

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

Chapters 1-542

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

Twin City Printery
Lewiston, Maine
1987

PUBLIC LAWS

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5. Mobile nonambulatory. "Mobile nonambulatory," as applied to a resident of a boarding care facility, means being able to transfer independently, ~~but unable to walk or unable to transfer without assistance, but able to move from place to place with the use of a device, such as a walker, crutches, wheelchair or wheeled platform, as certified by a physician or psychologist and able to evacuate a facility in less than 2 1/2 minutes with the assistance of another person throughout the evacuation procedure.~~

Sec. 2. 22 MRSA §7901-A, sub-§§6 and 7, as enacted by PL 1985, c. 770, §6, are repealed.

Sec. 3. 22 MRSA §7904-A, sub-§5, as enacted by PL 1985, c. 770, §10, is amended to read:

5. Requirements for boarding homes with 6 or fewer beds. The department may permit any boarding home having 6 or fewer ambulatory residents who can evacuate the facility without the assistance of another person in 2 or less minutes to comply with the one-family and 2-family dwelling requirements of the Life Safety Code adopted by the State Fire Marshall ~~provided the residents are certified annually by a physician or a psychologist as ambulatory and capable of following directions and taking appropriate action for self-preservation under emergency conditions~~ Marshal.

Sec. 4. 22 MRSA §7904-A, sub-§6, as enacted by PL 1985, c. 770, §10, is amended to read:

6. Adult foster homes with one to 4 ambulatory residents. Adult foster homes having one to 4 ambulatory residents who can evacuate the facility without the assistance of another person in 2 or less minutes shall comply with the one-family and 2-family dwelling requirements of the Life Safety Code adopted by the State Fire Marshal.

Effective September 29, 1987.

CHAPTER 305

H.P. 1158 — L.D. 1584

AN ACT to Require Rulemaking by the Department of Mental Health and Mental Retardation Regarding Administration of Cardiopulmonary Resuscitation in State Institutions.

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

34-B MRSA §1436 is enacted to read:

§1436. Rules regarding cardiopulmonary resuscitation

The department shall promulgate rules regarding the use of cardiopulmonary resuscitation in state institutions, pursuant to the Maine Administrative Procedure Act, Title 5, section 8053.

Effective September 29, 1987.

CHAPTER 306

S.P. 575 — L.D. 1716

AN ACT to Expedite the Process of Resolving Disputes Involving the Accuracy of Information in Consumer Reports.

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

Sec. 1. 10 MRSA §1316, sub-§2, ¶B, as amended by PL 1985, c. 140, §1, is repealed and the following enacted in its place:

B. By telephone, if he presents proper identification, and the toll charge, if any, for the telephone call is prepaid by or charged directly to the consumer; or

Sec. 2. 10 MRSA §1317, sub-§2, as amended by PL 1977, c. 677, §7, is further amended to read:

2. Reinvestigation by consumer reporting agency. If a consumer disputes any item of information contained in his file on the ground that it is inaccurate and such dispute is directly conveyed to the consumer reporting agency by the consumer, the consumer reporting agency shall promptly reinvestigate and record the current status of such information within 10 business days of notification of the dispute by the consumer, unless it has reasonable grounds to believe that the dispute by the consumer is frivolous, and it shall promptly then immediately notify the consumer of the result of its investigation and his rights pursuant to subsections 4, 5 and 6. The presence of contradictory information in a consumer's file shall not, in and of itself, constitute reasonable grounds for believing the dispute is frivolous.

Effective September 29, 1987.

CHAPTER 307

S.P. 323 — L.D. 951

AN ACT Authorizing Restitution in Civil Penalty Actions.

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

Sec. 1. 5 MRSA §205-A is enacted to read:

§205-A. Short title

This chapter will be known as and may be cited as the Maine Unfair Trade Practices Act.