

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

FIRST REGULAR SESSION
December 6, 2006 to June 21, 2007

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 20, 2007

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

Penmor Lithographers
Lewiston, Maine
2007

1. Purpose for which disclosure is made. Any confidential information provided to the board may be used only for investigative and other actions within the scope of the authority of the board and for determining whether the person licensed or certified by the board has engaged in unlawful activity, professional misconduct or an activity in violation of the laws or rules relating to the board.

2. Designation of person to receive confidential information. The director shall designate a person to receive confidential information for investigative purposes.

3. Limitations on disclosure. Disclosure is limited to information that is directly related to the matter at issue. The identity of reporters and other persons may not be disclosed except as necessary and relevant. Access to the information is limited to board investigators, parties to the matter at issue, parties' representatives, counsel of record, hearing officers and board members who are directly involved in the adjudicatory process. The information may be used only for the purpose for which the release was intended.

4. Confidentiality at conclusion of investigation. Notwithstanding section 92, information received pursuant to this section remains confidential at the conclusion of an investigation.

Sec. 29. 32 MRSA §95 is enacted to read:

§95. Authorize to participate

Notwithstanding section 92, Maine Emergency Medical Services is authorized to participate in and share information with the National Emergency Medical Services Information System.

See title page for effective date.

CHAPTER 275

H.P. 313 - L.D. 397

An Act To Limit Liability for the Performance of Community Service

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

Sec. 1. 14 MRSA §158-B, as enacted by PL 1997, c. 619, §1, is amended to read:

§158-B. Limited liability of charitable organizations

1. Liability limited. A charitable organization or other entity approved pursuant to Title 15, section 3301 or 3314 or pursuant to Title 17-A, section 1345 is not liable for a claim arising from death or injury to a person or damage to property caused by a juvenile or adult participating in a supervised work or service

program, performing community service or providing restitution under Title 15, section 3301 or 3314 or under Title 17-A, section 1345, including a claim arising from death or injury to the juvenile or adult or damage to the adult's or juvenile's property.

2. No effect on other liability or immunity. Nothing in this section creates liability for any claim or waives any immunity otherwise available.

3. Charitable organization defined. For the purposes of this section, "charitable organization" means any nonprofit institution or organization organized or incorporated in this State or having a principal place of business in this State that is exempt from federal income taxation under the United States Internal Revenue Code, Section 501(a) because the nonprofit organization is described in the United States Internal Revenue Code, Section 501(c)(3).

See title page for effective date.

CHAPTER 276

S.P. 246 - L.D. 797

An Act To Clarify the Exemption of Federal, State and Local Public Assistance Benefits under State Bankruptcy Law

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

Sec. 1. 14 MRSA §4422, sub-§13, ¶A, as enacted by PL 1981, c. 431, §2, is amended to read:

A. A social security benefit, unemployment compensation or a federal, state or local public assistance benefit, including, but not limited to, the federal earned income tax credit and additional child tax credit;

See title page for effective date.

CHAPTER 277

S.P. 226 - L.D. 709

An Act To Amend the Accord and Satisfaction Laws To Add Juveniles

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

Sec. 1. 15 MRSA §891, as amended by PL 1999, c. 52, §1, is further amended to read:

§891. Dismissal on satisfaction of private injury; discharge of bail

When a person has been admitted to bail or juvenile conditions of release or is committed by a judge, or is indicted or held upon a complaint and warrant for an assault or other Class D or E crime, as defined by Title 17-A, section 4-A, or is the subject of a juvenile petition alleging commission of a crime that, if the juvenile charged were an adult, would be an assault or other Class D or E crime, as defined by Title 17-A, section 4-A, for which the party injured has a remedy by civil action, except aggravated assaults, assaults upon or resistance of a law enforcement officer as defined by Title 17-A in the execution of a law enforcement officer's duty, assaults of those officers, crimes involving family or household members as defined in Title 19-A, chapter 101 and molesting lobster gear pursuant to Title 12, chapter 619, if the injured party appears before the judge or court and in writing acknowledges satisfaction for the injury, the court, on payment of all costs, may stay further proceedings and discharge the defendant. The judge may exonerate the bail and release the obligors, supersede the commitment by written order and exonerate the bail of the witnesses.

This section applies to a juvenile only if the juvenile has not previously been adjudicated of a juvenile crime or has not previously been the subject of a juvenile petition that was disposed of by accord and satisfaction under this section.

See title page for effective date.

CHAPTER 278

S.P. 396 - L.D. 1208

An Act To Create Uniformity among Certain Self-insureds

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

Sec. 1. 24-A MRSA §6603, sub-§9 is enacted to read:

9. Access to health care services. In accordance with this subsection, an arrangement may offer a managed care plan on a pilot basis with approval of the superintendent that does not adhere to any geographic access requirements set forth in section 4303, subsection 1 or in rules adopted by the superintendent. An arrangement may not offer a managed care plan that includes terms and conditions that have a detrimental financial impact on a covered person or that requires a covered person to travel outside the United States for health care services. The superintendent shall report annually beginning January 15, 2009 to the joint standing committee of the Legislature having jurisdic-

tion over insurance and financial services matters on the status of any pilot program approved under this subsection. This subsection takes effect January 1, 2008 and is repealed January 1, 2011.

See title page for effective date.

CHAPTER 279

H.P. 950 - L.D. 1341

An Act To Clarify Restrictions on Accepting Campaign Contributions Laws

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

Sec. 1. 1 MRSA §1015, sub-§3, ¶A, as enacted by PL 1997, c. 529, §1, is amended to read:

A. As used in this subsection, the terms "employer," "lobbyist" and "lobbyist associate" have the same meanings as in Title 3, section 312-A ~~and the term~~. As used in this subsection, "contribution" has the same meaning as in Title 21-A, section 1012 and includes seed money contributions as defined in Title 21-A, section 1122, subsection 9.

Sec. 2. 1 MRSA §1015, sub-§3, ¶C, as amended by PL 1999, c. 648, §1, is further amended to read:

- C. This subsection does not apply to:
- (1) Solicitations or contributions for bona fide social events hosted for nonpartisan, charitable purposes;
 - (2) Solicitations or contributions relating to a special election to fill a vacancy from the time of announcement of the election until the election; and
 - ~~(3) Solicitations or contributions after the deadline for filing as a candidate as provided in Title 21-A, section 335; and~~
 - (4) Solicitations or contributions accepted by a member of the Legislature supporting that member's campaign for federal office.

See title page for effective date.

CHAPTER 280

H.P. 655 - L.D. 866

An Act To Amend the Wrongful Death Laws