in a health maintenance organization, nor membership as a policyholder in a mutual insurer or coverage under such a policy, nor the purchase of or coverage under a policy issued by a stock insurer may disqualify a person from serving as a public member.

B. Appointed members of the committee shall serve for terms of 4 years. Members shall hold office until the appointment and confirmation of their successors. Of the members first appointed by the Governor, the member representing hospitals and 2 public members shall hold office for 4 years, the member from the nursing home industry and one public member shall hold office for 3 years, the member from the insurance field and one public member shall hold office for 2 years and the physician and one public member shall hold office for one year.

C. Vacancies among appointed members shall be filled by appointment by the Governor for the unexpired term. A vacancy in the office of the ~~chairman~~ chair shall be filled by the Governor, who shall designate a new ~~chairman~~ chair for the balance of the member's term as ~~chairman~~ chair. The Governor may remove any appointed member who becomes disqualified by virtue of the requirements of paragraph A, or for neglect of any duty required by law, or for incompetency or dishonorable conduct.

D. Each appointed member of the committee shall be compensated according to Title 5, chapter 379.

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

**Sec. 80. 22 MRSA §383, sub-§1**, as amended by PL 1983, c. 812, §116, is further amended to read:

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

A. The Maine Health Care Finance Commission shall function as an independent executive agency.

B. The commission shall be composed of 5 members, who shall be appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over health and institutional services and confirmation by the Legislature.

Persons eligible for appointment to, or to serve on, the commission shall be individuals conversant with the organization, delivery or financing of health care. At least 4 of the 5 members shall be consumers. At least one of the 5 members, whether or not a consumer member, shall be an individual who, within the 10 years preceding appointment, has had at least 5 years' experience as either a hospital trustee or a hospital official. For purposes of this section, "consumer" means a person who is neither affiliated with nor employed by any 3rd-party payor, any provider of health care, as defined in section 382, subsection 14, or any association representing these providers; provided that neither membership in nor subscription to a service plan maintained by a nonprofit hospital and medical service organization, nor enrollment in a health maintenance organization, nor membership as a policyholder in a mutual insurer or coverage under a policy issued by a stock insurer, nor service on a governmental advisory committee, nor employment by, or affiliation with, a municipality, may disqualify a person from serving as a consumer member of the commission.

C. The terms of the members shall be staggered. Of the initial appointees, 2 shall be appointed for terms of 4 years, 2 for terms of 3 years and one for a term of 2 years. Thereafter, all appointments shall be for a term of 4 years each, except that a member appointed to fill a vacancy in an unexpired term shall serve only for the remainder of that term. Members shall hold office until the appointment and confirmation of their successors. No member may be appointed to more than 2 consecutive 4-year terms.

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

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

**Sec. 81. 22 MRSA §396-P, sub-§1**, as amended by PL 1983, c. 812, §118, is further amended to read:

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

A. The commission shall appoint a Professional Advisory Committee, authorized by Title 5, section ~~12004-I~~, subsection 47, consisting of 2 allopathic physicians, 2 osteopathic physicians, 2 nurses and one hospital employee, other than a nurse or physician, directly involved in the provision of patient care. This committee shall advise the commission and its staff with respect to the effects of the health care financing system established under this subchapter on the quality of care provided by hospitals.

B. The commission shall appoint a Hospital Advisory Committee, authorized by Title 5, section ~~12004-I~~, subsection 45, consisting of 2 representatives of hospitals which have 55 or fewer beds, 2 representatives of hospitals which have 56 to 110 beds and 2 representatives of hospitals which have more than 110 beds. This committee shall advise the commission and its staff with respect to analytical techniques, data requirements, financial and other requirements of hospitals, and the effects of the health care financing system established under this subchapter on the hospitals of the State.

C. The commission shall appoint a Payor Advisory Committee, authorized by Title 5, ~~12004-I~~, subsection 46, consisting of one representative of nonprofit hospital and medical service corporations, one representative of commercial insurance companies, one representative of self-insured groups and one representative of the department. This committee shall advise the commission and its staff with respect to analytical techniques, data requirements and other technical matters involved in implementing and administering the health care financing system established under this subchapter.

**Sec. 82. 22 MRSA §1405, first ¶**, as enacted by PL 1987, c. 542, Pt. E, §§2 and 3, is amended to read:

The Cancer Prevention and Control Advisory Committee, established by Title 5, section ~~42004~~ ~~12004-I~~, subsection ~~40~~ 37, shall be appointed by the commissioner and shall consist of a committee of representatives to serve as an advisory body to the Department of Human Services on the operation of the Cancer Registry Program and on the development and maintenance of a coordinated statewide approach to cancer prevention and control.

**Sec. 83. 22 MRSA §1471-B, sub-§1**, as amended by PL 1987, c. 702, §2, is further amended to read:

**1. Board established.** The Board of Pesticides Control is established by Title 5, section ~~42004~~ ~~12004-D~~, subsection 5 3, within the Department of Agriculture, Food and Rural Resources. Except as provided in this chapter, the board shall be composed of 7 members, appointed by the Governor, subject to approval by the joint standing committee of the legislature having jurisdiction over the subject of agriculture and confirmation by the Legislature. To provide the knowledge and experience necessary for carrying out the duties of the board, one person shall be appointed who has practical experience and knowledge in chemical use in the

field of agriculture, one who has practical experience and knowledge in chemical use in the field of forest management, a commercial applicator, a person from the medical community, a scientist from the University of Maine System specializing in agronomy or entomology having practical experience and knowledge of integrated pest management and 2 persons appointed to represent the public. The 2 members appointed to represent the public shall be selected to represent different geographic areas of the State. The term shall be for 4 years, except that of the initial appointees, 2 shall serve 4-year terms, 2 shall serve 3-year terms, 2 shall serve 2-year terms and one shall serve a one-year term. Any vacancy shall be filled by an appointment for the remainder of the unexpired term.

**Sec. 84. 22 MRSA §1693**, as amended by PL 1983, c. 812, §121, is further amended to read:

**§1693. Environmental Health Advisory Committee**

The commissioner shall appoint a committee of representatives of the public and private sectors to be known as the Environmental Health Advisory Committee to serve as an advisory body to the Environmental Health Program, as authorized by Title 5, section ~~42004~~ ~~12004-I~~, subsection ~~40~~ 43. The committee shall advise, assist and consult with the commissioner regarding the public health implications of hazardous elements in the environment. The committee may make recommendations to the commissioner, concerning the steps which should be taken to make for a healthful environment. The committee shall be solely advisory in nature. It shall be composed of not less than 11 members, of whom 3 shall be public members. The members shall serve for 3-year terms, except that initially 4 shall be appointed for 3 years, 4 for 2 years and 3 for one year. The members shall include individuals with training and experience in any of the following, or related fields: Environmental medicine; epidemiology; toxicology; human genetics; or biomedical research. The commissioner shall appoint the ~~chairman~~ chair of the committee. Members of the committee shall be compensated according to the provisions of Title 5, chapter 379. The committee shall meet at least once annually in August.

**Sec. 85. 22 MRSA §1693-A, sub-§1**, as amended by PL 1983, c. 862, §69, is further amended to read:

**1. Created.** The department shall establish a 7-member Scientific Advisory Panel as authorized by Title 5, section ~~42004~~ ~~12004-I~~, subsection ~~40~~ 44 within the Bureau of Health. The commissioner shall appoint members of the panel from academic, medical, industrial or governmental occupations, who shall serve for 3-year terms, except that initially 3 members shall be appointed for 3 years, 2 members for 2 years and 2 members for one year. The commissioner shall consult with the Commissioner of Environmental Protection and may consult with other departments on the selection of panel members. Each member shall have professional expertise in a scientific discipline directly related to the study of health effects of hazardous pollutants, such as: Epidemiology, toxicology, genetic toxicology, biostatistics, oncology, respiratory medicine, industrial hygiene, occupational medicine and atmospheric chemistry. The commis-

sioner shall determine the term of each appointee with the restrictions provided by this section. The commissioner shall appoint the ~~chairman~~ chair of the panel who shall ~~serve~~ serve for a one-year term.

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

**Sec. 86. 22 MRSA §1693-A, sub-§2**, as amended by PL 1983, c. 862, §70, is further amended to read:

**2. Purpose and duties.** The purpose of this section is to establish a Scientific Advisory Panel as authorized by Title 5, section ~~42004~~ 12004-I, subsection ~~40~~ 44 within the Department of Human Services, Bureau of Health, which provides professional scientific peer review and advice in order to assist the Environmental Health Unit in carrying out its responsibilities in the Hazardous Air Pollution Program and other related duties regarding the public health impact of chemical hazards in the environment.

The panel may review and evaluate potential health risks associated with pollutants other than those in the air. Requests for such a review shall be made to the Director of the Bureau of Health. If the director determines that the request is justified, the request shall be forwarded to the panel. The director may assess any reasonable costs to the party making the request.

**Sec. 87. 22 MRSA §1696-H, sub-§1**, as enacted by PL 1987, c. 763, §2, is amended to read:

**1. Commission established.** The State Emergency Response Commission, as established by Title 5, section ~~42004~~ 12004-G, subsection 13-A, shall be responsible for overseeing the implementation of a comprehensive program of planning and training for effective emergency response to releases of hazardous chemicals. The commission is composed of 9 to 11 members as follows:

- A. The Commissioner of Environmental Protection or the commissioner's designee;
- B. The Commissioner of Human Services or the commissioner's designee;
- C. The Director of the Division of Disease Control, Department of Human Services;
- D. The Commissioner of Transportation or the commissioner's designee;
- E. The Director of the Maine Emergency Management Agency, who shall serve as ~~chairman~~ chair;
- F. The Chief of the State Police;
- G. A representative, appointed by the Governor, of the Maine Fire Chiefs Association;
- H. A representative, appointed by the Governor, of municipal government; and

I. A representative, appointed by the Governor, of private commerce and industry.

The Governor may appoint up to 2 additional members to represent the general public. All members appointed by the Governor to serve on the commission shall serve for a term of 4 years.

**Sec. 88. 22 MRSA §2026, first ¶**, as amended by PL 1987, c. 211, §9, is further amended to read:

The Maine Medical Laboratory Commission, established by Title 5, section ~~42004~~ 12004-G, subsection 8 18, shall consist of 11 members who are residents of the State. The commissioner of the department or a person appointed by ~~him~~ the commissioner shall be a member and is hereby designated and shall serve as the ~~chairman~~ chair. The Maine Osteopathic Association and the Maine Medical Association shall each nominate one person, which nominees shall be appointed to the commission by the Governor. The remaining 8 members shall be appointed by the Governor and 3 of these members shall be certified by the American Board of Pathology and one member shall be certified by the American Osteopathic Board of Pathology. If persons possessing such qualifications are unavailable or unable to serve, the Governor may substitute any allopathic physician licensed in the State in lieu of an individual certified by the American Board of Pathology and any osteopathic physician licensed by the State in lieu of the individual certified by the American Osteopathic Board of Pathology. Three members shall be public members who shall not derive any significant part of their income from the medical care industry. The remaining member shall be a technologist as defined in 42 Code of Federal Regulations, Chapter IV, Part 405.1315, Subpart M.

**Sec. 89. 22 MRSA §2096**, as repealed and replaced by PL 1983, c. 812, §126, is amended to read:

**§2096. Council**

The Maine Dental Health Council, established by Title 5, section ~~42004~~ 12004-I, subsection ~~40~~ 41, is created within the Department of Human Services.

**Sec. 90. 22 MRSA §3723, sub-§1**, as enacted by PL 1987, c. 402, Pt. A, §142, is amended to read:

**1. Establishment.** The Board of the Maine Children's Trust Fund is established pursuant to Title 5, section ~~42004~~ 12004-G, subsection 8 16.

**Sec. 91. 22 MRSA §3773, sub-§1**, as repealed and replaced by PL 1985, c. 737, Pt. A, §54, is amended to read:

**1. Committee established.** The Maine Aid to Families with Dependent Children Coordinating Committee established by Title 5, section ~~42004~~ 12004-I, subsection ~~40~~ 35, shall consist of the Commissioner of Human Services, the Commissioner of Labor and the Commissioner of Educational and Cultural Services or their designees.

**Sec. 92. 22 MRSA §3773, sub-§3, ¶C**, as repealed and replaced by PL 1985, c. 737, Pt. A, §55, is amended to read:

C. Establishment of ~~an advisory council~~ the Advisory Council to Maine Aid to Families with Dependent Children Coordinating Committee, authorized by Title 5, section ~~42004 12004-I~~, subsection ~~40 36~~;

**Sec. 93. 22 MRSA §5313, sub-§1**, as amended by PL 1983, c. 812, §134, is further amended to read:

**1. Council established.** There shall be within State Government the Maine Human Services Council, as established by Title 5, section ~~42004 12004-J~~, subsection ~~44 3~~. The council shall be an independent board, separate and distinct from any other organizational unit of State Government.

**Sec. 94. 22 MRSA §7107**, as amended by PL 1983, c. 812, §136, 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, established by Title 5, section ~~42004 12004-I~~, subsection ~~40 39~~, 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. 95. 22 MRSA §7207, sub-§1**, as amended by PL 1987, c. 773, §§11 and 12, is further amended to read:

**1. The Driver Education Evaluation Program Appeals Board.** The Driver Education Evaluation Program Appeals Board, established by Title 5, section ~~42004 12004-G~~, subsection ~~8 15-A~~, shall be referred to as the "board" in this chapter.

**Sec. 96. Repeal date.** The Maine Revised Statutes, Title 22, section 7207, as amended by this Act, is repealed on August 1, 1990.

**Sec. 97. 22 MRSA §8154**, as repealed and replaced by PL 1987, c. 432, §3, is amended to read:

**§8154. Residential Treatment Centers Advisory Group**

The Residential Treatment Centers Advisory Group, as established by Title 5, section ~~42004 12004-I~~, subsection

~~40 65~~, shall consist of a representative from each residential treatment center and 2 members who represent community mental health services. Additional members may be added at the request of the Children's Residential Treatment Committee. All members shall be selected annually by July 1st by the committee. The committee shall meet with the advisory group at least 4 times each year to review rate and placement policies and procedures.

**Sec. 98. 23 MRSA §152, first ¶**, as repealed and replaced by PL 1987, c. 395, Pt. A, §92, is amended to read:

The State Claims Commission, established by Title 5, section ~~42004 12004-B~~, subsection ~~2 5~~, shall consist of 5 members. Four of 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~~ chair. The members of the commission 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~~ that successor takes, subject to removal as provided in this section.

**Sec. 99. 23 MRSA §1904, sub-§1**, as amended by PL 1983, c. 812, §140, is further amended to read:

**1. Creation.** The Travel Information Advisory Council, established by Title 5, section ~~42004 12004-I~~, subsection ~~40 86~~, shall advise the commissioner with respect to the administration of this chapter. The commissioner shall cooperate with the council by providing necessary assistance.

**Sec. 100. 23 MRSA §1965, sub-§1**, as amended by PL 1987, c. 793, Pt. A, §7, is further amended to read:

**1. Powers.** The Maine Turnpike Authority, as created by Private and Special Law 1941, chapter 69 and as authorized by Title 5, section ~~42004 12004-F~~, subsection ~~7 4~~, 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 beyond 3 lanes for each direction of travel from Exit 1 to and including Exit 6A and beyond 2 lanes for each direction of travel elsewhere on the turnpike 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 lim-

ited 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 \$8,700,000 subject to the limitations in section 1961 as the department shall request and the authority shall determine pursuant to section 1974, subsection 4, to be necessary for the use of the department each year for the construction, operation and maintenance of access roads and costs related thereto, after money has 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;

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 the amount set forth in section 1968, subsection 1;

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. 101. 23 MRSA §4261**, as enacted by PL 1987, c. 769, Pt. A, §86, is amended to read:

**§4261. Commission**

The Maine Transportation Capital Improvement Planning Commission, as established in Title 5, section ~~2004~~ 12004-I, subsection ~~40~~ 85, shall be within the Department of Transportation.

**Sec. 102. 23 MRSA §4301**, as amended by PL 1983, c. 812, §145, is further amended to read:



**§4301. Board established**

The Maine State Ferry Advisory Board, established by Title 5, section ~~42004~~ 12004-I, subsection ~~40~~ 82, and in this section called "the board," shall be a board within the Department of Transportation.

**Sec. 103. 23 MRSA §4420**, as amended by PL 1983, c. 812, §146, is further amended to read:

**§4420. Purpose**

The Maine Port Authority, as established by Title 5, section ~~42004~~ 12004-F, subsection ~~7~~ 8, 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. 104. 24 MRSA §2325-B, sub-§1**, as enacted by PL 1987, c. 480, §3, is amended to read:

**1. Appointment; membership.** The Mandated Benefits Advisory Commission, as established by Title 5, section ~~42004~~ 12004-I, subsection ~~40~~ 50, shall be comprised of 11 members to be appointed by the Governor within 90 days of the effective date of this legislation. The Governor shall notify the President of the Senate, the Speaker of the House of Representatives and the Executive Director of the Legislative Council of the appointment as soon as they are made.

The membership shall include the following:

- A. Two health insurance consumers who are not otherwise affiliated with the provision or financing of health care;
- B. One representative of a labor organization;
- C. One representative of a commercial health insurance company;
- D. One representative of a nonprofit hospital or medical service organization;
- E. One representative of a licensed alcohol and substance abuse treatment program;
- F. One representative of a licensed mental health treatment program;
- G. One representative of small business;
- H. One representative of a major industry and business trade association;
- I. One physician; and
- J. One representative of the hospital industry.

**Sec. 105. 25 MRSA §2801, first ¶**, as amended by PL 1983, c. 812, §151, 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," as authorized by Title 5, section ~~42004~~ 12004-C, subsection ~~8~~ 5, which shall be established at some convenient and suitable place in the Augusta area.

**Sec. 106. 25 MRSA §2902, sub-§4**, as repealed and replaced by PL 1987, c. 769, Pt. A, §104 and Pt. B, §6, is amended to read:

**4. Maine Highway Safety Commission.** The Maine Highway Safety Commission, as authorized by Title 5, section ~~42004~~ 12004-I, subsection ~~40~~ 83, shall be under the direction of the Commissioner of Public Safety and advisory to the Governor. The commission 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 Commissioner of Public Safety, the Commissioner of Transportation, the Commissioner of Human Services and the Commissioner of Educational and Cultural Services, the Secretary of State and the Attorney General shall serve as ex officio members. The ex officio members shall appoint persons in major policy-influencing positions as their designees to represent them at meetings of the commission with voting privileges. The commission members shall serve at the pleasure of the Governor and shall be compensated in accordance with Title 5, chapter 379. The commission shall stimulate active support for highway safety measures and programs and shall advise the Department of Public Safety regarding these issues. The commission shall annually report its findings and recommendations, including any necessary implementing legislation, to the Governor and to the joint standing committee of the Legislature having jurisdiction over state and local government; and

**Sec. 107. 25 MRSA §2925, first ¶**, as enacted by PL 1987, c. 840, §3, is amended to read:

Beginning January 1, 1989, the E-9-1-1 Advisory Committee, established in Title 5, section ~~42004~~ 12004-I, subsection 74-A, shall advise and assist the department in the implementation of the E-9-1-1 system.

**Sec. 108. 26 MRSA §171**, as amended by PL 1983, c. 812, §155, is further amended to read:

**§171. Board of Boiler Rules**

The board of appeals, heretofore created, shall be known as the "Board of Boiler Rules," as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 7, 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~~ chair of the board. The board shall meet at least twice yearly at the State Capitol or other place designated by the board.

**Sec. 109. 26 MRSA §968, sub-§1**, as amended by PL 1983, c. 812, §162, is further amended to read:

**1. Maine Labor Relations Board.** The Maine Labor Relations Board established by Title 5, section ~~42004~~ 12004-B, subsection ~~4~~ 2, shall consist of 3 members and 6 alternates to be appointed by the Governor, subject to review by the ~~Joint Standing Committee on Labor~~ joint standing committee of the Legislature having jurisdiction over labor matters 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~~ chair and the alternate representing the public shall be an alternate ~~chairman~~ chair. Members of the board shall be compensated according to the provisions of Title 5, chapter 379. The alternates shall be 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. 110. 26 MRSA §1002, first ¶**, as amended by PL 1983, c. 812, §163, is further amended to read:

The State Apprenticeship and Training Council, as established by Title 5, section ~~42004~~ 12004-G, subsection 8 25, 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~~ a successor is appointed and qualified, and any vacancy shall be filled by appointment for the unexpired portion of the term. The ~~chairman~~ chair and secretary of the

council shall be named by the members of the council and the ~~chairman~~ chair 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 be compensated according to the provisions of Title 5, chapter 379.

**Sec. 111. 26 MRSA §1082, sub-§5**, as amended by PL 1983, c. 812, §164, is further amended to read:

**5. Advisory council.** The Commissioner of Labor shall appoint a state advisory council, as established by Title 5, section ~~42004~~ 12004-I, subsection ~~40~~ 53, 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~~ The 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 according to the provisions of Title 5, chapter 379.

**Sec. 112. 26 MRSA §1604, sub-§1**, as amended by PL 1983, c. 812, §166, is further amended to read:

**1. Membership.** The Displaced Homemakers Advisory Council, established by Title 5, section ~~42004~~ 12004-I, subsection ~~40~~ 54, and 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~~ chair.

**Sec. 113. 27 MRSA §82**, as amended by PL 1983, c. 812, §167, is further amended to read:

**§82. Maine State Museum Commission**

The Governor shall appoint a Maine State Museum Commission, as established by Title 5, section ~~42004~~ 12004-G, subsection 8 10, 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~~ the appointment and thereafter until ~~his~~ a successor is appointed and qualified. In case of the termination of a member's service during ~~his~~ the term, the Governor shall appoint a successor for the unexpired

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

**Sec. 114. 27 MRSA §111, sub-§1**, as amended by PL 1983, c. 812, §168, 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 ~~42004~~ 12004-I, subsection ~~40~~ 14. 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~~ a 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~~ may 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~~ chair 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 be compensated according to the provisions of Title 5, chapter 379.

**Sec. 115. 27 MRSA §401**, as amended by PL 1985, c. 763, Pt. A, §81, is further amended to read:

#### §401. Commission

A state commission, to be known as the "Maine Arts Commission," as established by Title 5, section ~~42004~~ 12004-G, subsection ~~40~~ 2, shall consist of not less than 15 nor more than 21 members, each of whom shall have a continuing interest in the fields of art and culture in the State, to be appointed by the Governor from among citizens of Maine. 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. 116. 27 MRSA §501**, as amended by PL 1983, c. 812, §171, is further 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, the Maine Historic Preservation Commission, as established by Title 5, section ~~42004~~ 12004-I, subsection ~~40~~ 13, shall work to implement this policy.

**Sec. 117. 28-A MRSA §51, sub-§1**, as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

**1. Administration by commission.** The State Liquor Commission, as established by Title 5, section ~~42004~~ 12004-E, subsection ~~6~~ 3, shall administer the state liquor laws.

**Sec. 118. 32 MRSA §59**, as enacted by PL 1985, c. 297, is amended to read:

#### §59. Temporary licenses

If a person holds a valid license issued by an occupational or professional licensing board established in Title 5, section ~~42004~~, ~~subsection 1~~, ~~paragraph A~~ 12004-A, at the time of ~~his~~ initial enlistment in the United States Armed Forces and the license lapses during the licensee's initial enlistment, that person may obtain a temporary license if ~~he~~ that person meets all requirements for issuance of that license except examination by payment of a \$5 fee, provided that ~~his~~ the application for the temporary license is made not later than 90 days after the date of ~~his~~ discharge. This temporary license shall continue in force until the results of the next licensing examination are available. The terms of this section shall apply notwithstanding any contrary provision contained in the statutes governing these licensing boards.

**Sec. 119. 32 MRSA §63-A, sub-§1**, as enacted by PL 1985, c. 233, §6, is amended to read:

**1. Membership.** The Nursing Home Administrators Licensing Board, as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~, ~~paragraph A~~, ~~subparagraph (22)~~ 23, shall consist of 7 members appointed by the Governor. The members shall be citizens of the United States and residents of this State. One member shall be a hospital administrator with not less than 5 years of active practice in the State as a hospital administrator. One member shall be a registered nurse with not less than 5 years of active practice in nursing homes in the State. Two members shall be ~~a representative~~ representatives of the public. Three members shall be administrators of nursing homes with not less than 5 years of active experience in the State.

**Sec. 120. 32 MRSA §88, first ¶**, as amended by PL 1985, c. 730, §§12 and 16, is further amended to read:

The Emergency Medical Services' Board, as established by Title 5, section ~~42004~~ 12004-A, subsection ~~40~~ 15, shall be responsible for the emergency medical services' program.

**Sec. 121. 32 MRSA §211, first ¶**, as amended by PL 1987, c. 395, Pt. A, §108, is further amended to read:

The Maine State Board for Licensure of Architects and Landscape Architects, as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 4, shall administer this chapter. The board shall consist of 8 members appointed by the Governor, of which 5 shall be licensed 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. 122. 32 MRSA §271, first ¶**, as repealed and replaced by PL 1985, c. 748, §30, is amended to read:

The Board of Licensing of Auctioneers, as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 5, shall be composed of 3 members, 2 of whom shall be auctioneers and one of whom shall be a public member. Members shall be compensated according to Title 5, chapter 379.

**Sec. 123. 32 MRSA §351, sub-§1**, as amended by PL 1987, c. 395, Pt. A, §127, is further amended to read:

**1. Membership.** The State Board of Barbers, as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 6, and in this chapter designated as the "board," shall consist of 4 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 4 members of the board shall be appointed by the Governor and their terms shall be for 3 years. None of them ~~shall~~ may be eligible to serve more than 3 consecutive 3-year terms. The barber members shall at all times be licensed 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 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. 124. 32 MRSA §501**, as amended by PL 1983, c. 812, §198, is further amended to read:

**§501. Membership; qualifications; term; removal**

The Board of Chiropractic Examination and Registration, as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 8, 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~~ that person fills. Any member of said board may be removed from office for cause by the Governor.

**Sec. 125. 32 MRSA §1151, first ¶**, as amended by PL 1987, c. 735, §50, is further amended to read:

The Electricians' Examining Board, as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 13, and in this chapter called the "board," shall consist of 6 members appointed by the Governor, called the "appointive members," and the Commissioner of Professional and Financial Regulation or a representative appointed by the commissioner.

**Sec. 126. 32 MRSA §1301, first ¶**, as amended by PL 1983, c. 812, §204, is further amended to read:

The State Board of Registration for Professional Engineers, as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 16, 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. 127. 32 MRSA §1451, first ¶**, as amended by PL 1983, c. 812, §206, is further amended to read:

The State Board of Funeral Service, as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 18, 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' experience 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~~ that member shall serve until ~~his~~ a 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.

**Sec. 128. 32 MRSA §1601, sub-§1**, as amended by PL 1987, c. 395, Pt. A, §150, is further amended to read:

**1. Membership.** The State Board of Cosmetology, as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 2, 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 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~~ that member shall serve until ~~his~~ a 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 actively 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. 129. 32 MRSA §1658, sub-§1**, as amended by PL 1983, c. 812, §209, is further amended to read:

**1. Board.** "Board" means the Board of Hearing Aid Dealers and Fitters, as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 20.

**Sec. 130. 32 MRSA §1660-A, sub-§1**, as amended by PL 1983, c. 812, §210, is further amended to read:

**1. Board.** The Board of Hearing Aid Dealers and Fitters is established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 20.

**Sec. 131. 32 MRSA §1671, first ¶**, as amended by PL 1983, c. 812, §212, is further amended to read:

The State Board of Registration for Land Surveyors, as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 21, 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. 132. 32 MRSA §2001, first ¶**, as amended by PL 1987, c. 735, §60, is further amended to read:

The Arborist Examining Board, as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 2, within the Department of Professional and Financial Regulation and called "the board," shall administer this chapter and shall consist of 6 members. The Governor shall appoint 6 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 appointment; one member shall be a plant pathologist who is either on the state or University of Maine System staff and part of whose work is concerned with trees; one member shall be a representative of the public; one member, whose work is concerned partially with urban forestry, shall be appointed from the Bureau of Forestry; and one member, whose work is partially concerned with state registration of pesticides, shall be appointed from the Department of Agriculture, Food and Rural Resources.

**Sec. 133. 32 MRSA §2151**, as amended by PL 1987, c. 195, §6, is further amended to read:

**§2151. Appointment; term; removal**

A State Board of Nursing, as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 25, shall consist of 9 members who shall be appointed by the Governor. Five members of the board shall be professional nurses. Two members shall be licensed practical nurses. One of the nurse members of the board must be a nurse who is currently practicing long-term care nursing. Two members shall be representatives 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 vacancy on the board shall be filled for the unexpired term by the appointment of another member by the Governor. Any members of the board may be removed from office for cause by the Governor.

**Sec. 134. 32 MRSA §2273, sub-§1**, as amended by PL 1983, c. 862, §76, is further amended to read:

**1. Establishment and membership.** There is established with within the Department of ~~Business—Occupational and Professional and Financial~~ Regulation, in accordance with Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 26, a Board of Occupational Therapy Practice. The board shall consist of 5 members appointed by the Governor. The persons appointed to the board, other than the public member, must have been engaged in rendering occupational therapy services to the public, teaching or research in occupational therapy for at least 2 years immediately preceding their appointments. At least 3 board members shall be occupational therapists. The 4th member shall be either an occupational therapist or an occupational therapy assistant, if available. These members shall at all times be holders of valid licenses for the practice of occupational therapy in the State, except for the members of the first board, all of whom

shall fulfill the requirements for licensure of this chapter. The remaining member shall be a representative of the public.

**Sec. 135. 32 MRSA §2351, first ¶**, as amended by PL 1987, c. 395, Pt. A, §169, is further amended to read:

An Oil and Solid Fuel Board, as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 27, and in this chapter called the "board," shall consist of the Commissioner of Professional and Financial 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. 136. 32 MRSA §2415**, as amended by PL 1983, c. 812, §220, is further amended to read:

**§2415. Appointment; tenure; vacancies; removal**

The State Board of Optometry, as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 28, and 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~~ a 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~~ is filled. Any member of said board may be removed from office for cause by the Governor. The board shall have a common seal.

**Sec. 137. 32 MRSA §2561**, as amended by PL 1983, c. 812, §222, is further amended to read:

**§2561. Membership; qualifications; tenure; vacancies**

The Board of Osteopathic Examination and Registration, as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 29, 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~~ is filled 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. 138. 32 MRSA §3112, first ¶**, as repealed and replaced by PL 1983, c. 812, §226, is amended to read:

The Board of Examiners in Physical Therapy, as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 31, and within the Department of ~~Business, Occupational and Professional and Financial~~ Regulation, shall consist of 2 physical therapists, one physical therapist assistant, one physician and one public member.

**Sec. 139. 32 MRSA §3263, first ¶**, as amended by PL 1983, c. 812, §228, is further amended to read:

The Board of Registration in Medicine, as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 24, 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~~ is filled, 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.

**Sec. 140. 32 MRSA §3401, first ¶**, as repealed and replaced by PL 1987, c. 597, §9, is amended to read:

A Plumbers' Examining Board, as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 32, shall consist of 5 members, who shall be appointed by the Governor. One of the members shall be a representative of the public, 2 shall be master plumbers as defined in section 3301, and 2 shall be journeyman plumbers as defined in section 3301, both of whom have been engaged in the business of plumbing for at least 2 years.

**Sec. 141. 32 MRSA §3601**, as amended by PL 1983, c. 812, §230, is further amended to read:

**§3601. Appointment**

The Board of Examiners of Podiatrists, as established in Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 33, and in this chapter called the "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 members shall be chosen by a majority of the members to act as ~~chairman~~ chair of the board for a term of 2 years and the secretary-treasurer of the Board of

Registration in Medicine shall act as secretary-treasurer of the 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. 142. 32 MRSA §3821**, as amended by PL 1985, c. 481, Pt. A, §57, is further amended to read:

**§3821. Membership; terms; vacancies**

The State Board of Examiners of Psychologists, as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 34, and called the "board," shall consist of 9 members who shall be appointed by the Governor to serve a term of 3 years. Two members of the board shall be representatives of the public. Seven members of the board shall be licensed psychologists or psychological examiners with at least one member licensed as a psychological examiner. These 7 members shall be representative of the field of psychology insofar as possible. 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~~ being replaced. No person may be eligible to serve more than 2 full consecutive terms at any one time. Upon expiration of a member's term, ~~he that member~~ shall serve until ~~his~~ a successor is qualified and appointed. The successor's term shall be 3 years from the date of that expiration, regardless of the date of ~~his~~ appointment. Prior to the filling of any vacancies of professional or public members, the Governor shall solicit recommendations. A board member may be removed by the Governor for cause.

**Sec. 143. 32 MRSA §4152, first ¶**, as amended by PL 1983, c. 812, §240, is further amended to read:

The Maine Sardine Council, as established by Title 5, section ~~42004~~ 12004-H, subsection 9 ~~8~~, shall meet with the commissioner at regular intervals to be determined by it and more often if called by the commissioner.

**Sec. 144. 32 MRSA §4854**, as amended by PL 1985, c. 748, §42, is further amended to read:

**§4854. Board of Veterinary Medicine**

The State Board of Veterinary Medicine, as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 42, within the Department of Professional and Financial Regulation, shall consist of 6 members, appointed by the Commissioner of Professional and Financial Regulation, 5 of whom shall be licensed Maine ~~Veterinarians~~ 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 Asso-

ciation 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 may serve 2 consecutive 5-year terms, but a person appointed for a term of less than 5 years may ~~succeed himself~~ serve a successive term. 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. 145. 32 MRSA §4907, first ¶**, as amended by PL 1987, c. 395, Pt. A, §175, is further amended to read:

The State Board of Certification for Geologists and Soil Scientists as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 19, shall administer this chapter and its office shall be within the Department of Professional and Financial 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~~ the State Geologist's designee, who shall be a geologist employed in State Government, ex officio. No person, except the representative of the public, may be eligible for appointment to the board unless certified under this chapter.

**Sec. 146. 32 MRSA §5004**, as amended by PL 1987, c. 395, Pt. A, §182, is further amended to read:

**§5004. State Board of Licensure**

A State Board of Licensure for Professional Foresters within the Department of Professional and Financial Regulation, as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 17, 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 that member~~ shall serve until ~~his~~ a 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. 147. 32 MRSA §6010, first ¶**, as amended by PL 1983, c. 812, §247, is further amended to read:

The Board of Examiners on Speech Pathology and Audiology, as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 39, 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~~ otolaryngology and of 2 representatives of the public.

**Sec. 148. 32 MRSA §6201**, as amended by PL 1987, c. 395, Pt. A, §192, is further amended to read:

**§6201. State Board of Substance Abuse Counselors**

The State Board of Substance Abuse Counselors within the Department of Professional and Financial Regulation as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 41, shall carry out the purposes of this chapter.

**Sec. 149. 32 MRSA §6208-A, sub-§1**, as amended by PL 1987, c. 395, Pt. A, §200, is further amended to read:

**1. Membership.** The State Board of Substance Abuse Counselors, as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 41, shall consist of 9 members appointed by the Governor. Seven members shall be licensed, certified or registered substance abuse counselors. Two members shall be nonproviders, one of whom shall be a consumer of substance abuse services.

**Sec. 150. 32 MRSA §7026, first ¶**, as amended by PL 1987, c. 395, Pt. B, §12, is further amended to read:

The State Board of Social Worker Licensure, as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 38, and within the Department of Professional and Financial Regulation, shall administer this chapter. The board shall consist of 7 members appointed by the Governor. Three members of the board shall be licensed clinical social workers, licensed master social workers or certified social workers - independent practice, at least one of whom must be practicing social work in a nonclinical setting; 2 shall be licensed social workers; and there shall be 2 public members. Each level of licensure shall be represented on the board. In addition, board members shall meet the qualifications required under section 7027.

**Sec. 151. 32 MRSA §9552, first ¶**, as amended by PL 1983, c. 812, §254, is further amended to read:

The Board of Commercial Driver Education, as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 12, 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~~ that director's 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. 152. 32 MRSA §9703, sub-§§1 and 4**, as enacted by PL 1985, c. 288, §3, are amended to read:

**1. Establishment and membership.** There is established within the Department of ~~Business, Occupational and Professional and Financial Regulation~~, in accordance with Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 35, a Board of Respiratory Care Practitioners. The board shall consist of 5 members appointed by the Governor as follows:

A. Three respiratory care practitioners who have been engaged in the practice of respiratory care for at least 2 years immediately preceding their appointments and who shall be at all times holders of valid licenses for the practice of respiratory care in the State, except for the members of the first board, each of whom shall fulfill the requirements for licensure of this chapter; and

B. Two public members who are residents of the State; who do not hold a license to practice respiratory care; and who have no direct or indirect financial interest in the practice or delivery of respiratory care.

**4. Compensation.** Members of the board shall receive compensation and expenses as provided in Title 5, section ~~42004~~ 12004-A, subsection ~~4~~, ~~paragraph A~~ 35.

**Sec. 153. 32 MRSA §12201, sub-§1**, as enacted by PL 1987, c. 489, §2, is amended to read:

**1. Board.** "Board" means the Board of Accountancy established under Title 5, section ~~42004~~ 12004-A, subsection 1, or its predecessor under prior law.

**Sec. 154. 32 MRSA §12213**, as enacted by PL 1987, c. 489, §2, is amended to read:

**§12213. Appointment**

The Board of Accountancy, as established by Title 5, section ~~42004~~ 12004-A, subsection 1, shall be within the Department of Professional and Financial Regulation. The board shall consist of 5 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 holders of certificates issued under section ~~42252~~ 12227 and of currently valid permits issued under section 12251 and



shall have had, as their principal occupation, active practice as certified public accountants for at least the 5 preceding years. One member shall hold a certificate issued under section ~~42273~~ 12239, currently valid permit issued under section 12251 and shall have had, as ~~his~~ a principal occupation, 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 and the term of one member, other than the member registered under section ~~42273~~ 12239 and the public member's term, 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~~ a member's term of office, ~~a~~ that member shall continue to serve until ~~his~~ a successor has been appointed and has qualified and the successor's term shall be 3 years from the date of the expiration, regardless of the date of ~~his~~ 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 any member of the board for cause.

**Sec. 155. 32 MRSA §12401**, as enacted by PL 1987, c. 488, §3, is amended to read:

**§12401. Acupuncture Licensing Board**

The Acupuncture Licensing Board within the Department of Professional and Financial Regulation as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 3, shall carry out the purposes of this chapter.

**Sec. 156. 32 MRSA §13062, sub-§1**, as enacted by PL 1987, c. 395, Pt. A, §212, is amended to read:

**1. Real Estate Commission composition.** The Real Estate Commission, established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 37, shall be referred to in this chapter as the "commission." The commission shall consist of 4 industry members and one public member.

**Sec. 157. 32 MRSA §13501, first ¶**, as enacted by PL 1987, c. 395, Pt. A, §212, is amended to read:

The Maine Athletic Commission, established by Title 5, section ~~42004~~ 12004-A, subsection ~~4~~ 44, and in this chapter called "the commission," shall consist of 5 members appointed by the Commissioner of Professional and Financial Regulation, with the advice and consent of the Governor. No member may receive any compensation or remuneration for promoting, competing or otherwise engaging in boxing, wrestling or kick-boxing. Each member of the commission shall be compensated as provided in Title 5, chapter 379.

**Sec. 158. 34-A MRSA §1204, first ¶**, as amended by PL 1983, c. 812, §256, is further amended to read:

The Maine Correctional Advisory Commission, as established by Title 5, section ~~42004~~ 12004-I, subsection ~~4~~ 4, is within the department.

**Sec. 159. 34-A MRSA §3002, sub-§1**, as amended by PL 1983, c. 812, §258, is further 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 ~~42004~~ 12004-I, subsection ~~4~~ 5.

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

**Sec. 160. 34-A MRSA §5201**, as amended by PL 1983, c. 812, §259, is further amended to read:

**§5201. Establishment**

There is established, by Title 5, section ~~42004~~ 12004-G, subsection ~~8~~ 7, within the Department of Corrections, a State Parole Board consisting of 5 members.

**Sec. 161. 34-B MRSA §1209-A, sub-§1**, as enacted by PL 1985, c. 645, §3, is amended to read:

**1. Establishment.** The Mental Health Rights Advisory Board as established pursuant to Title 5, section ~~42004~~ 12004-I, subsection ~~4~~ 63, shall consist of 11 members as follows:

A. Six persons who are consumers of mental health services, including clients, at least 3 of whom have received services from a state institution or a community mental health agency, and their families; and

B. Five persons concerned with the quality of the delivery of mental health services, at least 4 of whom are providers of services in a hospital pursuant to subchapter IV or in a program or facility administered or licensed by the department under section 3606.

Members shall be appointed by the commissioner for staggered terms not to exceed 2 years.

At least 3 nominations to the commissioner shall be made by majority vote of the board 30 days before the expiration of a member's term. If the initial nominations are unacceptable, the board shall submit 3 alternative nominations. If a member's term expires and the commissioner has not appointed a successor, the member may be reelected by majority vote to continue as a member until the commissioner appoints a successor.

**Sec. 162. 34-B MRSA §1211, sub-§1**, as amended by PL 1983, c. 812, §264, is further amended to read:

1. **Establishment.** The Governor shall establish a State Planning and Advisory Council on Developmental Disabilities, as authorized by Title 5, section ~~42004~~ 12004-I, subsection ~~40~~ 66.

**Sec. 163. 34-B MRSA §3901, sub-§1**, as enacted by PL 1987, c. 887, §8, is amended to read:

1. **Establishment.** In order to monitor and evaluate the efficacy and timely implementation of community and institutional reform programs designed to improve opportunities for persons with mental illness in the State, to promote and monitor advocacy programs for persons with mental illness and to review and assess the development and implementation of standards of care and treatment for persons with mental illness, there is established pursuant to Title 5, section 12004-J, subsection 7 an independent commission to be known as the Maine Commission on Mental Health, hereinafter referred to in this chapter as the "commission."

**Sec. 164. 34-B MRSA §6241, sub-§1**, as enacted by PL 1985, c. 503, §12, is amended to read:

1. **Composition.** The Maine Advisory Committee on Children with Special Needs, as established by Title 5, section ~~42004~~ 12004-I, subsection ~~40~~ 59, shall be constituted as follows.

A. The committee shall consist of 15 members appointed by the Governor. In making the appointments, the Governor shall give due consideration to including parents or relatives of children in need of treatment, providers of services to these children and representatives of state agencies concerned with children.

B. The Governor shall designate one member as ~~chairman~~ chair of the committee.

C. Members of the committee shall serve for terms of 3 years, except that:

(1) Of the members first appointed, 1/3 shall be appointed for terms of 3 years, 1/3 for terms of 2 years and 1/3 for terms of one year; and

(2) Any member appointed to fill a vacancy occurring prior to the expiration of the term for which ~~his~~ that member's predecessor was appointed shall be appointed only for the remainder of the term.

**Sec. 165. 36 MRSA §271, sub-§1**, as enacted by PL 1985, c. 764, §8, is amended to read:

1. **Organization; meetings.** The State Board of Property Tax Review, as established by Title 5, section ~~42004~~ 12004-B, subsection ~~2~~ 6, shall consist of 15 members appointed by the Governor for terms 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 equally divided among attorneys, real estate brokers, engineers, retired assessors and public members. The board shall annually elect a ~~chairman~~ chair and secretary. The secretary need not be chosen from the members of the board.

**Sec. 166. 36 MRSA §4312, first ¶**, as repealed and replaced by PL 1987, c. 402, Pt. A, §186, is amended to read:

~~A~~ The University of Maine System 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 shall be to advise and work with the University of Maine System to develop and approve a plan of work and budgets for research and extension programs related to the production and marketing of blueberries.

**Sec. 167. 36 MRSA §4312-B, first ¶**, as repealed and replaced by PL 1985, c. 737, Pt. A, §100, is amended to read:

The Maine Blueberry Commission, as established by Title 5, section ~~42004~~ 12004-H, subsection 9 13, shall be reorganized as follows.

**Sec. 168. 36 MRSA §4503, first ¶**, as amended by PL 1983, c. 812, §273, is further amended to read:

The Maine Dairy Promotion Board, as established by Title 5, section ~~42004~~ 12004-H, subsection 9 3, shall consist of the following 5 members: The Commissioner of Agriculture, Food and Rural Resources or ~~his~~ the commissioner's designee, who shall serve ex officio, and 4 producers.

**Sec. 169. 36 MRSA §4523, first ¶**, as amended by PL 1983, c. 812, §275, is further amended to read:

The Maine Dairy and Nutrition Council, as established by Title 5, section ~~42004~~ 12004-H, subsection 9 4, 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. 170. 36 MRSA §4603, sub-§1**, as enacted by PL 1985, c. 753, §§14 and 15, is amended to read:

1. **Establishment.** The Maine Potato Board, as established by Title 5, section ~~42004~~ 12004-H, subsection 9 7, is within the Department of Agriculture, Food and Rural Resources. The board shall consist of 11 members who, following the transition period provided for in subsection 11, shall be elected in accordance with the procedures set forth in this chapter and such additional procedures as the board

may prescribe by rulemaking. Subject to such staggered terms as the board may provide by rule, board members shall serve 2-year terms, provided that a board member may continue to serve until a successor is duly elected and qualified and that board members may not serve more than 3 consecutive terms.

**Sec. 171. 36 MRSA §4693, sub-§1**, as enacted by PL 1987, c. 333, §2, is amended to read:

**1. Council established.** The Maine Sardine Council, as established by Title 5, section ~~42004~~ 12004-H, subsection ~~9 8~~, shall consist of not more than 9 nor less than 5 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 sardine packers, operating within the State, who 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~~ that person has derived, during the period, a substantial portion of his income from packing sardines; or has been the director or manager of an entity that derives a substantial portion of its income from packing sardines.

**Sec. 172. 37-B MRSA §603**, as amended by PL 1985, c. 773, §3, is further amended to read:

**§603. Board of trustees**

The administration of the homes is vested in the Board of Trustees of the Maine Veterans' Homes, as authorized by Title 5, section ~~42004~~ 12004-G, subsection ~~8 34~~. The board shall consist of 10 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. The membership shall be distributed across the State so that 3 reside in the southern part of the State, 3 in the central part and 3 in the northern part. 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~~ a successor is appointed and qualified.

**Sec. 173. 37-B MRSA §954, sub-§1**, as repealed and replaced by PL 1987, c. 764, is amended to read:

**1. Created.** There is created the Radiological Emergency Preparedness Committee, as established by Title 5, section ~~42004~~ 12004-I, subsection ~~40 48~~, ~~which is~~ composed of 10 voting members as listed in this subsection:

A. Three members shall be appointed by the Lincoln County Commissioners as follows:

- (1) One representative of Lincoln County fire departments;
- (2) One representative of Lincoln County ambulance service personnel; and
- (3) One representative of Lincoln County law enforcement agencies;

B. Three members shall be appointed by the Sagadahoc County Commissioners as follows:

- (1) One representative of Sagadahoc County fire departments;
- (2) One representative of Sagadahoc County ambulance service personnel; and
- (3) One representative of Sagadahoc County law enforcement agencies;

C. One member representing the Maine Yankee Nuclear Power Plant;

D. The Director of the Maine Emergency Management Agency, who shall act as ~~chairman~~ chair;

E. The Commissioner of Public Safety; and

F. The Director of Health Engineering.

**Sec. 174. 38 MRSA §89**, as repealed and replaced by PL 1985, c. 389, §36, is amended to read:

**§89. Maine State Pilotage Commission**

The Maine State Pilotage Commission, as established by Title 5, section ~~42004~~ 12004-A, subsection ~~4 40~~, shall consist of 5 members appointed by the Governor as follows: Three shall be licensed pilots representing Penobscot Bay and River, Bar Harbor - Eastport and Bath; one shall represent the marine industry interests; and one, with a marine background, shall represent the public. Each member shall serve for a term of 3 years or until ~~his~~ a successor is appointed and qualified. Any vacancy which may occur in the commission shall be filled by the Governor for the remainder of the unexpired term. Any member shall be eligible to ~~succeed himself~~ serve a successive term. The members of the commission shall be compensated according to Title 5, chapter 379.

**Sec. 175. 38 MRSA §361, first ¶**, as amended by PL 1987, c. 125, §1, is further amended to read:

The Board of Environmental Protection, as established by Title 5, section ~~42004~~ 12004-D, subsection ~~5 2~~, 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~~ may be brought to bear in the implemen-

tation of this Title and all other laws with which the board is charged with in the duty of administering. At least 4 members shall be residents of the First Congressional District and at least 4 members shall be residents of the Second Congressional District. The boundaries of the congressional districts are defined in Title 21-A, chapter 15. The members shall be appointed for staggered 4-year terms, except that a vacancy shall be filled for the unexpired portion of the term. No member may serve more than 2 consecutive 4-year terms. The Governor shall appoint one member to serve as ~~chairman~~ chair. Any member who has not been renominated by the Governor within 90 days of the expiration of his ~~that~~ member's term shall not continue to serve on the board unless the Governor notifies the Legislature, in writing and within 90 days of the expiration of that member's term, of his ~~the~~ finding that extension of that member's term is required to ensure fair consideration of specific major applications pending before the board. That member's term shall terminate upon final board decisions on the specific applications identified in the Governor's communication.

**Sec. 176. 38 MRSA §532, first ¶,** as amended by PL 1985, c. 162, §8, is further amended to read:

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~~ 12004-K, subsection ~~42~~ 3. One commissioner shall be the Commissioner of Human Services and one the Commissioner of Environmental Protection or his a designee. The term of any such commissioner shall terminate at the time he ~~that~~ commissioner ceases to hold said state office and his a successor in that office shall be his ~~the~~ 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 a 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.

**Sec. 177. 38 MRSA §951, last ¶,** as amended by PL 1983, c. 812, §293, is further 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 welfare by ~~establishing~~ creating the Saco

River Corridor, ~~authorized by Title 5, section 12004, subsection 8,~~ established in section 953, and by regulating the use of land and water within this area.

**Sec. 178. 38 MRSA §954, first ¶,** as amended by PL 1983, c. 812, §294, is further amended to read:

To carry out the purpose stated in section 951, the Saco River Corridor Commission, as established by Title 5, section ~~12004~~ 12004-G, subsection 8 13, 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. 179. 38 MRSA §1310-L, sub-§2,** as enacted by PL 1987, c. 517, §25, is amended to read:

**2. Compensation.** Members shall be compensated according to Title 5, section ~~12004~~ 12004-I, subsection 8 22.

**Sec. 180. 39 MRSA §104-A, sub-§2-B, ¶C,** as enacted by PL 1987, c. 559, Pt. B, §45, is amended to read:

C. The employer, if organized as a corporation, is subject to revocation or suspension of its authority to do business in this State as provided in Title 13-A, section 1302. The employer, if licensed, certified, registered or regulated by any board authorized by Title 5, section ~~12004~~ 12004-A, ~~subsection 1,~~ or whose license may be revoked or suspended by proceedings in the Administrative Court or by the Secretary of State, is subject to revocation or suspension of his license, certification or registration.

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

Effective June 30, 1989, unless otherwise indicated.

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## CHAPTER 504

S.P. 587 - L.D. 1649

### An Act to Amend Campaign Finance Reporting

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

**Sec. 1. 21-A MRSA §1003, sub-§§1 and 2,** as enacted by PL 1985, c. 161, §6, are amended to read:

**1. Investigations.** The commission may investigate to determine the facts concerning the registration of any candidate, political committee or political action committee