

# MAINE STATE LEGISLATURE

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LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Sixth Legislature  
1ST SPECIAL SESSION  
JANUARY 2, 1974 TO MARCH 29, 1974  
AND BY THE  
One Hundred and Seventh Legislature  
REGULAR SESSION  
JANUARY 1, 1975 TO JULY 2, 1975

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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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1975

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PUBLIC LAWS  
OF THE  
STATE OF MAINE

AS PASSED BY THE  
One Hundred and Seventh Legislature

1975

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10. Deputies, assistants and staff attorneys of the Department of the Attorney General. Deputies, assistants and staff attorneys of the Attorney General's Department.

Effective October 1, 1975

## CHAPTER 137

AN ACT to Place Certain Safeguards on the Proceedings of Medical Review Committees.

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

Sec. 1. 32 MRSA § 2599 is enacted to read:

§ 2599. Records of proceedings of hospital medical staff review committees confidential

All proceedings and records of proceedings concerning medical staff reviews and hospital reviews conducted by committees of physicians and other health care personnel on behalf of hospitals located within the State, when such reviews are required by state or federal law or regulations or as a condition of accreditation by the Joint Commission on Accreditation of Hospitals or the American Osteopathic Association Committee on Hospital Accreditation are confidential and shall be exempt from discovery without a showing of good cause.

Sec. 2. 32 MRSA § 3296 is enacted to read:

§ 3296. Records of proceedings of hospital medical staff review committees confidential

All proceedings and records of proceedings concerning medical staff reviews and hospital reviews conducted by committees of physicians and other health care personnel on behalf of hospitals located within the State, when such reviews are required by state or federal law or regulations or as a condition of accreditation by the Joint Commission on Accreditation of Hospitals or the American Osteopathic Association Committee on Hospital Accreditation are confidential and shall be exempt from discovery without a showing of good cause.

Effective October 1, 1975

## CHAPTER 138

AN ACT Relating to Interest on Awards in Workmen's Compensation Cases.

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

39 MRSA § 72 is enacted to read:

§ 72. Interest on awards

Upon each award of the Industrial Accident Commission interest shall be assessed from the date on which the last filed petition for award is filed at a

rate of 6% per year, provided that if the prevailing party at any time requests and obtains a continuance for a period in excess of 30 days interest will be suspended for the duration of the continuance. From and after the date of award, interest shall be allowed at the rate of 10% per year. This section shall not apply to claims involving employees of the State of Maine.

Effective October 1, 1975

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## CHAPTER 139

### AN ACT Relating to the Transfer of Misdemeanor Proceedings without Trial to the Superior Court.

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

Whereas, Title 15, section 2114 was amended by the public laws of 1973, chapter 520 to provide for transfer of criminal prosecutions in the District Court to the Superior Court for jury trial upon election by the defendant; and

Whereas, as a result of such amendment there now exists a considerable backlog of District Court prosecutions on the docket of the Superior Court, impeding the orderly transaction of the business of said court and the administration of justice in said court; and

Whereas, if this Act were effective on May 1, 1975, as herein provided in section 2, instead of 90 days after adjournment, it would permit measures to be taken to ameliorate said situation in a prompt but orderly manner; 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:*

15 MRSA § 2114, as last repealed and replaced by PL 1973, c. 520, is repealed and the following enacted in place thereof:

§ 2114. Defendant may request transfer without trial

In all misdemeanor criminal proceedings before the District Court the defendant may plead not guilty and may seasonably request that the case be transferred without trial to the Superior Court in which event the District Court shall forthwith transfer the case to the Superior Court for disposition as if an appeal under section 2111 of this chapter. Nothing in this section shall prevent a defendant after the transfer of the case to the Superior Court