

# 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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An application for a renewal shall be on a form furnished by the ~~Governor~~ Chief of the State Police and the information contained in such application shall be reviewed by the chief for continued compliance with the provisions of section 3805 before such application is submitted to the Governor.

**Sec. 21. Terms of Board of Trustees of the Maine Criminal Justice Academy.** Notwithstanding the provisions of Title 25, section 2802, when the Governor next appoints members to the board of trustees of the Maine Criminal Justice Academy, he shall appoint for terms as follows: A commissioned officer of the State Police, a municipal police officer, a representative from a criminal justice agency not involved in the general enforcement of Maine criminal laws and a representative from a federal law enforcement agency to a one-year term; a county sheriff, a municipal police officer and a municipal officer to a 2-year term; a chief of a municipal police department, an educator and a citizen to a 3-year term. At the conclusion of these terms, all appointments shall be for 3-year terms as provided in section 2805.

**Sec. 22. Transitional provisions.** All existing rules and regulations currently in effect and operation on the effective date of this Act in any agency or board referred to in this Act shall continue in effect until rescinded, amended or changed according to law.

The term "regulation" shall include, but is not limited to, any regulation, rule, order, administrative procedure, policy determination, directive, authorization, permit, license, privilege, form, blank, requirement, designation or agreement.

All employees of the Electricians' Licensing Board and the Oil Burner Men's Licensing Board are, on the effective date of this Act, transferred to the Department of Business Regulation and shall continue in their employment after such effective date without interruption of state services.

Notwithstanding the Revised Statutes, Title 5, section 1585, all accrued expenditures, assets, liabilities, transfers, revenues or other available funds in any account or subdivision of an account of the Electricians' Examining Board and the Oil Burner Men's Licensing Board shall be transferred to the Department of Business Regulation by the State Controller, upon recommendation of the department head, the State Budget Officer and upon approval by the Governor and Council.

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

Effective June 24, 1975

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## CHAPTER 580

### AN ACT to Establish the Maine State Ferry Advisory Board.

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

**Sec. 1.** PL 1971, c. 593, § 34 is amended to read:

**Sec. 34. Authorization.** The Commissioner of Transportation is authorized to retain members of the Economic Advisory Board, ~~the Advisory Com-~~

~~mittee of Ferry Service~~ the Scenic Highway Board and the Highway Safety Committee to serve in an advisory capacity in the Department of Transportation at the pleasure of the commissioner for a period not to exceed 2 years and they shall receive the same compensation and reimbursement for out-of-pocket expenses as they heretofore received.

Sec. 2. PL 1971, c. 593, § 38, first sentence, is amended to read:

The Commissioner of Transportation is authorized to retain members of the Economic Advisory Board, ~~the Advisory Committee of Ferry Service~~ the Scenic Highway Board and the Highway Safety Committee to serve in an advisory capacity for a period not to exceed 2 years.

Sec. 3. 23 MRSA § 4205, sub-§ 5, as enacted by PL 1971, c. 593, § 16, is repealed.

Sec. 4. 23 MRSA c. 411 is enacted to read:

#### CHAPTER 411

#### MAINE STATE FERRY ADVISORY BOARD

##### § 4301. Board established

There is established the Maine State Ferry Advisory Board, in this section called "the board," which shall be a board within the Department of Transportation.

##### § 4302. Membership

The membership of the board shall consist of one person from each of the island municipalities and plantations serviced by the Maine State Ferry System and 3 members appointed by the Commissioner of Transportation. The members representing the island municipalities and plantations shall be appointed by the officers or selectmen of the member's municipality or by the assessors of the member's plantation and all members shall serve a term of office of 2 years. Vacancies in membership shall be filled in the same manner as the original appointment.

##### § 4303. Meetings

1. Chairman; meetings. The board shall annually elect a chairman from among its members, and the chairman shall serve a term of one year. The board shall meet at the call of the chairman, or at the call of at least 3 members of the board, and there shall be at least 3 meetings held a year.

2. Transportation for meetings. The Department of Transportation shall provide free transportation for board members on the Maine State Ferry Service on the days which the board holds its regular meetings. Such transportation shall be on a regularly scheduled trip, shall include both the automobile and one passenger, shall be round-trip between the mainland and the island of residence of the board member and shall include the reservation fee.

§ 4304. Duties

The board shall advise the Department of Transportation on matters relating to the Maine State Ferry Service and shall submit to the Commissioner of Transportation an annual report which shall include recommendations for change to the Maine State Ferry Service and comments upon the present and future needs of that service. Written reports and comments shall be available to the public.

§ 4305. Staff support

The Department of Transportation shall supply reasonable staff support requested by the board.

**Sec. 5. Transition.** Of the initial members appointed to the board,  $\frac{1}{2}$  shall serve for a term of one year and  $\frac{1}{2}$  shall serve for a term of 2 years. The Commissioner of Transportation shall, within 2 weeks of the effective date of this Act, select by lot which municipalities or plantations shall appoint a member for one year and which municipalities or plantations shall appoint a member for 2 years. After expiration of the initial term of any member of the board, any appointment to the membership shall be for a term of 2 years.

Effective October 1, 1975

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## CHAPTER 581

### AN ACT Relating to the Freedom of Subscribers to Hospital, Medical Service or Health Care Plans to Choose a Psychologist to Provide Mental Health Services.

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

24 MRSA § 2303, as amended by PL 1969, c. 419, § 2, is repealed and the following enacted in place thereof:

§ 2303. Mental health services

1. Such corporation mentioned in section 2301 may enter into contracts for the rendering of health care to the subscribers only with institutions or persons licensed by the appropriate departments or boards of the several states. All contracts for the provision of health care issued by such corporation shall constitute direct obligations of the provider of health care with which such corporation has contracted for such care. Contracts issued under a health care plan shall provide that the private provider-patient relationship shall exist between the patient and provider of health care, that the patient shall have a free choice of any provider of health care able and willing to provide such services, all of which shall be based upon definite agreements covering health care provided through duly licensed providers, and any such provider of health care shall be free to refuse service for appropriate professional reasons. Nothing in this section shall be construed to prohibit reciprocal arrangements for the exchange of health care between similar nonprofit hospital and medical service plans.

2. Notwithstanding any provision of a contract between a subscriber and a nonprofit hospital or medical service organization entered into pursuant to a hospital service plan, medical service plan or health care plan authorized