

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 1980 to June 19, 1981

AND AT THE

FIRST SPECIAL SESSION
August 3, 1981

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PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
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20 MRSA § 918, sub-§ 4 is enacted to read:

4. **Emergency medical treatment.** Notwithstanding any other provision of any public or private and special law, any nonlicensed agent or employee of a school or school administrative unit who renders first aid, emergency treatment or rescue assistance to a student during a school program may not be held liable for injuries alleged to have been sustained by that student or for the death of that student alleged to have occurred as a result of an act or omission in rendering such aid, treatment or assistance. This subsection does not apply to injuries or death caused willfully, wantonly or recklessly or by gross negligence on the part of the agent or employee.

Effective September 18, 1981

CHAPTER 379

S. P. 93 — L. D. 209

AN ACT to Clarify a Sentencing Disposition of Juvenile Offenders.

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

Sec. 1. 15 MRSA § 3314, sub-§ 1, ¶C, as amended by PL 1977, c. 664, § 36, is further amended to read:

C. The court may commit a juvenile to the Department of Mental Health and Corrections for placement in a group home or residential facility or to the Department of Human Services for placement in a foster home, group care home or ~~halfway house residential facility~~, or to either department for the provision of services to a juvenile in his own home or for any other placement the department deems appropriate.

Sec. 2. 15 MRSA § 3314, sub-§ 1, ¶D, as amended by PL 1979, c. 512, § 6, is further amended to read:

D. The court may commit a person over the age of 18 years to the Department of Mental Health and Corrections if he is adjudicated as having committed a juvenile crime prior to attaining 18 years of age or upon revocation of probation for placement in a foster home group care home or ~~halfway house residential facility~~, or for the provision of services to that person in his own home.

Sec. 3. 15 MRSA § 3317, as amended by PL 1977, c. 664, § 41-A, is further amended to read:

§ 3317. Disposition after return to juvenile court

In instances of commitment of a juvenile to the **Department of Mental Health and Corrections, the Department of Human Services or the Maine Youth Center, the commissioner of either department or the superintendent of the youth center thereof** following such the commitment may for good cause petition the juvenile court having original jurisdiction in the case for a judicial review of the disposition, including extension of the period of commitment. In all cases in which a juvenile is returned to a juvenile court ~~from the Maine Youth Center~~, the juvenile court may make any of the dispositions otherwise provided in section 3314.

Effective September 18, 1981

CHAPTER 380

H. P. 631 — L. D. 712

AN ACT to Provide for the Limitations of Liability in Regard to Certain Insurance Inspections.

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

Sec. 1. 14 MRSA § 167 is enacted to read:

§ 167. Insurance inspections

1. **Exemption.** Subject to subsection 2, the furnishing of, or failure to furnish, insurance inspection services related to, in connection with or incidental to the issuance or removal of a policy of property or casualty insurance shall not subject the insurer, its agents, employees or service contractors to liability for damages from injury, death or loss occurring as a result of any act or omission by any person in the course of such services.

2. **Notice required.** Subsection 1 shall not apply or be effective unless the insurer notifies the insured in writing of the provisions of this section whenever the policy is issued or renewed. The Superintendent of Insurance shall adopt a regulation specifying the contents of the notice required by this subsection and the manner in which it shall be given.

3. **Exceptions.** This section shall not apply:

A. If the injury, loss or death occurred during the actual performance of inspection services and was proximately caused by the negligence of the insurer, its agent, employees or service contractors;

B. To any inspection services required to be performed under the provisions of a written service contract or defined loss prevention program; and