

MAINE STATE LEGISLATURE

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ACTS, RESOLVES AND CONSTITUTIONAL RESOLUTIONS

AS PASSED BY THE

One Hundred and Sixth Legislature

OF THE

STATE OF MAINE

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

1973

CHAPTER 143

AN ACT Relating to Removal of Dilapidated Wharves or Piers.

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

Sec. 1. R. S., T. 17, § 2851, amended. The first paragraph of section 2851 of Title 17 of the Revised Statutes, as last repealed and replaced by section 1 of chapter 401 of the public laws of 1967, is amended to read as follows:

Whenever the municipal officers shall find a building or structure or any portion thereof or any wharf, pier, pilings or any portion thereof which is or was located on or extending from land within the boundaries of the municipality, as measured from low water mark, is structurally unsafe; unstable; unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment or is otherwise dangerous to life or property, they may after notice and hearing on this matter, adjudge the same to be a nuisance or dangerous and may make and record an order prescribing what disposal shall be made thereof.

Sec. 2. R. S., T. 17, § 2853, amended. Section 2853 of Title 17 of the Revised Statutes, as repealed and replaced by chapter 284 of the public laws of 1965, and as amended, is further amended by adding at the end a new sentence to read as follows:

In the case of any claim for expenses incurred in the abatement or removal of any wharf, pier, pilings or any portion thereof which extends beyond the low water mark, the special tax authorized by this section shall apply to the land from which such wharf, pier or pilings extended or to which they were adjacent, provided the owner of the land is also the owner of the said wharf, pier, pilings or portion thereof.

Effective October 3, 1973

CHAPTER 144

AN ACT Relating to Credit for Confinement within County Jail Prior to Sentencing.

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

R. S., T. 15, § 1701-A, additional. Title 15 of the Revised Statutes is amended by adding a new section 1701-A to read as follows:

§ 1701-A. Credit for confinement prior to sentencing

Any person who is sentenced to the Maine State Prison, Men's Correctional Center, Women's Correctional Center, or to any county jail and is in execution thereof, shall be granted credit against the maximum term and

minimum term, if applicable, of his sentence during which such person was confined in jail awaiting and during trial prior to the imposition of sentence, pending appeal, and not under any sentence of confinement. The clerk of the court sentencing any such person shall record in the judgment and order of commitment the number of days of such confinement and the credit provided for in this section shall be calculated on the basis of such information.

If any such person shall be committed to jail or other place of detention to await transportation to the place at which his sentence is to be served, his sentence shall commence to run from the date on which he is received at such jail or other place of detention.

Effective October 3, 1973

CHAPTER 145

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. The last paragraph of section 902 of Title 17 of the Revised Statutes, as enacted by section 1 of chapter 237 of the public laws of 1971, is amended to read as follows:

Licensed or certified persons or institutions 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 and Title 22, section 1823 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 or institution 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, repealed and replaced. Section 2606 of Title 32 of the Revised Statutes, as enacted by section 60-A of chapter 590 of the public laws of 1969 and as amended by section 2 of chapter 237 of the public laws of 1971, is repealed and the following enacted in place thereof:

§ 2606. Treatment of minors

Any person licensed under this chapter who renders medical care to a minor for treatment of venereal disease or abuse of drugs is under no obligation to obtain the consent of said minor's parent or guardian or to inform such parent or guardian of such treatment. Nothing in this section shall be construed so as to prohibit the licensed person rendering such treatment from informing such parent or guardian. For purposes of this section "abuse of drugs" means the use of drugs solely for their stimulant, depressant or hallucinogenic effect upon the higher functions of the central nervous system and not as a therapeutic agent recommended by a practitioner in the course of medical treatment.