

MAINE STATE LEGISLATURE

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LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FOURTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
SEPTEMBER 30, 1989

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

J.S. McCarthy Company
Augusta, Maine
1989

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FOURTEENTH LEGISLATURE

1989

A. Serious physical injury or impairment;

B. Serious mental injury or impairment, which now or in the future is likely to be evidenced by serious mental, behavioral or personality disorder, including, but not limited to, severe anxiety, depression or withdrawal, untoward aggressive behavior or similar serious dysfunctional behavior; or

Sec. 4. 22 MRSA §3472, sub-§14, as enacted by PL 1981, c. 527, §2, is repealed.

Sec. 5. 22 MRSA §3472, sub-§15 is enacted to read:

15. Sexual abuse or exploitation. "Sexual abuse or exploitation" means contact or interaction of a sexual nature involving an incapacitated or dependent adult without that adult's consent.

Sec. 6. 22 MRSA §3477, sub-§1, as amended by PL 1983, c. 616, §1, is further amended to read:

1. Reasonable cause to suspect. When, while acting in ~~his~~ a professional capacity, an allopathic or osteopathic physician, intern, medical examiner, physician's assistant, dentist, chiropractor, podiatrist, registered or licensed practical nurse, certified nursing assistant, 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 adult has been abused, neglected or exploited, 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~~ the capacity as a member of the staff of a medical, public or private institution, agency or facility, ~~he~~ the staff person shall immediately notify the person in charge of the institution, agency or facility, or ~~his~~ the designated agent of the person in charge, who shall then cause a report to be made. The staff person shall also make a report directly to the department.

Sec. 7. 22 MRSA §3485, as enacted by PL 1981, c. 527, §2, is amended to read:

§3485. Reporting abuse

Upon finding evidence indicating that a person has abused, or neglected or exploited an incapacitated or dependent adult, resulting in serious harm, or has exploited an incapacitated or dependent adult, the department shall notify the district attorney.

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

Effective June 12, 1989.

CHAPTER 260

S.P. 400 - L.D. 1044

An Act to Amend the Notice Requirement of Car Repair Facilities

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

29 MRSA §2605, last ¶, as enacted by PL 1979, c. 698, §2, is repealed and the following enacted in its place:

"We may also charge for our repair services either by the flat rate or "menu price" method. Ask our service advisor to explain what method will be used in charging you and to show you how much it may cost you."

See title page for effective date.

CHAPTER 261

H.P. 702 - L.D. 963

An Act to Clarify Motor Vehicle Dealership Insurance Coverage Laws

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

Sec. 1. 24-A MRSA §2909 is enacted to read:

§2909. Insurance for dealers and transporters

1. As used in this section, "owner" means the owner of a motor vehicle, the owner's agent, employee or independent contractor.

2. The superintendent shall not approve any policy required pursuant to Title 29, section 832, unless coverage is provided for both the owner and operator of the motor vehicle.

3. The owner's policy must provide primary coverage up to the limits specified in Title 29, section 832. Any other valid and collectible insurance policy available to an operator who is not the owner must provide excess coverage.

Sec. 2. 29 MRSA §832, 2nd ¶, as amended by PL 1973, c. 585, §12, is repealed.

See title page for effective date.

CHAPTER 262

S.P. 310 - L.D. 815

An Act Regarding High-speed Chases