

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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AS PASSED BY THE
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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 R. S., T. 32, § 2606, repealed and replaced.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of chapter 590 of the public laws of 1969 and as amended by section 2 of chapter 237 of the public laws of 1971, is repealed and the following enacted in place thereof: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.

Sec. 3. R. S., T. 32, § 3292, repealed and replaced. Section 3292 of Title 32 of the Revised Statutes, as enacted by section 1 of chapter 591 of the public laws of 1971, is repealed and the following enacted in place thereof:

§ 3292. 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.

Sec. 4. R. S., T. 32, § 3817, repealed and replaced. Section 3817 of Title 32 of the Revised Statutes, as enacted by section 4 of chapter 237 of the public laws of 1971, is repealed and the following enacted in place thereof:

§ 3817. Services to minors for drug abuse

Any person licensed under this chapter who renders psychological services to a minor for problems associated with the 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 services. Nothing in this section shall be construed so as to prohibit the licensed person rendering such services 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.

Sec. 5. R. S., T. 32, § 4185-A, repealed and replaced. Section 4185-A of Title 32 of the Revised Statutes, as enacted by section 4 of chapter 237 of the public laws of 1971, is repealed and the following enacted in place thereof:

§ 4185-A. Services to minors for drug abuse

Any person certified under this chapter who renders social work services to a minor for problems associated with the 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.

Sec. 6. R. S., T. 22, § 1823, additional. Title 22 of the Revised Statutes is amended by adding a new section 1823 to read as follows:

§ 1823. Treatment of minors

Any hospital licensed under this chapter which provides facilities to a minor in connection with the treatment of such minor for 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 the provision of such facilities so long as such facilities have been provided at the direction of the person or persons referred to in Title 32, sections 2606, 3292, 3817 or 4185-A. Provided, however, that such hospital shall notify and obtain the consent of said minor's parent or guardian if such hospitalization continues for more than 16 hours.

Effective October 3, 1973

CHAPTER 146

AN ACT to Extend Law Relating to Construction and Effect of Repealing Acts to Include Municipal Ordinances.

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

R. S., T. 1, § 302, repealed and replaced. Section 302 of Title 1 of the Revised Statutes, as amended by chapter 10 of the public laws of 1967, is repealed and the following enacted in place thereof:

§ 302. Construction and effect of repealing Acts

The repeal of an Act, resolve or municipal ordinance passed after the 4th day of March, 1870 does not revive any statute or ordinance in force before the Act, resolve or ordinance took effect. The repeal of an Act or ordinance does not affect any punishment, penalty or forfeiture incurred before the repeal takes effect, or any action or proceeding pending at the time of the repeal, for an offense committed or for recovery of a penalty or forfeiture incurred under the Act or ordinance repealed. Actions and proceedings pending at the time of the passage or repeal of an Act or ordinance are not affected thereby. For the purposes of this section, a proceeding shall include but not be limited to petitions or applications for licenses or permits required by law at the time of their filing.

Effective October 3, 1973

CHAPTER 147

AN ACT Extending the Appeal Period under Employment Security Law.

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

R. S., T. 26, § 1194, sub-§ 2, amended. The 2nd sentence of the last paragraph of subsection 2 of section 1194 of Title 26 of the Revised Statutes, as