

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 2, 2002 to April 25, 2002**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 25, 2002**

**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**  
**2002**

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

**Sec. 1. 23 MRSA §1980, sub-§2-B, ¶B,** as amended by PL 1995, c. 339, §2, is further amended to read:

~~B. Notwithstanding any other provision of law, a~~  
A photograph, micro-photograph, videotape or other recorded image prepared for enforcement of authority tolls is for the exclusive use of the authority in the discharge of its duties under this section. This material is confidential and is not available to the public. The authority shall make this information available to a law enforcement officer upon request and may share this information with other toll administrative agencies as provided in section 1982. Except as provided in this subsection or as may be necessary to prove a claim for indemnification under subsection 2-A, paragraph F or to prosecute a criminal offense, this material may not be used in a court in an action or proceeding.

**Sec. 2. 23 MRSA §1982,** as enacted by PL 1995, c. 339, §3, is amended to read:

**§1982. Confidentiality of authority records**

A log or record identifying the name, address or travel patterns of a patron of the turnpike, whether prepared for enforcement of authority tolls or other purposes of the authority, is for the exclusive use of the authority in the discharge of its duties under this chapter. This material is confidential and is not available to the public except that a law enforcement officer or a representative of an insurance company making a request for specific records in the course of conducting the officer's or representative's business may have access to this material to the extent and in the manner access to such material is afforded under Title 1, chapter 13, subchapter I. The authority may release accident and other incident reports to affected parties and may release information specific to a commuter pass account or commercial billing account to the holder of that account. The authority may disclose patron information, including information gathered by photo-monitoring devices, to other toll administrative agencies that are participating with the authority in multiple-facility, electronic, transportation-related collection systems.

See title page for effective date.

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**CHAPTER 474**

**H.P. 1216 - L.D. 1657**

**An Act to Improve Emergency Medical Services by Expanding the Pool of Qualified Emergency Medical Services Personnel**

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

**Sec. 1. 32 MRSA §85, sub-§3, ¶D,** as amended by PL 1995, c. 161, §6, is repealed.

See title page for effective date.

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**CHAPTER 475**

**H.P. 1459 - L.D. 1956**

**An Act to Clarify Rule-making Authority for the Office of the State Fire Marshal**

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

**Sec. 1. 25 MRSA §2464, sub-§4-A** is enacted to read:

**4-A. Rules.** The Commissioner of Public Safety or the commissioner's designee, in accordance with the Maine Administrative Procedure Act, shall adopt rules pertaining to smoke detectors. The rules adopted must include, but not be limited to, standards for approved smoke detectors and all requirements of use, maintenance and installation. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

See title page for effective date.

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**CHAPTER 476**

**S.P. 691 - L.D. 1893**

**An Act to Facilitate More Effective Consumer Representation at the Office of the Public Advocate**

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

**Sec. 1. 35-A MRSA §1701, sub-§3,** as repealed and replaced by PL 1999, c. 259, §4, is amended to read:

**3. Salaries of certain employees.** The salaries of the following employees of the Public Advocate are within the following salary ranges:

- A. Deputy Public Advocate, salary range 53;
- B. Senior Counsel, salary range 36;
- C. Economic Analyst, salary range 36;
- D. Research Assistant, salary range 30;
- E. Business Services Manager, salary range 26; and
- F. Special Assistant to the Public Advocate, salary range 20.

The employees listed in this subsection serve at the pleasure of the Public Advocate and are confidential employees. All other employees of the Public Advocate are subject to the Civil Service Law.

The Public Advocate may, at the Public Advocate's discretion, substitute an Economic Analyst position at salary range 36 for any vacant Senior Counsel position. The Public Advocate also may compensate one or more Senior Counsels at salary range 37 if, in the judgment of the Public Advocate, an increase is necessary to provide competitive salary levels.

See title page for effective date.

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**CHAPTER 477**

**H.P. 1408 - L.D. 1846**

**An Act to Ensure Victim Safety**

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

**Sec. 1. 1 MRSA §402, sub-§3-A, ¶¶B and C,** as enacted by PL 1997, c. 714, §1, are amended to read:

- B. Records relating to out-of-state adult probationer or parolee supervision to the extent they pertain to a probationer's or parolee's identity, conviction data, address of residence and dates of supervision; and
- C. Records to the extent they pertain to a prisoner's, adult probationer's or parolee's identity, conviction data and current address or location, unless the Commissioner of Corrections determines that it would be detrimental to the welfare of a ~~prisoner~~ client to disclose the information.

**Sec. 2. 34-A MRSA §1214, sub-§3, ¶¶E and F,** as enacted by PL 2001, c. 439, Pt. G, §1, are amended to read:

- E. Assist victims who are being harassed by persons in the custody or under the supervision of the department with obtaining protection from that harassment; ~~and~~
- F. Assist victims with obtaining victim compensation, restitution and other benefits of restorative justice; and

**Sec. 3. 34-A MRSA §1214, sub-§3, ¶G** is enacted to read:

G. Ensure the safety of clients who are also victims by advising the commissioner of information that may place a client at risk if disclosed pursuant to Title 1, section 402, subsection 3-A.

See title page for effective date.

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**CHAPTER 478**

**S.P. 268 - L.D. 915**

**An Act to Amend the Maine Insurance Guaranty Association Act**

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

**Sec. 1. 24-A MRSA §4433, sub-§2, ¶C,** as amended by PL 1987, c. 707, §4, is further amended to read:

C. Credit insurance, vendors single-interest insurance, collateral protection insurance or any similar insurance protecting the interests of a creditor arising out of a creditor-debtor transaction;

**Sec. 2. 24-A MRSA §4433, sub-§2, ¶F,** as amended by PL 1989, c. 67, §1, is further amended to read:

F. Financial guaranty insurance or other forms of insurance offering protection against investment risks; ~~and~~

**Sec. 3. 24-A MRSA §4433, sub-§2, ¶G,** as amended by PL 1991, c. 885, Pt. E, §32 and affected by §47, is further amended to read:

G. Contracts of workers' compensation excess insurance issued to workers' compensation self-insurers approved under former Title 39, section 23 or under Title 39-A, section 403 by any insurer after the effective date of this paragraph, or in the case of a contract that automatically re-