

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-eighth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-eighth Legislature

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Any act authorized, required or permitted to be performed at or by, or with respect to, any such institution on a Saturday on which the institution is closed or open for limited functions only may be so performed on the next succeeding business day, and no liability or loss of rights of any kind shall result from such delay.

Nothing in any law of this State shall in any manner whatsoever affect the validity of, or render void or voidable, the payment, certification or acceptance of a check or other negotiable instrument or any other transaction by a bank or trust company in this State, because done or performed on a Saturday.'

Effective August 28, 1957

Chapter 110

AN ACT Increasing Price Adjustment Maximum for Support of Debtors in Jail.

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

R. S., c. 120, § 83, amended. Section 83 of chapter 120 of the Revised Statutes is hereby amended to read as follows:

'Sec. 83. **Adjustment of price of support.** In case of dispute about the price of such support, the county commissioners may determine it, not exceeding ~~75c~~ \$1.75 a day.'

Effective August 28, 1957

Chapter 111

AN ACT Relating to Registration of Podiatrists.

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

Sec. 1. R. S., c. 68, § 37, sub-§ I, ¶ B, amended. Paragraph B of subsection I of section 37 of chapter 68 of the Revised Statutes is hereby amended to read as follows:

'B. To a physician, dentist, podiatrist or veterinarian;'

Sec. 2. R. S., c. 68, § 38, sub-§ I, amended. The 1st sentence of subsection I of section 38 of chapter 68 of the Revised Statutes, as amended by chapter 292 of the public laws of 1955, is hereby further amended to read as follows:

'An apothecary, in good faith, may sell and dispense narcotic drugs to any person upon a written prescription, or an oral prescription in pursuance to regulations promulgated by the United States Commissioner of Narcotics under federal narcotic laws in effect on ~~the effective date of this act~~ August 20, 1955, of a physician, dentist, podiatrist or veterinarian, dated and signed by the person prescribing on the day when issued and bearing the full name and address of the patient for whom, or of the owner of the animal for which, the drug is dispensed, and the full name, address and registry number under the federal

narcotic laws of the person prescribing, if he is required by those laws to be so registered.'

Sec. 3. R. S., c. 68, § 38, sub-§ III, amended. Subsection III of section 38 of chapter 68 of the Revised Statutes is hereby amended to read as follows:

'III. An apothecary, only upon an official written order, may sell to a physician, dentist, podiatrist or veterinarian, in quantities not exceeding one ounce at any one time, aqueous or oleaginous solutions of which the content of narcotic drugs does not exceed a proportion greater than 20% of the complete solution, to be used for medical purposes.'

Sec. 4. R. S., c. 68, § 39, sub-§§ I, III, amended. Subsections I and III of section 39 of chapter 68 of the Revised Statutes are hereby amended to read as follows:

'I. Physicians, dentists and podiatrists. A physician ~~or a~~ dentist or a podiatrist, in good faith and in the course of his professional practice only, may prescribe, administer and dispense narcotic drugs, or he may cause the same to be administered by a nurse or interne under his direction and supervision.'

'III. Return of unused drugs. Any person, who has obtained from a physician, dentist, podiatrist or veterinarian any narcotic drug for administration to a patient during the absence of such physician, dentist, podiatrist or veterinarian, shall return to such physician, dentist, podiatrist or veterinarian any unused portion of such drug when it is no longer required by the patient.'

Sec. 5. R. S., c. 68, § 41, sub-§ I, amended. The 1st paragraph of subsection I of section 41 of chapter 68 of the Revised Statutes is hereby amended to read as follows:

'Every physician, dentist, podiatrist, veterinarian or other person who is authorized to administer or professionally use narcotic drugs shall keep a record of such drugs received by him, and a record of all such drugs administered, dispensed or professionally used by him otherwise than by prescription. It shall ~~however~~ be deemed a sufficient compliance with the provisions of this subsection if any such person using small quantities of solutions or other preparations of such drugs for local application shall keep a record of the quantity, character and potency of such solutions or other preparations purchased or made up by him, and of the dates when purchased or made up, without keeping a record of the amount of such solution or other preparation applied by him to individual patients.'

Sec. 6. R. S., c. 68, § 42, sub-§ II, amended. Subsection II of section 42 of chapter 68 of the Revised Statutes is hereby amended to read as follows:

'II. Whenever an apothecary sells or dispenses any narcotic drug on a prescription issued by a physician, dentist, podiatrist or veterinarian, he shall affix to the container in which such drug is sold or dispensed, a label showing his own name, address and registry number, or the name, address and registry number of the apothecary for whom he is lawfully acting; the name and address of the patient or, if the patient is an animal, the name and address of the owner of the animal and the species of the animal; the name, address and registry number of the physician, dentist, podiatrist or veterinarian by whom the prescription was written; and such directions as may be stated

on the prescription. No person shall alter, deface or remove any label so affixed.'

Sec. 7. R. S., c. 68, § 43, amended. Section 43 of chapter 68 of the Revised Statutes is hereby amended to read as follows :

'Sec. 43. Authorized possession of narcotic drugs by individuals. A person to whom or for whose use any narcotic drug has been prescribed, sold or dispensed by a physician, dentist, podiatrist, apothecary or other person authorized under the provisions of section 37, and the owner or the person having the custody or control of any animal for which any such drug has been prescribed, sold or dispensed by a veterinarian, may lawfully possess it, except when in use, only in the container in which it was delivered to him by the person selling or dispensing the same.'

Sec. 8. R. S., c. 68, § 49, sub-§ IV, amended. Subsection IV of section 49 of chapter 68 of the Revised Statutes is hereby amended to read as follows :

'IV. No person shall, for the purpose of obtaining a narcotic drug, falsely assume the title of, or represent himself to be, a manufacturer, wholesaler, apothecary, physician, dentist, podiatrist, veterinarian or other authorized person.'

Sec. 9. R. S., c. 74, § 1, repealed and replaced. Section 1 of chapter 74 of the Revised Statutes is hereby repealed and the following enacted in place thereof :

'Sec. 1. Examiners of Podiatrists. The Examiners of Podiatrists, as heretofore appointed and hereinafter in this chapter called the "Examiners," shall be 2 members of the Board of Registration in Medicine together with 2 podiatrists appointed by the Governor with the advice and consent of the Council. The Chairman of the Board of Registration in Medicine shall act as Chairman of the Examiners and the secretary-treasurer of the Board of Registration in Medicine shall act as secretary-treasurer of the Examiners. The podiatrists appointed by the Governor shall be appointed for a term of 4 years from a list submitted by the Podiatry Association of Maine. Appointments shall be spaced so that the term of one of the podiatry members of the Board shall expire every 2 years. The podiatrists selected shall at the time of their appointment have been actively engaged in the practice of podiatry for a period of at least 2 years.'

Sec. 10. R. S., c. 74, § 10, repealed and replaced. Section 10 of chapter 74 of the Revised Statutes, as amended by section 4 of chapter 261 of the public laws of 1955, is hereby repealed and the following section enacted in place thereof :

'Sec. 10. Definitions. The practice of podiatry is defined as the diagnosis and treatment of the human foot by medical, mechanical or surgical means without the use of anaesthetics other than local except that the use of local anaesthesia shall be restricted to use only by those podiatrists who have been granted a doctorate degree from a school approved by the Examiners. A podiatrist is defined as one who administers any such aforesaid treatment to the human foot. The words "podiatrist" and "chiroprapist," "podiatry" and "chiroprady" shall be construed to be synonymous herein.'

Sec. 11. R. S., c. 74, § 8-A, additional. Chapter 74 of the Revised Statutes is hereby amended by adding thereto a new section to be numbered 8-A, to read as follows :

'Sec. 8-A. Narcotics. With the approval of the Bureau of Narcotics, a podiatrist duly licensed in the State of Maine and a graduate of an accredited school of podiatry recognized by the National Association of Chiropodists, who has been granted a doctorate degree, shall be privileged to apply for license and therefore to prescribe narcotic drugs in the treatment of ailments of the human foot.'

Effective August 28, 1957

Chapter 112

AN ACT Relating to Violation of Motor Vehicle Laws by Juveniles.

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

R. S., c. 146, § 2, amended. Section 2 of chapter 146 of the Revised Statutes is hereby amended by adding at the end thereof a new paragraph, to read as follows:

'Juvenile courts shall have no jurisdiction over offenses in which a child under the age of 17 years is charged with the violation of any provision of chapter 22 or of any other traffic law or ordinance, provided such offense is a misdemeanor.'

Effective August 28, 1957

Chapter 113

AN ACT Relating to Trial Terms of Superior Court in Cumberland County.

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

R. S., c. 106, § 11, sub-§ III, amended. Subsection III of section 11 of chapter 106 of the Revised Statutes, as amended by chapter 285 of the public laws of 1955, is hereby further amended to read as follows:

'III. Cumberland. At Portland on the first Tuesday of every month except July and August; but the criminal business of said county, ~~except as herein-after provided~~, shall be transacted at the terms held on the first Tuesdays of January, May and September, together with civil business. After its final adjournment for civil business, ~~The any~~ January, May ~~and~~ or September terms of said Court may be kept open for criminal business ~~after their final adjournment for civil business~~ for such time as the presiding justice may deem expedient, provided ~~that they~~ it shall be finally adjourned at least 7 days before the convening of the next ~~succeeding term in which criminal business may be done~~ of whichever January, May or September term ensues chronologically after such final adjournment; and all business having to do with criminal appeal cases and pending indictments may be transacted at Portland at any term begun on the first Tuesday of ~~every~~ any month except July and August.; ~~and criminal~~ Criminal appeal cases from municipal courts and trial