

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTIETH LEGISLATURE

FIRST SPECIAL SESSION
November 13, 2002 to November 14, 2002

ONE HUNDRED AND TWENTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 4, 2002 to June 14, 2003

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
FEBRUARY 13, 2003

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 13, 2003

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2003

State to file a petition for a violation of Title 22, section 2389, subsection 2 or Title 28-A, section 2052, the juvenile community corrections officer shall inform the Secretary of State of the violation. The Secretary of State shall suspend for a period of 30 days that juvenile's license or permit to operate, right to operate a motor vehicle and right to apply for and obtain a license.

The attorney for the State on that attorney's own motion or upon receiving a request for review by the law enforcement officer, the complainant or the victim, shall consider the facts of the case, consult with the juvenile community corrections officer who made the initial decision and then make a final decision as to whether to file the petition. Notwithstanding any action or inaction by the juvenile community corrections officer, the attorney for the State may file a petition at any time more than 30 days after the juvenile community corrections officer has been given notice pursuant to section 3203-A.

Sec. 6. 15 MRSA §3314, sub-§3-A, as amended by PL 1995, c. 65, Pt. A, §49 and affected by §153 and Pt. C, §15, is further amended to read:

3-A. Operator's license suspension for drug offenses. The court may suspend for a period of up to 6 months the license or permit to operate, right to operate a motor vehicle and right to apply for and obtain a license of any person who violates Title 17-A, chapter 45; ~~or~~ Title 22, section 2383, unless the juvenile is authorized to possess marijuana for medical use pursuant to Title 22, section 2383-B, subsection 5; Title 22, section 2389, subsection 2; or Title 28-A, section 2052 and is adjudicated pursuant to this chapter to have committed a juvenile crime.

The court shall give notice of suspension and take physical custody of an operator's license or permit as provided in Title 29-A, section 2434. The court shall immediately forward the operator's license and a certified abstract of suspension to the Secretary of State.

See title page for effective date.

CHAPTER 306

H.P. 526 - L.D. 720

An Act To Protect Health Care Workers Who Report Medical Errors

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

Sec. 1. 26 MRSA §833, sub-§1, ¶¶C and D, as enacted by PL 1987, c. 782, §4, are amended to read:

C. The employee is requested to participate in an investigation, hearing or inquiry held by that public body, or in a court action; ~~or~~

D. The employee acting in good faith, has refused to carry out a directive that would expose the employee or any individual to a condition that would result in serious injury or death, after having sought and been unable to obtain a correction of the dangerous condition from the employer; or

Sec. 2. 26 MRSA §833, sub-§1, ¶E is enacted to read:

E. The employee, acting in good faith and consistent with state and federal privacy laws, reports to the employer, to the patient involved or to the appropriate licensing, regulating or credentialing authority, orally or in writing, what the employee has reasonable cause to believe is an act or omission that constitutes a deviation from the applicable standard of care for a patient by an employer charged with the care of that patient. For purposes of this paragraph, "employer" means a health care provider, health care practitioner or health care entity as defined in Title 24, section 2502.

Sec. 3. Printing of notice. Notwithstanding the Maine Revised Statutes, Title 26, section 42-B, the Department of Labor, Bureau of Labor Standards is not required to modify and redistribute the printed notice required by that section to reflect the changes in the laws resulting from this Act. The Bureau of Labor Standards shall modify the printed notice to reflect the changes contained in this Act when it becomes necessary to print additional notices due to an insufficient supply of such notices or future changes in the laws.

See title page for effective date.

CHAPTER 307

S.P. 121 - L.D. 342

An Act to Amend the Law Relating to Annuities

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

Whereas, national financial markets have been severely and adversely affected as the result of the