

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

Chapters 1-542

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

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Twin City Printery  
Lewiston, Maine  
1987

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION  
of the  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
1987

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stitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1.** 12 MRSA §8901, sub-§1, as amended by PL 1985, c. 785, Pt. B, §76, is further amended to read:

1. Appointment. The Director of the Bureau of Forestry shall appoint forest rangers and a state supervisor, subject to the Civil Service Law. Rangers assigned to posts at Clayton Lake, St. Pamphile, Estcourt Station, Daaquam, Musquacook Lake, Snare Brook and Baker Lake, shall be bilingual in French and English.

**Sec. 2. Application.** The provisions of this Act, shall apply to all assignments made after the effective date of this Act.

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

Effective April 17, 1987.

## CHAPTER 70

H.P. 67 — L.D. 70

### AN ACT to Amend Property Tax Abatement Procedures.

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

**36 MRSA §841, sub-§2,** as repealed and replaced by PL 1979, c. 73, is amended to read:

2. Infirmity or poverty. The municipal officers or the State Tax Assessor for the unorganized territory, within 3 years from commitment, may, on their own knowledge or on written application therefor, make such abatements as they believe reasonable in the real and personal taxes on all persons who, by reason of infirmity or poverty, are in their judgment unable to contribute to the public charges. Hearings and proceedings held pursuant to this subsection shall be in executive session and information submitted in support of an application under this subsection shall be confidential. The municipal officers or the State Tax Assessor for the unorganized territory may extend the 3-year period within which they may make abatements under this subsection.

Effective September 29, 1987.

## CHAPTER 71

H.P. 182 — L.D. 226

### AN ACT Relating to Immunization of Post-secondary Students.

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

**20-A MRSA §6359, sub-§1, ¶H,** as enacted by PL 1985, c. 771, §§2 and 7, is repealed and the following enacted in its place:

H. "Student" means any person born after 1956 who attends school full time or who is a candidate for a degree, diploma or graduate certificate.

Effective September 29, 1987.

## CHAPTER 72

H.P. 263 — L.D. 346

### AN ACT to Amend the Law Regarding the Medical Certificate Filed After Death.

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

**22 MRSA §2842, sub-§2,** as amended by PL 1977, c. 382, is further amended to read:

2. Medical certificate by physician. The medical certification of the cause of death shall be completed and signed within 24 hours after death by the physician in charge of the patient's care for the illness or condition which resulted in death, except when an inquiry as to the cause of death is required by law. If the patient was a resident of a nursing home licensed under section 1817 at the time of death and if the physician in charge of the patient's care or another physician designated by the physician in charge had not examined the patient within 48 hours prior to death, or within 2 weeks prior to death in the case of a terminally ill patient, the physician in charge or another physician designated by the physician in charge shall examine the body prior to completing the certification of death process. Any physician who fails to complete the medical certification of the cause of death fully, and in a timely manner, or who fails to examine the body of a nursing home resident prior to certifying cause of death as required by this section shall be reported to the Board of Registration in Medicine or the Board of Osteopathic Examination and Registration, whichever is appropriate, by the State Registrar of Vital Statistics of the Department of Human Services.

For the purposes of this subsection, the following terms have the following meanings.

A. "Life-sustaining procedure" means any medical procedure or intervention that, when administered to a qualified patient, will serve only to prolong the dying process and shall not include nutrition and hydration.

B. "Terminally ill patient" means a patient who has been diagnosed as having an incurable or irreversible condition that, without the administration of life-sustaining procedures, will, in the opinion of the attending physician, result in death within a short time.

Effective September 29, 1987.

## CHAPTER 73

S.P. 145 — L.D. 399

### AN ACT to Require Greater Specificity in the Annual Reports of the Maine Health Care Finance Commission.

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

22 MRSA §388, sub-§1, ¶A, as enacted by PL 1985, c. 778, §1, is amended to read:

A. Prior to January 1st, the commission shall prepare and transmit to the Governor and to the Legislature a report of its operations and activities during the previous year. This report shall include such facts, suggestions and policy recommendations as the commission considers necessary. The report shall include:

- (1) Data citations, to the extent possible, to support the factual statements in the report;
- (2) The administrative requirements for compliance with the system by hospitals to the extent possible;
- (3) The commission's view of the likely future impact on the health care financing system of trends in the use or financing of hospital care, including federal reimbursement policies, demographic changes, technological advances and competition from other providers;
- (4) The commission's view of likely changes in apportionment of revenues among classes of payers and purchasers as a result of trends set out in subparagraph (3);
- (5) The relationship of the advisory committees to the commission;
- (6) Comparisons of the impact of the hospital care financing system with relevant regional and national data, to the extent that such data is available; and
- (7) To the extent available, information on trends in utilization.

Effective September 29, 1987.

## CHAPTER 74

S.P. 96 — L.D. 243

### AN ACT to Increase the Fees for Examination and Licensure for Chiropractors.

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

Sec. 1. 32 MRSA §551, as amended by PL 1983, c. 176, Pt. A, §10, is further amended to read:

#### §551. Examination and registration

Any person, before engaging in the practice of chiropractic in this State, shall make application for a certificate to practice chiropractic to the board on a form prescribed by said the board. ~~Said~~ The application shall be filed with the secretary of the board at least 7 days before the date of examination, together with a deposit of \$40 up to \$100, which said deposit shall be returned to applicant in case the application is rejected. Each applicant must be at least 18 years of age and shall present proof of 2 years' satisfactory attendance at a college of liberal arts. Candidates for licensure shall be required to present transcripts from an accredited college or university certifying that they have completed 2 years of preprofessional work, 2 subjects of which must be English and biology, or otherwise satisfy the members of the board of sufficient prior academic education. The applicant shall present a diploma granted by a legally chartered chiropractic college, school or university in good standing and having the power to confer degrees in chiropractic, which diploma shall show that it was granted on personal attendance of the applicant and completion of a course of 4 school years of not less than 8 months each and of a total of 4,400 60-minute school hours. If an applicant matriculated in a chiropractic college on or after January 1, 1984, his diploma shall show that it was granted by a chiropractic college accredited by a chiropractic educational accrediting agency approved by the United States Department of Education or its successor agency or, in the event no such agency exists, approved by the board, or the applicant must have evidence of having successfully passed a licensing procedure from another state having similar requirements. If an applicant matriculated in a chiropractic college before January 1, 1984, his diploma shall show that it was granted by a chiropractic college accredited as set out in this section, or the applicant must present evidence of having become a diplomat of the National Board of Chiropractic Examiners, or the applicant must have evidence of having successfully passed a licensing procedure from another state having similar requirements. All applicants must present a certificate of good moral character signed by some reputable resident of this State and such other reasonable and proper facts as the board in its blank application may require.