

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

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Augusta, Maine  
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**PUBLIC LAWS**  
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Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 34 MRSA § 2654, sub-§ 4, ¶ C is enacted to read:

C. If the report of the interdisciplinary team concludes that a preschool, aged 0 to 5, child is developmentally delayed and is in need of infant development center services, the department, through the interdisciplinary team, shall develop and begin to implement a prescriptive program plan for this client within 60 days of the application made under section 2653.

Sec. 2. 34 MRSA § 2657-A, sub-§ 6 is enacted to read:

6. Short-term diagnosis and treatment. When considered necessary by the interdisciplinary team and with the consent of the superintendent, individuals may be admitted to the Elizabeth Levinson Center short-term evaluation program for a period of 40 program days, excluding weekends, without certification.

Sec. 3. 34 MRSA § 2659-A, sub-§ 3, as enacted by PL 1977, c. 635, § 7, is amended by inserting at the end the following new sentences:

The certification hearing shall be confidential. No report of the proceedings shall be released to the public or press, except by permission of the client or his counsel and with the approval of the court. The court may order a public hearing at the request of the client or his counsel.

Effective September 14, 1979

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## CHAPTER 345

H. P. 1240 — L. D. 1502

**AN ACT to Amend the Statutes Concerning the Practice of Medicine.**

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

Sec. 1. 32 MRSA § 3269, sub-§ 10, first sentence, as enacted by PL 1975, c. 504, is amended to read:

The power to **mandate**, conduct and operate or contract with other agencies, persons, firms or associations for the conduct and operation of programs of medical education and to disburse funds accumulated through the receipt of licensure fees for this purpose, provided that no such funds shall be disbursed for this purpose for out-of-state travel, meals or lodging for any physician being educated under this program.

**Sec. 2. 32 MRSA § 3271, first ¶**, as repealed and replaced by PL 1977, c. 388, § 3, is amended to read:

Any graduate of a medical school in the United States or Canada designated as accredited by the Liaison Committee on Medical Education, or any foreign medical school graduate who has been evaluated by the Educational Commission for Foreign Medical Graduates and is a recipient of its permanent certificate, or has successfully completed an academic year of supervised clinical training under the direction of a medical school accredited by the Liaison Committee on Medical Education and who has spent at least 12 months in a graduate educational program approved by the Liaison Committee on Graduate Medical Education, the Canadian Medical Association, the Royal College of Physicians and Surgeons of Canada or the Board of Registration in Medicine, upon payment of a fee of ~~\$125~~ **\$175**, shall be entitled to examination, and if found qualified by a majority of the members of the board and a majority of the members of the board finds that there exists no cause as set forth in section 3282 which would be considered grounds for suspension or revocation of a license, shall be registered as a physician or surgeon in the State of Maine. The board, at its discretion, may waive the requirement of evaluation by the Educational Commission for Foreign Medical Graduates.

**Sec. 3. 32 MRSA § 3273**, as enacted by PL 1971, c. 591, § 1, is amended to read:

**§ 3273. Reexamination**

Any applicant who fails the examination may be reexamined by the board upon payment of a fee of ~~\$100~~ **\$135**.

**Sec. 4. 32 MRSA § 3275, sub-§ 1, first sentence**, as repealed and replaced by PL 1977, c. 388, § 4, is amended to read:

The board may, at its discretion, grant licensure without examination to a physician in good standing **who meets the requirements of section 3271 and** who has been:

**Sec. 5. 32 MRSA § 3275, sub-§ 2**, as enacted by PL 1975, c. 680, § 2, is amended to read:

**2. Fees.** Any physician who applies for a license pursuant to subsection 1 shall pay a fee of ~~\$100~~ **\$125**.

**Sec. 6. 32 MRSA § 3280, first ¶**, as last amended by PL 1975, c. 770, § 187, is further amended to read:

On or before the first day of July, 1966, and on or before the first day of July of every even-numbered year thereafter, every physician licensed under this chapter shall ~~register with~~ **apply to** the Board of Registration in Medicine **for a certificate of biennial registration** on forms provided by said board. **On or before the first day of July, 1982, the applicant shall include satisfactory evidence to the board that in**

the preceding 2 years, the applicant has completed a course of continuing medical education as prescribed in the rules and regulations of the board. The registration fee for residents of this State and for nonresidents shall be fixed by rule or regulation, but shall in no event exceed the sum of ~~\$25~~ \$100. This section shall not apply to interns or residents registered under section 3279 nor shall it apply to those holding temporary certificates for practice in hospitals or camps as provided in section 3277. Said registration fees provided for under this section shall not be required of any physician who is 70 years of age on the first day of July of the year for which reregistration is made, although the requirement of reregistration as provided for shall apply without regard to age.

Effective September 14, 1979

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## CHAPTER 346

H. P. 1160 — L. D. 1425

### AN ACT to Define Residency for School Purposes.

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

Sec. 1. 20 MRSA § 859, sub-§ 3, as enacted by PL 1977, c. 690, § 6, is repealed and the following enacted in its place:

3. Residence; state wards; nonresidents.

A. A child shall be considered a resident of the school administrative unit where his parent or legal guardian resides. A state ward shall be considered a resident of the unit in which the State places him.

(1) For purposes of this subsection, a child's parent shall be the parent who has legal custody of the child.

B. A child, other than a state ward, residing with a person who is not the child's parent or legal guardian, shall be entitled to all of the school privileges of the unit where that person is a resident and shall be counted as a resident pupil of the unit if the superintendent of schools in the unit determines that it is in the best interest of the child because of the following:

(1) It is undesirable and impractical for the child to reside with his parents or legal guardian or that other extenuating circumstances exist which justify the placement of the child in the unit; and

(2) The child is residing in the unit for other than just school purposes.

The parents or legal guardian shall have the right to request the commissioner