

# MAINE STATE LEGISLATURE

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LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Sixth Legislature  
1ST SPECIAL SESSION  
JANUARY 2, 1974 TO MARCH 29, 1974  
AND BY THE  
One Hundred and Seventh Legislature  
REGULAR SESSION  
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN  
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,  
SECTION 164, SUBSECTION 6.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1975

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PUBLIC LAWS  
OF THE  
STATE OF MAINE

AS PASSED BY THE  
One Hundred and Seventh Legislature

1975

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## § 4226. Federal legislation

Nothing in this chapter shall prohibit any health maintenance organization from meeting the requirements of any federal law which would authorize such health maintenance organization to receive federal financial assistance or certification or to enroll beneficiaries assisted by federal funds.

Effective October 1, 1975

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**CHAPTER 504**

**AN ACT to Authorize the Board of Registration in Medicine to Conduct Medical Education Programs.**

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

32 MRSA § 3269, sub-§ 10 is enacted to read:

10. Powers. The power to 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. The power to conduct and operate or contract with other agencies or nonprofit organizations for the conduct and operation of a program of financial assistance to medical students indicating an intent to engage in family practice in rural Maine, under which program said students may be provided with interest-free grants or interest-bearing loans in an amount not to exceed \$5,000 per student per year on such terms and conditions as the board may determine.

Effective October 1, 1975

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**CHAPTER 505**

**AN ACT to Make Attendance at a Rehabilitation Program Mandatory for the First Offender Convicted of Operating under the Influence.**

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

29 MRSA § 1312, sub-§ 10, ¶ A, 2nd sentence, as repealed and replaced by PL 1971, c. 547, is repealed and the following enacted in place thereof:

Upon receipt of an attested copy of the court record of such conviction, the license or permit and privilege to operate of any person convicted of a first violation of this section shall be immediately suspended and shall not be reinstated by the Secretary of State prior to 30 days from the date of suspension and until such time as the rehabilitation program under the auspices of the Secretary of State has been satisfactorily completed; except after 2 months he may petition the Secretary of State for hearing and, if after hearing the Secretary of State has determined that the public safety will not be endangered by issuing a new license or restoration of right to operate, the

Secretary of State may, after 4 months, restore the license and privilege to operate a motor vehicle, with or without conditions or restrictions and under such terms as he may deem advisable, having in mind the safety of the public and the welfare of the petitioner.

Effective October 1, 1975

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## CHAPTER 506

### AN ACT to Clarify the Laws Relating to Superior Court Commitment of Mentally Disordered Persons.

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

Sec. 1. 15 MRSA § 101, next to last sentence of the 2nd ¶ is amended to read:

Said justice shall then order the person returned to the appropriate court for disposition; however, if the justice ordering commitment for observation has provided for remand to the county jail following completion of the observation in the commitment order, the sheriff or any one or more of his deputies shall execute the remand order upon advice from the commissioner of completion of the observation.

Sec. 2. 15 MRSA § 101, sub-§ 1, 6th sentence, as last repealed and replaced by PL 1973, c. 547, § 2, is amended to read:

If the court determines that the defendant is not competent to stand trial but there does exist a substantial probability that the defendant will be competent to stand trial in the foreseeable future, it shall recommit the defendant to the custody of the Commissioner of Mental Health and Corrections to be placed in an appropriate institution for the mentally ill or the mentally retarded for observation, care and treatment.

Sec. 3. 15 MRSA § 104, last sentence of 2nd ¶, as last repealed and replaced by PL 1973, c. 243, is amended to read:

The nature and scope of the treatment program of persons hospitalized under section 103 preceding release, ~~including the grant of trial visits not exceeding 74 days at any one time~~ which shall be subject in each case to biweekly on-site hospital staff review, shall be determined by the professional hospital staff designated for such purpose by the superintendent.

Effective October 1, 1975

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## CHAPTER 507

### AN ACT Establishing an Office of Advocacy for the Department of Mental Health and Corrections.

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

34 MRSA § 1-A is enacted to read:

§ 1-A. Office of Advocacy