

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,
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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED AT THE
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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Sec. 1. 32 MRSA § 3282, first ¶, as last amended by PL 1977, c. 694, § 610, is repealed and the following enacted in its place: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Sec. 2. 32 MRSA § 3283, as repealed and replaced by PL 1977, c. 694, § 611, is repealed and the following enacted in its place: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.

4. **Notice of adverse action.** A notice of any action taken by the board adverse to an accused, including filing a complaint, shall be filed in the office of the secretary and shall be open to public inspection.

Effective July 3, 1980

CHAPTER 620

H. P. 1644 — L. D. 1753

AN ACT Relating to Suspension on Nonappearance under the Motor Vehicle Laws.

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

Sec. 1. 29 MRSA § 2301, 2nd sentence, as amended by PL 1979, c. 573, § 1, is further amended to read:

If ~~a person~~ **an individual** fails to appear in court on the day specified, ~~either in person or by counsel~~ the court may immediately suspend his license or suspend his right to operate motor vehicles in this State.

Sec. 2. 29 MRSA § 2301, as last amended by PL 1979, c. 573, §§ 1 and 2, is further amended by adding after the 2nd sentence a new sentence to read:

If a person who is not an individual fails to appear, the court may suspend the registration of the motor vehicle involved in the offense or that person's right to operate that vehicle in the State.

Sec. 3. 29 MRSA § 2301, 3rd sentence, as enacted by PL 1979, c. 573, § 2, is amended to read:

On receipt of a copy of a court order suspending a person's license, **registration** or right to operate in this State, the Secretary of State shall immediately notify that person of the suspension by regular mail or personal service.

Sec. 4. 29 MRSA § 2301, **last sentence**, as enacted by PL 1979, c. 573, § 2, is amended to read:

On appearance and on the condition of payment of a \$10 reinstatement fee to the Secretary of State, the court shall rescind the suspension and order the Secretary of State to ~~expunge~~ **delete** any record of the suspension from that person's driving record.

Sec. 5. 29 MRSA § 2301-A, as last amended by PL 1979, c. 573, § 3, is further amended by adding after the 2nd paragraph a new paragraph to read: