

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE

SECOND REGULAR SESSION
January 6, 2016 to April 29, 2016

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 29, 2016

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

Augusta, Maine
2016

report to the First Regular Session of the 128th Legislature.

See title page for effective date.

CHAPTER 396

S.P. 574 - L.D. 1476

An Act To Improve the Law Concerning Carbon Monoxide Detectors

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation needs to take effect as soon as possible in order to minimize confusion and expense for building owners and educational facilities; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 25 MRSA §2468, sub-§2, ¶A, as amended by PL 2015, c. 375, §2 and affected by §5, is further amended to read:

A. Each unit in any building of multifamily occupancy; a fraternity house, sorority house or dormitory that is affiliated with an educational facility; a children's home, emergency children's shelter, children's residential care facility, shelter for homeless children or specialized children's home as defined in Title 22, section 8101; or a hotel, motel, inn or bed and breakfast licensed as an eating and lodging place or a lodging place under Title 22, chapter 562. The owner shall use a carbon monoxide detector that is powered by:

- (1) Both the electrical service in the building and a battery; ~~or~~
- (2) A nonreplaceable 10-year battery; or
- (3) A replaceable battery if the carbon monoxide detector uses a low-power radio frequency wireless communication signal, uses multiple sensors, has low-frequency audible notification capability or is connected to a control panel;

Sec. 2. 25 MRSA §2468, sub-§11, as enacted by PL 2015, c. 375, §3 and affected by §5, is amended to read:

11. Educational facilities. An educational facility shall install, or cause to be installed, by the manufacturer's requirements at least one approved carbon monoxide detector in each building of the educational facility that is used for educational purposes by at least 6 persons for at least 4 hours per day or more than 12 hours per week. The owner shall use a carbon monoxide detector that is powered by:

- A. Both the electrical service in the building and a battery; ~~or~~
- B. A nonreplaceable 10-year battery; ~~or~~
- C. A replaceable battery if the carbon monoxide detector uses a low-power radio frequency wireless communication signal, uses multiple sensors, has low-frequency audible notification capability or is connected to a control panel.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective March 16, 2016.

CHAPTER 397

S.P. 586 - L.D. 1524

An Act To Update the Laws Governing the Maine Veterans' Homes

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

Sec. 1. 22 MRSA §1812-D, as enacted by PL 1987, c. 830, §1 and amended by PL 2003, c. 689, Pt. B, §6, is repealed.

Sec. 2. 22 MRSA §1867, as repealed and replaced by PL 1993, c. 205, §1, is amended to read:

§1867. Distance restriction on placement of Medicaid recipients

The department may make Medicaid reimbursement for a nursing facility contingent on a maximum distance between a patient's home and the nursing facility if the maximum distance is not more than 60 miles; except that the distance restriction may not be applied to a ~~the~~ the Maine Veterans' ~~Home~~ Homes.

Sec. 3. 37-B MRSA §509, sub-§2, ¶G, as amended by PL 2015, c. 175, §3, is further amended to read:

G. The ~~administrator~~ chief executive officer of the Maine Veterans' ~~Home~~ Homes when in the conduct of official duties; or

Sec. 4. 37-B MRSA §601, as repealed and replaced by PL 2009, c. 652, Pt. A, §59, is amended to read: