

MAINE STATE LEGISLATURE

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REVISED STATUTES

OF THE

STATE OF MAINE

1954

1961 CUMULATIVE SUPPLEMENT

ANNOTATED

IN FIVE VOLUMES

VOLUME 2

Discard Previous Pocket Part Supplement

THE MICHIE COMPANY
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ment of not more than 10 days. Each subsequent offense shall be punishable by a fine of not more than \$200, or by imprisonment of not less than 10 days nor more than 30 days, or by both.

Trial justices in their respective counties shall have original and concurrent jurisdiction with municipal courts and the superior court over all prosecutions for violation of the provisions of this chapter. All fines and forfeitures collected under this chapter shall accrue to the county where the offense is prosecuted. It shall be necessary to prove in any prosecution or hearing under this section only a single act prohibited by law or a single holding out or an attempt without proving a general course of conduct, in order to constitute a violation. Such misdemeanors shall be prosecuted by the county attorney. (1959, c. 303, § 1.)

Sec. 11. Injunctive relief. — The superior court shall have jurisdiction, upon information filed by the county attorney at the request of the board, to restrain or enjoin any person from committing any act declared to be a misdemeanor by this chapter. If it be established that the defendant has been or is committing an act declared to be a misdemeanor by this chapter, the court or any judge thereof shall enter a decree perpetually enjoining said defendant from further committing such act. In case of violation of any injunction issued under this section, the court or any judge thereof may summarily try and punish the offender for contempt of court. Such injunction proceedings shall be in addition to, and not in lieu of, all penalties and other remedies provided in this chapter. (1959, c. 303, § 1. 1961, c. 317, § 212.)

Effect of amendment.—The 1961 amendment substituted "superior court" for "supreme judicial court and the superior court" and deleted "in equity" following "jurisdiction" in the first sentence of this section.

Chapter 70.

Licensed Practical Nurses.

Editor's note. — P. L. 1959, c. 303, repealing R. S. cc. 69, 70, provided in section 2 thereof as follows:

"Sec. 2. R. S., cc. 69, 70, repealed. Chapter 69 and 70 of the Revised Statutes, which relate to Registered Nurse and

Practical Nurses, as amended, are repealed, except as their continued effectiveness is required to permit the carrying out of the provisions of chapter 69-A, sections 3 and 6."

Secs. 1-5. Repealed by Public Laws 1959, c. 303, § 2.

Chapter 71.

Registration of Osteopaths.

Sec. 7. Certificate publicly displayed; rights under certificate.

Any osteopathic physician of good repute who is a graduate of an accredited osteopathic college, serving as an intern, resident physician or surgeon in a hospital in this state shall register with the board and be issued a certificate by the board evidencing the right of such a person to hold a temporary license to practice only in said hospital. Such a certificate may not be issued for a period in excess of one year, but may be renewed from time to time, not to exceed an aggregate of 5 years. The certificate shall be in a form prescribed by the board and may be revoked or suspended at any time by the board with such suspension or revocation effective when written notification from the board is received by the hospital. (R. S. c. 64, § 7. 1953, c. 294, § 4. 1955, c. 167.)

Effect of amendment.—The 1955 amendment added the above paragraph at the end of this section. As original paragraph of the section was not changed by the amendment, it is not set out.

Sec. 10. License suspended or revoked.—The board, its members or agents shall investigate all complaints and all cases of noncompliance with or violations of this chapter relating to the registration of osteopathic physicians and shall bring all such cases to the notice of the proper prosecuting officer. The hearing officer designated in chapter 20-A, after a conviction before the proper court for crime in the course of professional business of any person to whom a certificate has been issued and after hearing may revoke the certificate and cancel the registration of the person to whom the same was issued. The board may suspend or revoke any certificate by a 4/5 vote of the entire board in any case where such certificate has been wrongly obtained or for any fraud connected with the said registration. (R. S. c. 64, § 10. 1961, c. 394, § 30.)

Effect of amendment.—The 1961 amendment rewrote the second sentence, which formerly provided for revocation and cancellation by the board, and made other minor changes.

Sec. 14. Immunity of licensee rendering emergency care.—No person licensed under this chapter who in the exercise of due care renders emergency care at the scene of an accident shall be liable for any civil damages as a result of acts or omissions by such a person in rendering emergency care. (1961, c. 265, § 2.)

Chapter 72.

Registration of Chiropractors.

Sec. 4. Examination and registration.—Any person, before engaging in the practice of chiropractic in this state, shall make application for a certificate to practice chiropractic to the board on a form prescribed by said board. Said application shall be filed with the secretary of the board at least 7 days before the date of examination, together with a deposit of \$25, which said deposit shall be returned to applicant in case the application is rejected. Each applicant must be at least 21 years of age and shall present proof of 2 years' satisfactory attendance at a college of liberal arts. On and after the calendar year 1959 candidates for licensure shall be required to present transcripts from an accredited college or university certifying that they have completed 2 years of preprofessional work, 2 subjects of which must be English and biology, or otherwise satisfy the members of the board of sufficient prior academic education. The applicant shall also present a diploma granted by a legally chartered chiropractic college, school or university in good standing and having the power to confer degrees in chiropractic, which diploma shall show that it was granted on personal attendance of the applicant and completion of a course of 4 school years of not less than 8 months each and of a total of 4,400 60-minute school hours. All applicants must also present a certificate of good moral character signed by some reputable resident of this state and such other reasonable and proper facts as the board in its blank application may require. (R. S. c. 65, § 4. 1945, c. 12. 1953, c. 104, § 2. 1955, c. 152.)

Effect of amendment.—The 1955 amendment substituted "2 years'" for "1 year's" and "2 years" for "1 year" in the fourth sentence in the third sentence and "1959" for "1957"

Sec. 9. Complaints; certificates suspended or revoked.—The board, its members or agents shall investigate all complaints and all cases of noncompliance with or violation of this chapter relating to the registration of doctors of chiropractic, and shall bring all such cases to the notice of the proper prosecuting officer. The hearing officer as designated in chapter 20-A, after a conviction before a proper court for crime in the course of professional business of any person to whom a certificate has been issued and after hearing may revoke the certificate and cancel the registration of the person to whom the same