

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

One Hundred and Seventh Legislature

AT THE

1ST SPECIAL SESSION

JANUARY 19, 1976 TO APRIL 29, 1976

AND

2ND SPECIAL SESSION

JUNE 14, 1976

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

PORTLAND LITHOGRAPH COMPANY
PORTLAND, MAINE
1977

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Seventh Legislature
AT THE FIRST SPECIAL SESSION
January 19, 1976 to April 29, 1976
AND THE SECOND SPECIAL SESSION
June 14, 1976

Supplementary to the Acts and Resolves of the Regular Session

[supplied from page 3097 of volume]

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

24-A MRSA § 2902, sub-§ 2, as repealed and replaced by PL 1975, c. 437, § 2, is amended to read:

2. The amount of coverage to be so provided shall be not less than the amount of coverage for liability for bodily injury or death in the policy offered or sold to a purchaser unless the purchaser rejects such amount, but in any event shall not be less than the minimum limits for bodily injury liability insurance provided for under the motorist's financial responsibility laws of this State Title 29, section 787, subsection 1.

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

Effective March 23, 1976

CHAPTER 677

AN ACT to Prohibit Embalming when an Autopsy has been Authorized.

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

32 MRSA § 1404-A is enacted to read:

§ 1404-A. No embalming when autopsy authorized

The next of kin or legal representative of a person who has died may authorize an autopsy. If an autopsy is authorized, no person shall inject into or remove from any artery, vein, or cavity of the body of the person who has died any fluid, gas or other substance except by or with the permission of a pathologist, medical examiner or licensed physician in attendance.

On completion of the autopsy, the body shall be released for normal handling.

The provisions of this section do not apply to deaths within the jurisdiction of medical examiners or autopsies as authorized in Title 22, chapter 711.

A violation of this section is a Class E crime.

Effective July 29, 1976

CHAPTER 678

AN ACT to Amend the Mandatory Reporting Law on Child Abuse and Neglect.

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

Sec. 1. 22 MRSA § 3853, last sentence, as enacted by PL 1965, c. 68 and as repealed and replaced by PL 1975, c. 167, § 1, is repealed.

Sec. 2. 22 MRSA § 3853, as enacted by PL 1965, c. 68, and as repealed and replaced by PL 1975, c. 167, § 1, is amended by adding at the end the following new paragraph:

This section does not require any person to report when the factual basis for knowing or suspecting child abuse or neglect came from treatment of the individual for suspected child abuse or neglect, the treatment was sought by the individual for a problem relating to child abuse or neglect and in the opinion of the person required to report, the child's life or health is not immediately threatened.

Effective July 29, 1976

CHAPTER 679

AN ACT to Clarify the Authority of the National Guard in Providing Emergency Medical Services.

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

Whereas, the existing situation regarding the utilization of National Guard personnel and equipment to render emergency medical service urgently requires clarification; and

Whereas, the continuation of emergency missions as are now being performed is in immediate jeopardy; 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:

Sec. 1. 14 MRSA § 164, 1st sentence, as repealed and replaced by PL 1975, c. 452, § 1, is amended to read:

Notwithstanding any inconsistent provisions of any public or private and special law, any person who voluntarily, without the expectation of monetary or other compensation from the person aided or treated, renders first aid, emergency treatment or rescue assistance to a person who is unconscious, ill, injured or in need of rescue assistance, shall not be liable for damages for injuries alleged to have been sustained by such person nor for damages for the death of such person alleged to have occurred by reason of an act or omission in the rendering of such first aid, emergency treatment or rescue assistance, unless it is established that such injuries or such death were caused willfully, wantonly or recklessly or by gross negligence on the part of such person.