

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

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

AS PASSED BY THE  
ONE HUNDRED AND ELEVENTH LEGISLATURE

**FIRST REGULAR SESSION**  
December 1, 1982 to June 24, 1983  
Chapters 1-452

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH  
IN ACCORDANCE WITH MAINE REVISED STATUTES  
ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

---

J.S. McCarthy Co., Inc.  
Augusta, Maine  
1983

---

---

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

AS PASSED AT THE  
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

---

---

center may not be required to disclose to the court any records, notes, memoranda or documents containing confidential communications. When a court in the exercise of sound discretion deems the disclosure necessary to the proper administration of justice, no information communicated to, or otherwise learned by, that sexual assault counselor in connection with the provision of sexual assault counseling services may be privileged and disclosure may be required.

Effective September 23, 1983.

---

---

## CHAPTER 320

H.P. 1104 - L.D. 1492

AN ACT to Reestablish the Energy  
Testing Laboratory of Maine as a Part of Southern  
Maine Vocational-Technical Institute.

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

Whereas, with the enactment of Public Law 1979, chapter 569, section 1, the Energy Testing Laboratory of Maine was placed under a board of directors and removed from the direct control of the Director of Southern Maine Vocational-Technical Institute; and

Whereas, Energy Testing Laboratory of Maine is still housed at Southern Maine Vocational-Technical Institute and still receives much of its assistance from Southern Maine Vocational-Technical Institute; and

Whereas, it is deemed that Energy Testing Laboratory of Maine should be returned to the status it held at Southern Maine Vocational-Technical Institute prior to the enactment of Public Law 1979, chapter 569, section 1; and

Whereas, it is essential that the transition occur in a timely and expeditious manner so that Energy Testing Laboratory of Maine will be fully under the control of Southern Maine Vocational-Technical Institute prior to the start of the next school year; 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. 10 MRSA c. 1001, as amended, is repealed.

Sec. 2. 20-A MRSA c. 404 is enacted to read:

CHAPTER 404

ENERGY TESTING LABORATORY OF MAINE

§10201. Establishment

The Energy Testing Laboratory of Maine, referred to in this chapter as "ETLM," is established at Southern Maine Vocational-Technical Institute, referred to in this chapter as "SMVTI," within the Department of Educational and Cultural Services.

§10202. Goals and objectives

The goals and objectives of ETLM are to provide those services which, among others, shall meet the safety needs of industry and the public regarding the quality of construction of products tested by ETLM, the maintenance of high standards for testing conducted by ETLM and the provision of educational and other consultant services, and shall merge with the educational goals and objectives of SMVTI.

§10203. Authority

ETLM shall be an integral part of SMVTI and may, among other things, conduct tests, list products, supply labels, make reports, provide consultant services, conduct educational programs and provide other services consistent with the overall goals and objectives of ETLM as set forth in section 10202.

§10204. Fees

1. Payment of fees. Persons, corporations and all other bodies seeking services from ETLM shall pay all fees and charges set by ETLM for those services. All fees and charges shall be paid to ETLM in accordance with arrangements made by and between ETLM and those receiving the services.

2. Dedicated account. All fees received by ETLM shall be paid to the Treasurer of State to be placed

in a separate, dedicated, nonlapsing income-earning or interest-earning account and shall be used solely for fulfilling the purposes of this chapter.

§10205. Records

ETLM shall keep records of all tests conducted and of all moneys received and disbursed by it.

§10206. Exemptions

The following exemptions shall apply to ETLM:

1. Rulemaking. ETLM shall not be subject to the requirements of the Maine Administrative Procedure Act, Title 5, chapter 375, before it may adopt standards or policies to be utilized in carrying out its duties under this chapter, nor in establishing and setting fees to be charged for services provided by ETLM.

2. Freedom of access. Records maintained by ETLM relative to services provided to persons, corporations or any other body in accordance with this chapter are not public records as that term is defined in Title 1, section 402, subsection 3, except for the fiscal records maintained by ETLM.

Sec. 3. Transition period. Following the enactment of this Act, the Board of Directors of Energy Testing Laboratory of Maine will work with the Director of Southern Maine Vocational-Technical Institute to provide for a smooth and orderly transition of the administration of ETLM to the director of SMVTI. All records, equipment and other matters, whether tangible or intangible belonging to ETLM shall become the property of SMVTI.

Sec. 4. Effective date. Section 3 shall become effective immediately and sections 1 and 2 shall become effective July 5, 1983.

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

Effective May 24, 1983, unless otherwise indicated.

---

## CHAPTER 321

H.P. 1053 - L.D. 1397

AN ACT to Make Corrections in the Maine  
State Housing Authorities Law.