

MAINE STATE LEGISLATURE

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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

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1985

agreement may refuse to accept retroactive Medicaid benefits.

I. No contract or agreement may contain a provision which provides for the payment of attorneys' fees or any other cost of collecting payments from the resident.

3. Other contract provisions. The contract or agreement may contain any other provisions which do not violate state law or rule or federal law or regulation.

§1827. Photographs of nursing home residents

A nursing home may require an identification photograph of each resident. Photographs may not be used for any other purpose without the permission of the resident for each specific use. The permission must indicate the specific purpose which the pictures are to be used for and, except for the identification photograph, may not be contained in the admission contract or agreement.

Sec. 2. Rules. The Department of Human Services shall revise its rules or promulgate rules to conform to the requirements of this Act.

Effective September 19, 1985.

CHAPTER 292

S.P. 530 - L.D. 1425

AN ACT to Amend the Law Relating to
Employment and Dismissal of County
Employees.

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

30 MRSA §64-A, sub-§3, as enacted by PL 1981, c. 394, §2, is repealed and the following enacted in its place:

3. Dismissal, suspension, discipline. A county officer or department head may dismiss, suspend or otherwise discipline an employee in his department only for cause, except as provided in paragraph A. Cause for dismissal, suspension or disciplinary ac-

tion must be a just, reasonable, appropriate and substantial reason for the action taken that relates to or affects the ability, performance of duties, authority or actions of the employee or the public's rights or interests.

A. An employee may be dismissed by a county officer or department head only for cause and only with the prior approval of the county commissioners or personnel board, except that county employees may be laid off or dismissed, with the approval of the county commissioners or personnel board, to meet the requirements of budget reductions or governmental reorganization.

B. In every case of suspension or other disciplinary action, at the request of the employee, the county commissioners or personnel board shall investigate the circumstances and fairness of the action and, if they find the charges unwarranted, shall order the reinstatement of the employee to his former position with no loss of pay, rights or benefits resulting from the suspension or disciplinary action.

Effective September 19, 1985.

CHAPTER 293

S.P. 308 - L.D. 797

AN ACT to Clarify the Laws Relating to Landlords and Tenants.

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

Sec. 1. 4 MRSA §152, sub-§5, ¶¶E & F, as repealed and replaced by PL 1983, c. 796, §1, are amended to read:

E. Actions to foreclose mortgages under Title 14, chapter 713, subchapter VI; and

F. Actions for restitution under Title 5, section 213- ; and

Sec. 2. 4 MRSA §152, sub-§5, ¶G is enacted to read: