

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 TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985

Chapters 1-384

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

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

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND TWELFTH LEGISLATURE

1985

Dorgan; thence S 79° 59' E 720 feet to an iron pipe, abutting John E. Partridge; thence N 10° 6' E 659 feet to an iron pipe, abutting John E. Partridge and Beatrice Jones; thence S 79° 59' E 1342 feet to an iron pipe, abutting Harry S. Jones, III; thence N 6° 08' E 326 feet to an iron pipe, abutting Harry S. Jones, III; thence N 80° 45' E 60 feet to an iron pipe, abutting the Maine Coast Mall; thence S 6° 08' W 87 feet to an iron pipe, abutting Dow Pontiac; thence N 69° 50' E 340 feet to an iron pipe, abutting Dow Pontiac; thence S 31° 04' E 371.75 feet to an iron pipe, abutting Ellsworth Agway and Branch Pond Marine; thence N 80° 42' E 84.5 feet to an iron pipe, abutting Ellsworth Car Wash; thence S 4° 45' W 219.8 feet to an iron pipe, abutting Animal Medical Center; thence N 69° 50' E 345 feet to an iron pipe, abutting Animal Medical Center and being the point of beginning, containing 100 acres more or less. The commissioner may add adjacent property to the game sanctuary upon application of the adjacent property owners.

Effective September 19, 1985.

CHAPTER 89

S.P. 198 - L.D. 532

AN ACT to Conform Maine Committee on Aging
Legislation with the 1981 Older
Americans Act Amendments.

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

22 MRSA §5112, sub-§2, as amended by PL 1981, c. 72, §§1 to 3, is further amended to read:

2. Advocate. Serve as an advocate on behalf of older people promoting and assisting activities designed to meet at the national, state and community levels the problems of older people. The committee shall serve as an ombudsman on behalf of individual citizens and older people as a class in matters under the jurisdiction of State Government. It shall be a spokesman on behalf of older people to the director, commissioner, Governor, Legislature, public-at-large and Federal Government.

In order to serve as advocate and ombudsman for older people, the committee shall have the power to enter onto the premises of any adult foster care facility approved by the State according to section 7908, any boarding care facility licensed according to section 7801 and any nursing home facility licensed according to section 1817 in order to investigate complaints concerning those facilities. To carry out this function, the committee may enter onto the premises of any adult foster care facility, any boarding care facility or any nursing home during the course of an investigation, speak privately with any individual therein who consents to the conversation and inspect and copy all records pertaining to a resident held by a facility or home, provided that the resident, or the legal representative of the resident, consents in writing to that inspection. The consent, where required and not obtainable in writing, may be conveyed orally or otherwise to the staff of the facility or home. Where a resident is not competent to grant consent and has no legal representative, the committee may inspect the resident's records and may make such copies that do not contain personally identifiable material without the written consent of a duly appointed legal representative. The committee may authorize up to 25 persons, including committee members, staff of the committee and other citizens, to carry out this function of the committee pursuant to this subsection. Appropriate identification shall be issued to all such persons. The committee shall renew the authorization and reissue identification annually. The findings of the committee shall be available to the public upon request.

No information or records maintained by the committee relating to complaints may be disclosed unless the ombudsman authorizes the disclosure; and the ombudsman shall not disclose the identity of any complainant or resident unless:

- A. The complainant or resident, or a legal representative of either, consents in writing to the disclosure with respect to that complainant or resident respectively; or
- B. A court orders the disclosure.

A complainant or resident, or legal representative thereof, in providing the consent, may specify to whom such identity may be disclosed and for what purposes, in which event no other disclosure is authorized.

Any person, official or institution who in good faith participates in the registering of a complaint pursuant to this subsection, or in good faith investigates that complaint or provides access to those persons carrying out the investigation, about an act or practice in a any approved adult foster care facility, any licensed boarding care facility or a any licensed nursing home licensed according to section 5154, 7908, 7801 or 1817, respectively, or who participates in a judicial proceeding resulting from that complaint, shall be immune from any civil or criminal liability that otherwise might result by reason of these actions. For the purpose of any civil or criminal proceedings, there shall be a rebuttable presumption that any person acting pursuant to this subsection did so in good faith.

Effective September 19, 1985.

CHAPTER 90

H.P. 84 - L.D. 104

AN ACT to Require a Trespass Reminder on Hunting and Fishing Licenses.

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

12 MRSA §7071, sub-§8 is enacted to read:

8. Trespass reminder. The commissioner shall cause a notice to be affixed to all hunting and fishing licenses that reads: Notice: This license does not give the holder the right to enter upon private property against the wishes of the property owner. Please seek landowner permission before hunting or fishing on someone else's land.

Effective September 19, 1985.

CHAPTER 91

H.P. 168 - L.D. 202

AN ACT Relating to Restrictions on Firearms while Hunting with Bow and Arrow.