

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with
the Revised Statutes of 1964, Title 3 Section 164, Subsection 6.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1971

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Fifth Legislature
1971

1 of chapter 15 of the public laws of 1967, is further amended to read as follows:

G. All ~~house and~~ camp trailers, as defined in section 1481, except those taxed as stock in trade.

Effective September 23, 1971

Chapter 236

AN ACT Prohibiting Dragging for Fish in Spruce Creek, York County.

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

Whereas, fishing is one of Maine's greatest natural resources and tourist attractions; and

Whereas, conservation of fish for both the inhabitants of Maine and our summer visitors is vital to the economy 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:

R. S., T. 12, § 4211, additional. Title 12 of the Revised Statutes is amended by adding a new section 4211, to read as follows:

§ 4211. Dragging in Spruce Creek

It is unlawful to fish by dragging from the waters of Spruce Creek, a body of salt water located in the Town of Kittery, York County, north of the Kittery Point Bridge. Whoever violates this section shall be punished by a fine of \$100 or by imprisonment for not more than 30 days, or by both.

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

Effective April 30, 1971

Chapter 237

AN ACT Relating to the Rendering of Treatment and Services to Minors for Drug Abuse Without Parental Consent.

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

Sec. 1. R. S., T. 17, § 902, amended. Section 902 of Title 17 of the Revised Statutes is amended by adding at the end the following new paragraph:

Licensed or certified persons rendering treatment or services in connection with problems associated with the abuse of drugs pursuant to Title 32, sections 2606, 3154, 3817 and 4185-A shall be exempt from the necessity of disclosure under this section of "possession" or "use" violations of Title 22, chapter 551, subchapter II, chapter 557 and chapter 558, known to such licensed or certified person to have been committed by the person receiving treatment or services for problems associated with the abuse of drugs.

Sec. 2. R. S., T. 32, § 2606, amended. Section 2606 of Title 32 of the Revised Statutes, as enacted by section 60-A of chapter 590 of the public laws of 1969, is amended to read as follows:

§ 2606. Treatment of minors

Any person licensed under this chapter who, in the exercise of due care, renders medical care to a minor for treatment of venereal disease or of problems associated with the abuse of drugs is under no obligation to obtain the consent of a parent or a guardian, as applicable, or to inform such parent or guardian of such treatment. The licensed person rendering medical care to a minor for treatment of problems associated with the abuse of drugs may, at his discretion, within 48 hours from the initiation of treatment notify, or obtain consent from, the parent or guardian of such minor, as applicable, with respect to continuing treatment.

Sec. 3. R. S., T. 32, § 3154, amended. Section 3154 of Title 32 of the Revised Statutes, as enacted by section 62 of chapter 590 of the public laws of 1969, is amended to read as follows:

§ 3154. Treatment of minors

Any person licensed under this chapter who, in the exercise of due care, renders medical care to a minor for treatment of venereal disease or of problems associated with the abuse of drugs is under no obligation to obtain the consent of a parent or a guardian, as applicable, or to inform such parent or guardian of such treatment. The licensed person rendering medical care to a minor for treatment of problems associated with the abuse of drugs may, at his discretion, within 48 hours from the initiation of treatment notify, or obtain consent from, the parent or guardian of such minor, as applicable, with respect to continuing treatments.

Sec. 4. R. S., T. 32, §§ 3817 and 4185-A, additional. Title 32 of the Revised Statutes is amended by adding 2 new sections to read as follows:

§ 3817. Services to minors for drug abuse

Any person licensed under this chapter who, in the exercise of due care, renders psychological services to a minor for problems associated with the abuse of drugs is under no obligation to obtain the consent of a parent or a guardian, as applicable, or to inform such parent or guardian of such services. The licensed person rendering psychological services to a minor for problems associated with the abuse of drugs may, at his discretion, within 48 hours from the initiation of such services notify, or obtain consent from, the parent or guardian of such minor, as applicable, with respect to continuing provision of services.

§ 4185-A. Services to minors for drug abuse

Any person certified under this chapter who, in the exercise of due care, renders social work services to a minor for problems associated with the abuse of drugs is under no obligation to obtain the consent of a parent or a guardian, as applicable, or to inform such parent or guardian of such services. The certified person rendering social work services to a minor for problems associated with the abuse of drugs may, at his discretion, within 48 hours from the initiation of such services notify, or obtain consent from, the parent or guardian of such minor, as applicable, with respect to continuing provision of services.

Effective September 23, 1971

Chapter 238

AN ACT Requiring Public Hearings by the Park and Recreation Commission Prior to the Exercise of Eminent Domain.

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

R. S., T. 12, § 602, sub-§ 1, amended. Subsection 1 of section 602 of Title 12 of the Revised Statutes is amended by adding at the end the following new paragraph:

Prior to the exercise of any eminent domain power, the commission shall notify the owners of any lands proposed to be acquired and shall, at the request of such landowners, afford such landowners with the opportunity of a public hearing to testify as to the necessity and propriety of taking such lands.

Effective September 23, 1971

Chapter 239

AN ACT Relating to Insurance on State-owned Property.

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

Whereas, the present insurance on state property expires July 1, 1971; and

Whereas, the proposed legislation should become effective prior to that date, to enable the Insurance Advisory Board to replace expiring insurance coverage and to increase the deductible provisions of state insurance with the long range goal of permitting the State to provide for a proper self-insured retention on a properly funded basis; and