

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
SEPTEMBER 30, 1989

PUBLISHED BY THE REVISOR OF STATUTES
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J.S. McCarthy Company
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PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FOURTEENTH LEGISLATURE

1989

price for data and word processing computer equipment at \$250,000; and

Whereas, this amount is inadequate to finance the necessary equipment; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

PL 1987, c. 68, §10 is amended to read:

Sec. 10. Lease-purchase of computer equipment. The Legislature is hereby authorized to enter into purchase or lease with option to purchase or lease purchasing financing agreements for data and word processing equipment with an outright purchase price of not more than \$250,000 \$500,000. The Legislature shall finance the cost of this project with "All Other" funds within their regular budget.

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

Effective January 13, 1989.

CHAPTER 4

H.P. 18 - L.D. 13

An Act Concerning Legislative Review of Nominations for Chief Executive Officer of the Finance Authority of Maine and for the Natural Resource Financing and Marketing Board

Emergency preamble. **Whereas**, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, there is a vacancy in the office of the chief executive officer of the Finance Authority of Maine, and the statutory term of the acting chief executive officer will end prior to the expiration of the 90-day period; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 10 MRSA §972, first ¶, as amended by PL 1985, c. 344, §21, is further amended to read:

The chief executive officer shall be the chief administrative officer of the authority and shall be appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over State Government housing and economic development and to confirmation by the Legislature. At least 10 days before the Governor seeks review by the joint standing committee, ~~he~~ the Governor shall consult with the members of the authority regarding his the proposed appointee.

Sec. 2. 10 MRSA §985, sub-§1, as amended by PL 1987, c. 402, Pt. A, §89, is further amended to read:

1. Membership of the board. The Natural Resource Financing and Marketing Board of the authority shall consist of 7 voting members, including the Commissioner of Conservation, the Commissioner of Marine Resources and the Commissioner of Agriculture, Food and Rural Resources, or their designees, and 4 public members appointed by the Governor, subject to the approval of the joint standing committee of the Legislature having jurisdiction over State Government housing and economic development and to confirmation by the Senate. The 4 public members shall be knowledgeable in the field of natural resource enterprises or financing. Designees of the commissioners shall be limited to those persons holding major policy-influencing positions, as defined by Title 5, chapter 71. Two of the public members shall be designated by the Governor as members of the authority. The Treasurer of State shall be an ex officio, nonvoting member of the board.

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

Effective January 24, 1989.

CHAPTER 5

H.P. 30 - L.D. 30

An Act to Amend the Medical Practice Laws

Emergency preamble. **Whereas**, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, certain provisions in the medical practice laws have created barriers to the recruitment of well-qualified physicians; and

Whereas, an acute shortage of some specialists exists in some parts of the State; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 32 MRSA §3271, sub-§1, ¶B, as enacted by PL 1983, c. 741, §1, is amended to read:

B. Graduate from an unaccredited medical school, be evaluated by the Educational Commission for Foreign Medical Graduates ~~subsequent to July 1, 1984~~, and receive a permanent certificate from the Educational Commission for Foreign Graduates ~~subsequent to July 1, 1984~~; or

Sec. 2. 32 MRSA §3271, sub-§2, as amended by PL 1985, c. 542, is further amended to read:

2. Postgraduate training. Each applicant who has graduated from an accredited medical school on or after January 1, 1970 is required to have satisfactorily completed at least 24 months in a graduate educational program approved by the Accreditation Council on Graduate Medical Education, the Canadian Medical Association or the Royal College of Physicians and Surgeons of Canada. Each applicant who has graduated from an accredited medical school prior to January 1, 1970, is required to have satisfactorily completed at least 12 months in a graduate educational program approved by the Accreditation Council on Graduate Medical Education, the Canadian Medical Association or the Royal College of Physicians and Surgeons of Canada. Each applicant who has graduated from an unaccredited medical school is required to have satisfactorily completed at least 36 months in a graduate educational program approved by the Accreditation Council on Graduate Medical Education, the Canadian Medical Association or the Royal College of Physicians and Surgeons of Canada or approved by an accrediting body which the board considers an equivalent of the accrediting bodies. Notwithstanding this subsection, any applicant who is board certified in family practice and who graduated prior to July 1, 1974, is board certifiable, board certified or board eligible in emergency medicine and who graduated prior to July 1, 1982, shall be deemed to meet the postgraduate training requirements of this subsection.

Sec. 3. 32 MRSA §3271, sub-§3, as enacted by PL 1983, c. 741, §1, is amended to read:

3. Examination. Each applicant shall achieve a passing score on each component of the uniform examination of the Federation of State Medical Boards or such examinations designated by the board as the qualifying examination or examinations for licensure. Each applicant shall additionally be required to achieve a passing score on a State of Maine examination administered by the board.

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

Effective February 10, 1989.

CHAPTER 6

H.P. 305 - L.D. 419

An Act to Delay the Effective Date of the Recodification of County and Municipal Laws

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the recodification of the county and municipal laws will take effect on March 1, 1989; and

Whereas, the recodification does not include many provisions which were enacted in the past year; and

Whereas, if the recodification is allowed to take effect without the necessary corrections, it would inadvertently repeal many new laws and make other unintended substantive changes in law; and

Whereas, legislation is pending which will make the necessary changes to the recodification but which requires further review by the Legislature; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

PL 1987, c. 737, Part C, §106 is amended to read:

Sec. 106. Effective date. This Act shall take effect on ~~March 4~~ April 15, 1989.

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

Effective March 1, 1989.

CHAPTER 7

H.P. 26 - L.D. 24

An Act Making Additional Appropriations from the General Fund and Allocations from Other Funds for the Expenditures of State Government for the Fiscal Year Ending June 30, 1989

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses will become due and payable prior to July 1, 1989; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,