

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

AT THE

SECOND REGULAR SESSION

January 2, 1980 to April 3, 1980

AND AT THE

THIRD SPECIAL SESSION

May 22, 1980

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

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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED AT THE
SECOND REGULAR SESSION
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ONE HUNDRED AND NINTH LEGISLATURE
January 2, 1980 to April 3, 1980

F. Applications for assistance under this program shall be made on or before ~~February 29, 1980~~ **April 30, 1980**.

Sec. 3. PL 1979, c. 574, § 6, sub-§ 2, ¶ G is amended to read:

G. Payments to vendors under this program must be fully utilized on behalf of the eligible household before ~~May 1, 1980~~ **June 30, 1980**. ~~Any amount not so utilized must be returned to the State by May 30, 1980~~ **Any amount not utilized by the vendor shall be returned to the local program operator no later than July 31, 1980. Any amount not utilized by the local program operator shall be returned to the Division of Community Services no later than August 31, 1980.**

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

Effective February 29, 1980

CHAPTER 618

H. P. 1612 — L. D. 1722

AN ACT Relating to Hunter Safety.

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

12 MRSA § 7101, sub-§ 8, ¶'s A and B, as enacted by PL 1979, c. 420, § 1, are amended to read:

A. The commissioner ~~upon receiving a report of the wounding or killing of a human being~~ may bring a complaint in the Administrative Court seeking to revoke or suspend the current hunting license or the privilege to obtain a hunting license of any person who ~~while on a hunting trip or in the pursuit of wild animals or wild birds, is alleged to have shot and wounded or killed that human being~~ **he reasonably believes to have killed, wounded or recklessly endangered the safety of another human being while hunting.** The Administrative Court shall ~~revoke or suspend the person's license or privilege for a period not to exceed 5 years if it finds that the person, while hunting, has killed, wounded or recklessly endangered the safety of another human being and the public safety will be endangered by the person's retention of his license or privilege.~~ **For the purpose of this paragraph, "recklessly" has the same meaning as that set out in Title 17-A, section 10, subsection 3.**

B. Any person described in paragraph A whose hunting license has been revoked or suspended, or whose right to hunt or the right to obtain a hunting license for a period not to exceed 5 years has been denied, may, after the

expiration of one year from the date of the revocation or suspension, petition the commissioner for restoration of his privilege to procure such a license.

Effective July 3, 1980

CHAPTER 619

H. P. 1642 — L. D. 1751

AN ACT to Eliminate the Requirement for Certain Adjudicatory Proceedings before the Board of Registration in Medicine.

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

Sec. 1. 32 MRSA § 3282, first ¶, as last amended by PL 1977, c. 694, § 610, is repealed and the following enacted in its place:

When any of the following grounds are established, the Administrative Court may revoke or suspend a license or the board may place a licensee on probation, censure him or refuse to renew a license:

Sec. 2. 32 MRSA § 3283, as repealed and replaced by PL 1977, c. 694, § 611, is repealed and the following enacted in its place:

§ 3283. Disciplinary action

1. **Investigation and report.** The board, on its own motion or on complaint made to it or its secretary, shall order investigation of all complaints and all allegations of noncompliance with or violations of this chapter relating to physicians and surgeons. The investigator, on completion of investigation, shall report his findings to the board.

2. **Board action.** After receiving and considering the investigatory report, the board may:

A. File a complaint in the Administrative Court for suspension or revocation, in accordance with Title 4, chapter 25; or

B. Hold a hearing, which shall be an "adjudicatory proceeding" and shall be conducted in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, subchapter IV. After the hearing the board may censure the licensee, place him on probation or file a complaint under paragraph A.

3. **Probation.** The board may order a licensee placed on probation to file periodic affidavits of his practice in accordance with the board's standards.