

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

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

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

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§ 2595. 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.

§ 2596. Osteopathic review committees

Any physician licensed under this chapter shall not be liable for civil damages as the result of his acts, omissions or decisions in connection with his duties as a member of a utilization review committee or as a member of a peer review committee.

§ 2597. Saving clause

This chapter shall have no application to the licensing or practice of allopathic physicians, dentists, chiropractors, optometrists, veterinarians, podiatrists or nurses.

§ 2598. Penalty

Any person who attempts to practice osteopathic medicine without proper license or certificate or who holds himself or herself out to the public under circumstances as to induce the belief that said person is legally engaged in the practice of osteopathic medicine without having fully complied with all requirements of law shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$50 nor more than \$500, or by imprisonment for not less than 30 days, nor for not more than 11 months, or by both such fine and imprisonment; provided that nothing in this chapter shall be construed to prohibit any lawfully qualified osteopathic physician in any other state meeting a registered osteopathic physician in this State for consultation.

Sec. 2. R. S., T. 32, c. 37, repealed. Chapter 37 of Title 32 of the Revised Statutes, as amended, is repealed.

Sec. 3. Effective date. This Act shall become effective 91 days after the adjournment of the Legislature.

Effective October 4, 1973

CHAPTER 375

AN ACT Relating to the Certification of State Employees' Compensation.

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

R. S., T. 5, § 11, amended. The first paragraph of section 11 of Title 5 of the Revised Statutes is amended by adding at the end a new sentence to read as follows:

In the case of all unclassified employees, certification shall be by their appointing authority.

Effective October 3, 1973

CHAPTER 376

AN ACT Relating to Interstate Parole and Probation Hearing Procedures.

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

R. S., T. 34, c. 125, additional. Title 34 of the Revised Statutes is amended by adding a new chapter 125 to read as follows:

CHAPTER 125

PRELIMINARY HEARING IN INTERSTATE PROBATION

AND PAROLE VIOLATION CASES

§ 1771. Preliminary hearing required, detention

Where supervision of a parolee or probationer is being administered pursuant to chapter 123, the appropriate judicial or administrative authorities in this State shall notify the compact administrator of the sending state whenever, in their view, consideration should be given to retaking or reincarceration for a parole or probation violation. Prior to the giving of any such notification, a hearing shall be held in accordance with this chapter within a reasonable time, unless such hearing is waived by the parolee or probationer. The appropriate officer or officers of this State shall as soon as practicable, following termination of any such hearing, report to the sending state, furnish a copy of the hearing record and make recommendations regarding the disposition to be made of the parolee or probationer by the sending state. Pending any proceeding pursuant to this chapter, the appropriate officers of this State may take custody of and detain the parolee or probationer involved for a period not to exceed 15 days prior to the hearing and, if it appears to the hearing officer or officers that retaking or reincarceration is likely to follow, for such reasonable period after the hearing or waiver as may be necessary to arrange for the retaking or reincarceration.

§ 1772. Persons authorized to conduct preliminary hearing

Any hearing pursuant to this chapter may be before the compact administrator under chapter 123 or his authorized designee, except that no hearing officer shall be the person making the allegation of violation.

§ 1773. Procedure at preliminary hearing

With respect to any hearing pursuant to this chapter, the parolee or probationer:

1. Notice. Shall have reasonable notice in writing of the nature and content of the allegations to be made, including notice that its purpose is to