

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 1994 to June 30, 1995

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 29, 1995

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
1995

for bringing a petition for any period of time that is less than the limitation established in section ~~3105~~ 3105-A.

See title page for effective date.

CHAPTER 134

S.P. 345 - L.D. 950

An Act to Clarify the Display of Social Security Numbers on Insurance-related Identification Cards

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

Whereas, in 1993 a change in the law prohibited the use of social security numbers as a means of identification under certain circumstances; and

Whereas, many administrative systems utilize social security numbers for the purpose of identifying individuals eligible for health insurance coverage; and

Whereas, any change to the administrative systems will result in system conversions at a time when costs are a major concern to most businesses and government; and

Whereas, correction of the law is required promptly to clarify the use of this important component of health insurance coverage identification; 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 §1272, as enacted by PL 1993, c. 115, §1, is amended by adding at the end a new paragraph to read:

Notwithstanding this section, social security numbers may be used as identification for medical insurance, including health insurance, dental insurance or prescription drug coverage, except that a number other than a social security number must be used for insurance-related identification purposes upon the written request of an individual.

Sec. 2. 10 MRSA §1272-A, as enacted by PL 1993, c. 533, §1, is repealed.

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

Effective May 19, 1995.

CHAPTER 135

H.P. 724 - L.D. 998

An Act to Preserve the Confidentiality of Records Relating to Forest Fire Arson Investigations

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

Sec. 1. 16 MRSA §614, sub-§1, first ¶, as repealed and replaced by PL 1993, c. 719, §7 and affected by §12, is amended to read:

1. Limitation on dissemination of intelligence and investigative information. Reports or records that contain intelligence and investigative information and that are prepared by, prepared at the direction of or kept in the custody of a local, county or district criminal justice agency; the Bureau of State Police; the Department of the Attorney General; the Maine Drug Enforcement Agency; the Office of State Fire Marshal; the Department of Corrections; ~~or~~ the criminal law enforcement units of the Department of Marine Resources or the Department of Inland Fisheries and Wildlife; or the Department of Conservation, Forest Fire Control Division when the reports or records pertain to arson are confidential and may not be disseminated if there is a reasonable possibility that public release or inspection of the reports or records would:

See title page for effective date.

CHAPTER 136

H.P. 20 - L.D. 14

An Act to Authorize Community Service Work as a Sentencing Alternative

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

Sec. 1. 17-A MRSA §1152, sub-§2, ¶G, as amended by PL 1993, c. 103, §1, is further amended to read:

G. A fine as authorized by chapter 53. Such a fine may be imposed in addition to the sentencing alternatives in paragraphs B, D, E and F; ~~or~~

Sec. 2. 17-A MRSA §1152, sub-§2, ¶H, as enacted by PL 1989, c. 502, Pt. D, §12, is amended to read:

H. A county jail reimbursement fee as authorized by chapter 54-B; or

Sec. 3. 17-A MRSA §1152, sub-§2, ¶I is enacted to read:

L. A specified number of hours of community service work as authorized by chapter 54-C.

Sec. 4. 17-A MRSA c. 54-C is enacted to read:

CHAPTER 54-C

COMMUNITY SERVICE WORK

§1345. Community service work

1. An offender convicted of a Class D or Class E crime may be sentenced to perform a specified number of hours of community service work for the benefit of the State, a county, a municipality, a school administrative district or other public entity, a charitable institution or other entity approved by the court.

2. An offender who has been sentenced to perform community service work and fails to complete the work within the time specified by the court must be returned to the court for further disposition.

3. The Division of Probation and Parole is not responsible for supervision of community service work pursuant to this section.

See title page for effective date.

CHAPTER 137

S.P. 18 - L.D. 49

An Act to Create Additional Employment Opportunities in the Financial Services Industry by Allowing Financial Organizations to Charge Additional Finance Charges

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

Whereas, several large credit card issuing companies are considering their expansion plans at this time; and

Whereas, Maine's current laws regarding credit cards may not attract these companies; and

Whereas, the changes to the credit card laws proposed by this legislation may help these nationally known companies decide to locate expansions or new operations in Maine, which will result in many new jobs; 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. 9-A MRSA §1-110, first ¶, as enacted by PL 1981, c. 218, is amended to read:

Notwithstanding the provisions of ~~Sections Section 501 and 521 to 523~~ of the United States Depository Institutions Deregulation and Monetary Control Act of 1980, Public Law 96-221, the Legislature declares that the maximum finance charges established in article II ~~shall~~ apply to:

Sec. 2. 9-A MRSA §1-110, sub-§1, as amended by PL 1987, c. 129, §2, is further amended to read:

1. Consumer credit transactions involving manufactured housing as defined in section 1-301, subsection 23-A; and

Sec. 3. 9-A MRSA §1-110, sub-§2, as amended by PL 1993, c. 134, §1, is repealed.

Sec. 4. 9-A MRSA §2-402, sub-§4, as amended by PL 1993, c. 618, §1, is further amended to read:

4. With respect to loans made pursuant to a lender credit card, except for cash advances, and except when there is an outstanding balance from the prior billing cycle at the beginning of a billing cycle, no finance charge may be imposed on purchases or leases of goods or services purchased during the billing cycle, provided that they are paid for not later than 25 days after the closing date of the billing cycle in which the purchase or lease occurred.

Sec. 5. 9-A MRSA §2-501, sub-§4 is enacted to read:

4. In addition to or in lieu of interest at a periodic rate or rates as provided in section 2-402, and in addition to any other charges permitted under this Act, a supervised financial organization may, if the agreement with the consumer governing an open-end