

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

**SECOND SPECIAL SESSION**

December 12, 1991 to January 7, 1992

**SECOND REGULAR SESSION**

January 8, 1992 to March 31, 1992

THE GENERAL EFFECTIVE DATE FOR  
SECOND REGULAR SESSION  
NON-EMERGENCY LAWS IS  
JUNE 30, 1992

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

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J.S. McCarthy Company  
Augusta, Maine  
1992

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

**AS PASSED AT THE**  
**SECOND REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FIFTEENTH LEGISLATURE**

**1991**

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~~tally or emotionally handicapped have physical, mental or emotional disabilities~~ or who by virtue of age, sibling relationship, race or the presence of a medical condition otherwise ~~may~~ might not be adopted and for whom reasonable but unsuccessful efforts have been made to place the child without adoption assistance. The Department of Human Services may, subject to rules adopted by the department and regulations of the federal Department of Health and Human Services, reimburse adoptive parents for nonrecurring expenses related to the adoption of children who have physical, mental or emotional disabilities or who by virtue of age, sibling relationship, race or presence of a medical condition otherwise might not be adopted and for whom reasonable but unsuccessful efforts have been made to place the child without such assistance. The Department of Human Services is authorized to use funds for this purpose ~~which are~~ appropriated for child welfare services and funds under ~~Title IV-E and Title IV-B~~ of the United States Social Security Act, Titles IV-B and IV-E, subject to rules adopted by the department and regulations of the federal Department of Health and Human Services.

See title page for effective date.

## CHAPTER 711

S.P. 859 - L.D. 2183

### An Act to Clarify Adult Protective and Guardianship Responsibilities

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

**Sec. 1. 22 MRSA §3471, first ¶**, as enacted by PL 1981, c. 527, §2, is amended to read:

The Legislature recognizes that many adult citizens of the State, because of incapacitation or dependency, are unable to manage their own affairs or to protect themselves from abuse, neglect; or exploitation or physical danger. Often these persons cannot find others able or willing to render assistance. The Legislature intends, through this Act, to establish a program of protective services designed to fill this need and to assure its availability to all incapacitated and dependent adults who are faced with abuse, neglect, exploitation or physical danger the substantial risk of abuse, neglect or exploitation. It is also the intent of the Legislature to authorize only the least possible restriction on the exercise of personal and civil rights consistent with the person's need for services and to require that due process be followed in imposing those restrictions.

**Sec. 2. 22 MRSA §3473, sub-§1, ¶¶A and B**, as enacted by PL 1981, c. 527, §2, are amended to read:

A. Protect abused, neglected or exploited incapacitated and dependent adults and incapacitated

and dependent adults in circumstances which present a substantial risk of abuse, neglect or exploitation;

B. Prevent ~~further~~ abuse, neglect or exploitation;

**Sec. 3. 22 MRSA §3473, sub-§2, ¶A**, as enacted by PL 1981, c. 527, §2, is amended to read:

A. Receive, promptly investigate and determine the validity of reports of alleged abuse, neglect or exploitation or the substantial risk of abuse, neglect or exploitation;

**Sec. 4. 22 MRSA §3473, sub-§3, ¶¶A and B**, as enacted by PL 1989, c. 858, §5, are amended to read:

A. Matters relating to the performance of duties in uncontested guardianship, conservatorship or termination of guardianship or conservatorship proceedings; and

B. Requests for emergency guardianships arising from the need for emergency medical treatment or placement in adult foster homes, boarding homes or nursing homes or for orders necessary to apply for or preserve an estate in emergency situations.

**Sec. 5. 34-B MRSA §1204, sub-§7, ¶¶A and B**, as enacted by PL 1989, c. 265, §2, are amended to read:

A. Matters relating to the performance of duties in uncontested guardianship, conservatorship or termination of guardianship or conservatorship proceedings; and

B. Requests for emergency guardianships arising from the need for emergency medical treatment or placement in adult foster homes, boarding homes or nursing homes or for orders necessary to apply for or preserve an estate in emergency situations.

See title page for effective date.

## CHAPTER 712

H.P. 1558 - L.D. 2196

### An Act to Strengthen the Maine Weights and Measures Law

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

**Sec. 1. 10 MRSA §2402, sub-§17**, as enacted by PL 1973, c. 91, §5, is amended to read:

**17. Standards to enforcement.** Prescribe the standards of weight and measure ~~and~~ additional equipment;