

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
OCTOBER 9, 1991

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  
1991

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

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

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

**1991**

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**CHAPTER 447**

S.P. 541 - L.D. 1439

**An Act Concerning Health Insurance for Retired Teachers**

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

**Sec. 1. 20-A MRSA §13451, sub-§1**, as repealed and replaced by PL 1989, c. 878, Pt. A, §46, is amended to read:

**1. Access to a group plan.** The group accident and sickness and health insurance plan that is in effect for active teachers in a public school system or school unit must be made available to all teachers eligible under subsection 2, who retired under the Maine State Retirement System when they left that system ~~and who choose to participate in the new plan or school unit~~. The rate for the insurance coverage ~~shall~~ **must** be the same as the rate provided for active teachers in that school system or school unit.

**Sec. 2. 20-A MRSA §13451, sub-§3**, as amended by PL 1989, c. 875, Pt. E, §25 and affected by §26 and as repealed and replaced by c. 878, Pt. A, §46, is repealed and the following enacted in its place:

**3. Payment by State.** The State through the Maine State Retirement System shall pay 25% of the retired teacher members' share of this insurance.

**Sec. 3. 20-A MRSA §13451, sub-§3-A** is enacted to read:

**3-A. School units that change plans.** If a school unit changes its group health insurance plan or provider, the school unit at the time that it transfers active teachers to the new plan or provider shall also transfer all retired teachers from that school unit to the new plan or provider and shall inform each retired teacher in writing that, unless the school receives written notice from an individual retired teacher to the contrary, each retired teacher will be transferred automatically to the new plan or provider. The school unit shall also provide each retired teacher a description of the benefits and costs of the new plan or provider. A retired teacher may decline to participate with the new plan or provider upon written notice to the school unit. If any retired teacher so elects, there shall be no obligation or responsibility on the part of the replaced group plan or provider beyond conversion or continuity options provided for in Title 24, chapter 19 or Title 24-A, chapters 35 and 36. If any retired teacher declines to participate with the new plan or provider, there is no obligation or responsibility on the part of the replaced group plan or provider.

**Sec. 4. 20-A MRSA §13451, sub-§5**, as enacted by PL 1989, c. 878, Pt. A, §46, is repealed.

See title page for effective date.

**CHAPTER 448**

H.P. 1144 - L.D. 1669

**An Act to Exempt Certain Medical and Juvenile Records from the Freedom of Access Law**

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

**Sec. 1. 1 MRSA §402, sub-§3, ¶¶F and G**, as enacted by PL 1989, c. 358, §4, are amended to read:

F. Records that would be confidential if they were in the possession or custody of an agency or public official of the State or any of its political or administrative subdivisions are confidential if those records are in the possession of an association, the membership of which is composed exclusively of one or more political or administrative subdivisions of the State; of boards, commissions, agencies or authorities of any such subdivisions; or of any combination of any of these entities; ~~and~~

G. Materials related to the development of positions on legislation or materials that are related to insurance or insurance-like protection or services which are in the possession of an association, the membership of which is composed exclusively of one or more political or administrative subdivisions of the State; of boards, commissions, agencies or authorities of any such subdivisions; or of any combination of any of these entities;

**Sec. 2. 1 MRSA §402, sub-§3, ¶¶H and I** are enacted to read:

H. Medical records and reports of municipal ambulance and rescue units and other emergency medical service units, except that such records and reports must be available upon request to law enforcement officers investigating criminal conduct; and

I. Juvenile records and reports of municipal fire departments regarding the investigation and family background of a juvenile fire setter.

See title page for effective date.

**CHAPTER 449**

H.P. 1264 - L.D. 1833

**An Act to Amend the Liquor Laws**