

MAINE STATE LEGISLATURE

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(EMERGENCY)
(New Draft of H.P. 687, L.D. 973)
FIRST REGULAR SESSION

ONE HUNDRED AND TWELFTH LEGISLATURE

Legislative Document No. 1560

H.P. 1072 House of Representatives, May 20, 1985

Reported by Representative Gwadosky from the Committee on State Government and printed under Joint Rule 2. Original bill sponsored by Representative Gwadosky of Fairfield. Cosponsored by Representative Boutilier of Lewiston and Representative Descoteaux of Biddeford.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-FIVE

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

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

Whereas, there are a number of boards and commissions omitted from the Maine Revised Statutes, Title 5, chapter 379, which authorizes compensation for boards and commissions; and

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

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

1 law, no officer or employee of the State shall be
2 deemed to have forfeited or shall forfeit his office
3 or employment or any benefits or emoluments thereof
4 by reason of his acceptance of the office of commis-
5 sioner of the bank or his services therein.

6 Sec. 46. 30 MRSA §6212, sub-§1, as amended by PL
7 1983, c. 812, §186, is further amended to read:

8 1. Commission created. The Maine Indian
9 Tribal-State Commission is established pursuant to
10 ~~Title 5, section 12004, subsection 4.~~ The commission
11 shall consist of 9 members, 4 to be appointed by the
12 Governor of the State subject to review by the Joint
13 Standing Committee on Judiciary and to confirmation
14 by the Legislature, 2 each to be appointed by the
15 Passamaquoddy Tribe and the Penobscot Nation and a
16 chairman to be selected in accordance with subsection
17 2. The members of the commission, other than the
18 chairman shall each serve for a term of 3 years and
19 may be reappointed. In the event of the death, resig-
20 nation or disability of any member, the appointing
21 authority may fill the vacancy for the unexpired
22 term.

23 Sec. 47. 30 MRSA §6212, sub-§4, as amended by PL
24 1983, c. 812, §187, is further amended to read:

25 4. Personnel, fees, expenses of commissioners.
26 The commission shall have authority to employ such
27 personnel as it deems necessary and desirable in or-
28 der to effectively discharge its duties and responsi-
29 bilities. Such employees shall not be subject to
30 state personnel laws or rules.

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

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

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

1 5. Payment of compensation is provided for at-
2 tendance at out-of-state meetings when a board is re-
3 quired to obtain approval from the Federal Government
4 or another state government.

5 This new draft also includes the following boards
6 which were omitted from Title 5, chapter 379:

7 1. Board of Commissioners, Maine Municipal Bond
8 Bank - 30 MRSA, §5164;

9 2. Board of Directors, Maine Municipal and Rural
10 Electrification Cooperative Agency - 35 MRSA §4101;

11 3. Board of Commissioners, Maine Public Utility
12 Financing Bank - 35 MRSA §184;

13 4. Board of Visitors, Institution of Department
14 of Corrections - 34-A MRSA §3002;

15 5. Advisory Committee on Radiation - 22 MRSA
16 §675; and

17 6. Interdepartmental Coordinating Committee for
18 Preschool Handicapped Children - 20-A MRSA §7704.

19 This new draft also restores the original lan-
20 guage in the law, Title 30, relating to the Maine In-
21 dian Tribal Commission. This change is required by
22 federal law and Maine's agreement with the Federal
23 Government and the Tribal Commission.

24 The Maine State Housing Authority reference has
25 been corrected by this new draft. In addition, the
26 Land Classification Appeals Board has been changed to
27 reflect the dissolution of the Forest Land Valuation
28 Advisory Council which, by law, has 2 positions on
29 the Land Classification Appeals Board. A municipal
30 officer and a forest landowner replace the 2 members
31 of the defunct Forest Land Valuation Advisory Coun-
32 cil.

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