

# 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 scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND ELEVENTH LEGISLATURE

**SECOND SPECIAL SESSION**

November 18, 1983

AND AT THE

**SECOND REGULAR SESSION**

January 4, 1984 to April 25, 1984

AND AT THE

**THIRD SPECIAL SESSION**

September 4, 1984 to September 11, 1984

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

---

J.S. McCarthy Co., Inc.  
Augusta, Maine  
1986

---

---

**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
SECOND REGULAR SESSION  
of the  
ONE HUNDRED AND ELEVENTH LEGISLATURE  
JANUARY 4, 1984 TO APRIL 25, 1984

---

---

section 5 relating to the terms of office and election of assessors shall apply to the terms of office and election of assessors of organized plantations. When money is raised for repair of ways and bridges, the assessors of such plantation shall choose one or more road commissioners as selectmen of towns do.

Sec. 3. 30 MRSA §5609 is amended to read:

§5609. Town law applies to officers

Laws relating to calling, notifying and conducting town meetings and to the election, appointment, qualification, duties, powers, compensation, liabilities and penalties for official neglect and misconduct of town officers, including, but not limited to, constables, apply to plantations and their officers, so far as applicable thereto, except when specially otherwise provided. Voters in plantations are liable to the same penalties for unlawful voting as voters in towns.

Effective July 25, 1984.

---

---

## CHAPTER 616

H.P. 1426 - L.D. 1871

### AN ACT to Amend the Adult Protective Services Act.

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

Whereas, there is an immediate risk of serious physical or mental harm to many of Maine's mentally or physically disabled adults and elderly as the result of abuse, neglect or exploitation; and

Whereas, most of the adults and elderly persons have not yet been adjudicated to be incapacitated and the mandatory reporting provisions do not apply as currently enacted; and

Whereas, the best interests of Maine's adults can be protected by adding the words "allegedly incapacitated" to the statute; 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. 22 MRSA §3477, sub-§1, as enacted by PL 1981, c. 705, Pt. E, §2, is amended to read:

1. Reasonable cause to suspect. When, while acting in his professional capacity, an allopathic or osteopathic physician, intern, medical examiner, physician's assistant, dentist, chiropractor, podiatrist, registered or licensed practical nurse, Christian Science practitioner, social worker, psychologist, pharmacist, physical therapist, speech therapist, occupational therapist, mental health professional, law enforcement official, coroner, emergency room personnel, ambulance attendant or emergency medical technician suspects that an ~~incapacitated~~ adult has been abused, neglected or exploited, he and has reasonable cause to suspect that the adult is incapacitated, then the professional shall immediately report or cause a report to be made to the department.

Whenever a person is required to report in his capacity as a member of the staff of a medical, public or private institution, agency or facility, he shall immediately notify the person in charge of the institution, agency or facility, or his designated agent, who shall then cause a report to be made. The staff person shall also make a report directly to the department.

Sec. 2. 22 MRSA §3479, as enacted by PL 1981, c. 705, Pt. E, §2, is amended to read:

§3479. Optional reporting

Any person may make a report if that person knows or has reasonable cause to suspect ~~that an incapacitated or dependent adult has been abused, neglected or exploited~~ abuse, neglect or exploitation of:

1. Dependent. A dependent adult;
2. Incapacitated. An incapacitated adult; or
3. Suspected incapacity. An adult if the person has reasonable cause to suspect incapacitation.

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

Effective February 22, 1984.

---

---

## CHAPTER 617

H.P. 1457 - L.D. 1909

AN ACT to Conform the Safety Jurisdiction  
of the Public Utilities Commission over  
Gas Utilities to Federal Requirements.

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

35 MRSA §15, sub-§8, as amended by PL 1983, c. 207, is further amended to read:

8. Gas company. "Gas company" includes every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, owning, controlling, operating or managing any gas plant for compensation within this State, except where gas is made or produced on and distributed by the maker or producer through private property alone solely for his own use or the use of his tenants and not for sale to others, or where the gas is sold in liquid form in individual containers or is delivered in bulk in liquid form to a central tank that serves less than 10 customers, ~~provided that a~~ and no portion of which is located in a public place. A gas company owning, controlling, operating or managing such a central tank ~~servng more than 10 customers system or a petroleum gas system that serves 10 or more customers or any portion of which is located in a public place~~ shall be subject to the jurisdiction of the commission solely with respect to safety.

Effective July 25, 1984.

---

---

## CHAPTER 618

S.P. 697 - L.D. 1937

AN ACT Concerning the Possession of Firearms  
by Felons.

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

15 MRSA §392, as repealed and replaced by PL 1981, c. 698, §88, is repealed.