

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

FIRST REGULAR SESSION
December 6, 2006 to June 21, 2007

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 20, 2007

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

Penmor Lithographers
Lewiston, Maine
2007

board or officer or in connection with a prosecution or proceeding in court.

Sec. 11. 34-A MRSA §9888 is enacted to read:

§9888. Administrative preliminary hearing

Whenever it appears that a person accepted for supervision under this compact arrested for an alleged violation of a supervision condition is entitled under the compact to a determination of whether there is probable cause to believe the person has violated a condition of that person's supervision, the determination must be made at an administrative preliminary hearing meeting the requirements of the compact and held before an official designated by the Commissioner of Corrections within 5 days after the arrest, excluding Saturdays, Sundays and holidays.

See title page for effective date.

CHAPTER 345

S.P. 617 - L.D. 1750

**An Act To Amend the Statute
of Limitations for Actions
against Professional Land
Surveyors**

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

Sec. 1. 14 MRSA §752-D, as enacted by PL 1993, c. 161, §1, is amended to read:

§752-D. Land surveyors

All civil actions for professional negligence against a professional land ~~surveyors~~ surveyor duly licensed or registered under Title 32 must be commenced within 4 years after the negligence is discovered, but an action may not be commenced more than ~~20~~ 10 years after the completion of the ~~plan contract~~ for services or the completion of the ~~professional services provided if a plan is not prepared~~ contract for services is not involved.

Sec. 2. Application. This Act applies to:

1. All actions for professional negligence for which a contract for services is completed on or after the effective date of this Act; and

2. All actions for professional negligence for which the services provided are completed on or after the effective date of this Act if a contract for services is not involved.

See title page for effective date.

CHAPTER 346

H.P. 1248 - L.D. 1786

**An Act To Reduce the Spread
of Infectious Disease through
Shared Hypodermic
Apparatuses**

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

PART A

Sec. A-1. 22 MRSA §1341, as enacted by PL 1997, c. 340, §3, is amended to read:

§1341. Hypodermic apparatus exchange programs

1. Certification of programs. ~~The Bureau of Health~~ Maine Center for Disease Control and Prevention may certify hypodermic apparatus exchange programs that meet the requirements established by rule under subsection 2.

A. The Maine Center for Disease Control and Prevention may not limit the number of hypodermic apparatuses provided by the programs to participants.

B. The Maine Center for Disease Control and Prevention may not limit the number of hypodermic apparatuses that participants served by the programs may legally possess, transport or exchange.

2. Rules. ~~The Bureau of Health~~ Maine Center for Disease Control and Prevention shall adopt rules pursuant to the Maine Administrative Procedure Act establishing requirements for hypodermic apparatus exchange programs. The rules must include but are not limited to:

A. Procedures for the safe disposal of hypodermic apparatuses;

B. Tracking the number of hypodermic apparatuses distributed and collected; ~~and~~

C. Drug abuse prevention and treatment education; ~~and~~

D. Measures to discourage the utilization of used hypodermic apparatuses.

Rules adopted ~~or amended~~ pursuant to this section are ~~major substantive~~ routine technical rules as defined in Title 5, chapter 375, subchapter ~~H-A~~ 2-A.

3. Reports. ~~The Bureau of Health~~ Maine Center for Disease Control and Prevention shall report to the joint standing committees of the Legislature having jurisdiction over judiciary matters and health and human services matters by January 15, 1999 and annually thereafter on hypodermic apparatus exchange programs certified under this section. The report must