

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.

Twin City Printery Lewiston, Maine 1987

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

FIRST REGULAR SESSION

of the

ONE HUNDRED AND THIRTEENTH LEGISLATURE

1987

B. "Terminally ill patient" means a patient who has been diagnosed as having an incurable or irreversible condition that, without the administration of lifesustaining 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.

Sec. 2. 32 MRSA §552, last ¶, as amended by PL 1983, c. 378, §5, is further amended to read:

Any person, licensed by a chiropractic board of any other state or territory having a standard equal to that of the State, shall be licensed without examination, upon the payment of \$40 up to 100 and the production to the board of his diploma and the license obtained in such other state. The board may, in its discretion, require an examination of any such applicant.

Sec. 3. 32 MRSA §553, as amended by PL 1983, c. 812, §199, is further amended to read:

§553. Fees; compensation and expenses

Any person to whom a certificate has been granted under section 552 who wishes to renew that certificate shall, on or before the first day of June of each year, pay to the secretary of the board a license renewal fee not in excess of \$50 \$100 as established by the board. Upon payment of the fee that person's certificate shall be renewed for one year. In addition to the payment of such renewal fee, each licensee so applying for his renewal certificate shall furnish to the board satisfactory evidence that he has attended one of 2 educational programs conducted and supervised by the board in the year preceding. If such fee is not paid within 3 months after the date of notification by the secretary that such fee is due, the certificate of the chiropractor so failing to pay such fee shall be revoked and shall be thereafter renewed by a majority vote of the board and upon the payment of a fee of \$10 to the secretary of said board. All fees received by the secretary and not returned to the applicant shall be paid forthwith to the Treasurer of State. The compensation of members of the board shall be in accordance with the provisions of Title 5, chapter 379. The secretary shall be reimbursed for all expenditures for books. stationery, postage and other necessary expenses authorized by the board and actually incurred in the discharge of his duties. Said compensation and all other necessary and proper expenses of said board shall be certified by the chairman and secretary and shall be paid out of the fund held by the Treasurer of State, and any balance of said fund shall not lapse but shall be carried forward to be expended for the same purposes in the following fiscal years.

Sec. 4. Allocation. The following funds are allocated from other special revenue funds to carry out the purposes of this Act.

1987-88 1988-89

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

Board of Chiropractic Examination and Registration

All Other

\$13,500 \$19,300

Effective September 29, 1987.

CHAPTER 75

H.P. 861 – L.D. 1154

AN ACT to Require the Marking of Barriers on Certain Public Ways.

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

23 MRSA c. 305, sub-c. VI is enacted to read:

SUBCHAPTER VI

BARRIERS

§3271. Definitions

As used in this subchapter, unless the context indicates otherwise, the following words have the following meanings.

1. Barrier. "Barrier" means any wire, cable, cable wire, chain link, lumber, gate or other similar device placed or erected across a town way for the purpose of barring access to that way.

2. Town way. "Town way" means an area or strip of land designated and held by a municipality for passage by motor vehicles.

§3272. Marked barriers

The municipal officers of any municipality that erects or places a barrier across a town way shall cause the barrier to be marked in a manner that causes the barrier to be visible to a person traveling on the town way towards the barrier on a snowmobile, all-terrain vehicle, motorcycle or similar vehicle. The officers shall cause the barrier to be marked in a manner making the barrier visible at a distance that is a reasonable stopping distance. A barrier may be marked by flags, fluorescent coloring, signs or in any other manner making the barrier visible as required in this section.

The municipal officers shall cause barriers marked under this section to be inspected periodically to ensure that the marking remains.

§3273. Penalty

Any person who violates section 3272 commits a civil violation for which a forfeiture not to exceed \$500 may be adjudged.

Effective September 29, 1987.

CHAPTER 76

H.P. 175 – L.D. 219