

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

**FIRST REGULAR SESSION**

December 5, 1984 to June 20, 1985  
Chapters 384-End

AND AT THE

**FIRST SPECIAL SESSION**

November 13, 1985

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN  
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1985

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION  
CONTINUED

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND TWELFTH LEGISLATURE

1985

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	<u>1985-86</u>	<u>1986-87</u>
Total Appropriation	\$1,500	\$600

Funds appropriated in this Act shall carry forward to June 30, 1987.

Effective September 19, 1985.

## CHAPTER 455

S.P. 369 - L.D. 1003

### AN ACT to Amend the Law Pertaining to Postgraduate Education in the Field of Medicine.

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

Sec. 1. 20-A MRSA §11801, sub-§2, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

2. Responsibility for program. It is the intent of the Legislature, consistent with the purposes of this chapter, that the commissioner shall administer the program and develop a plan which assures, to the extent practicable, that Maine contract students, or a similar number of out-of-state medical school graduates, return to practice their profession within the State, ~~particularly in primary care~~ in underserved areas.

Sec. 2. 20-A MRSA §11802, sub-§6, as enacted by PL 1981, c. 693, §§5 and 8, is repealed and the following enacted in its place:

6. Underserved area. "Underserved area" means an underserved geographic area, underserved specialty area, underserved population group or any combination of these in the State.

Sec. 3. 20-A MRSA §11802, sub-§§7 and 8 are enacted to read:

7. Obligated national service. "Obligated national service" means:

A. An Armed Forces service obligation incurred

in return for financial assistance provided during undergraduate and graduate education;

B. An obligation incurred for internship or residency training in the Armed Forces of the United States; or

C. An obligation for compulsory national service required by Act of Congress.

8. Nonresident tuition. "Nonresident tuition" means tuition charged persons who do not hold residency in the State where the institution is located. If no distinction is made at the institution between the tuition charged resident and nonresident students, then nonresident tuition means the tuition charged all students.

Sec. 4. 20-A MRS §11804-A, sub-§1, ¶B, as enacted by PL 1983, c. 862, §67, is amended to read:

B. Upon the conclusion of professional education, including internship, residency and fellowship, obligated public health service, and obligated national service, to pay the State an amount of money equal to the state capitation payment expended by the State in purchasing the state contracted position which the student occupied difference between the nonresident tuition at the institution being attended by the state contract student and the tuition charged the state contract student.

(1) This amount shall be payable at 9% simple annual interest in not more than 10 annual equal installments.

(2) These installment payments shall commence upon conclusion of the state contract student's professional education under rules promulgated by the commissioner.

Sec. 5. 20-A MRS §11804-A, sub-§2, as enacted by PL 1983, c. 862, §67, is amended to read:

2. Forgiveness. Any student who, upon the conclusion of his professional education, including, if applicable, internship, residency and fellowship, obligated public health service, and obligated national service, elects to serve as a general, family, pediatric or veterinary practitioner in an underserved rural geographic area in the State a practitioner of allopathic medicine, dentistry, op-

tometry or veterinary medicine in a designated, underserved area in the State shall be forgiven 20% 25% of the outstanding indebtedness, as determined in subsection 4, for each of the first 5 years of that service year of that practice.

Sec. 6. 20-A MRSA §11804-A, sub-§3, as enacted by PL 1983, c.862, §67, is repealed and the following enacted in its place:

3. Determination. The Commissioner of Human Services shall determine underserved areas for the practice of allopathic medicine, dentistry and optometry.

The Commissioner of Agriculture, Food and Rural Resources shall determine underserved areas for the practice of veterinary medicine.

Sec. 7. 20-A MRSA §11806, sub-§1, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

1. Return to practice in Maine. The commissioner shall develop a plan which assures, to the extent practicable, that contract students, or a similar number of out-of-state medical school graduates, return to practice their profession within the State, particularly ~~in primary care~~ in underserved areas of the State. This plan shall be completed and presented to the Legislature and the Governor before February 1st each year.

Sec. 8. 20-A MRSA §11806, sub-§2, ¶F, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

F. The development of incentives to practice in ~~primary care and~~ underserved areas; and

Sec. 9. 20-A MRSA §11808, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

§11808. Nonlapsing fund

Any unexpended money appropriated by the Legislature under section 11805 shall not lapse, but shall be carried forward to the following year to be expended by the department for the purpose of purchasing positions at medical schools and recruitment activities related to this chapter. Moneys returned to the State shall be deposited in a revolving account, to be expended for the purpose of purchasing contract spaces at medical schools and recruitment activities related to this chapter.

Sec. 10. 20-A MRSA §11810 is enacted to read:

§11810. Rules

The Commissioner of Educational and Cultural Services shall establish all rules necessary to carry out the purposes of this chapter, except that the Commissioner of Human Services shall develop rules for determining underserved areas for the practice of allopathic medicine, dentistry and optometry and the Commissioner of Agriculture, Food and Rural Resources shall develop rules for the determination of underserved areas for the practice of veterinary medicine. The rules authorized by this section shall be adopted in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, subchapter II.

Sec. 11. Retroactivity. This Act shall be retroactive to those contract students commencing their professional education on or after July 1, 1981.

Effective September 19, 1985.

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## CHAPTER 456

S.P. 499 - L.D. 1360

AN ACT to Amend Certain Provisions of the  
Maine Criminal Code.

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

Sec. 1. 17-A MRSA §1253, sub-§3, as amended by PL 1983, c. 456, §3, is further amended to read:

3. Beginning October 1, 1983, each person sentenced, to imprisonment for more than 6 months shall be entitled to receive a deduction of 10 days per month calculated from the first day of his delivery into the custody of the department, to include the full length of the unsuspended portion of his sentence, for observing all the rules of the department and institution, except this provision shall not apply to the suspended portion of a person's sentence pursuant to split sentences under section 1203. All persons committed to the custody of the Department of Corrections prior to the effective date of this subsection shall have these provisions applied prospectively to the portion of their sentences remaining to be served.