

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 1, 2010 to June 29, 2011**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 28, 2011**

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

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**Augusta, Maine**  
**2011**

and 2005, are confidential and may not be made available for public inspection or copying. The applicant may waive this confidentiality by written notice to the issuing authority. All proceedings relating to the issuance, refusal or revocation of a permit to carry concealed ~~firearms~~ handguns are not public proceedings under Title 1, chapter 13, unless otherwise requested by the applicant.

The issuing authority shall make a permanent record of each permit to carry concealed ~~firearms~~ handguns in a suitable book or file kept for that purpose. The record ~~shall~~ must include the information contained in the permit itself and ~~shall~~ must be available for public inspection.

**Sec. 12. 30-A MRSA §2801, sub-§3-A**, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

**3-A. Names of those issued concealed handgun permits.** The names of persons issued concealed ~~firearms~~ handgun permits under Title 25, chapter 252, may not be printed in the annual report.

**Sec. 13. 32 MRSA §8120-A**, as enacted by PL 1997, c. 360, §5, is amended to read:

**§8120-A. Handguns**

A private investigator licensed under this chapter may carry a ~~firearm~~ handgun while performing the duties of a private investigator only after being issued a concealed ~~weapons~~ handgun permit by the Chief of the State Police under Title 25, chapter 252 and passing the written firearms examination prescribed by the commissioner.

**Sec. 14. Maine Revised Statutes headnote amended; revision clause.** In the Maine Revised Statutes, Title 25, chapter 252, in the chapter headnote, the words "permits to carry concealed firearms" are amended to read "permits to carry concealed handguns" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

See title page for effective date.

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**CHAPTER 299**

**H.P. 963 - L.D. 1317**

**An Act Concerning Sex  
Offender Registry Information**

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

**Sec. 1. 34-A MRSA §11221, sub-§9-A** is enacted to read:

**9-A. Registry information.** Registry information created, collected or maintained by the bureau, including, but not limited to, information relating to the identity of persons accessing the registry, is confidential, except the following are public records:

A. Information provided to the public pursuant to subsection 9; and

B. Applications and bureau decisions, including any documents made part of those decisions, pursuant to section 11202-A.

**Sec. 2. 34-A MRSA §11221, sub-§10**, as amended by PL 2003, c. 711, Pt. C, §20 and affected by Pt. D, §2, is further amended to read:

**10. Registrant access to information.** ~~Pursuant to Title 16, section 620, the~~ The bureau shall provide all information described in subsection 1, paragraphs A to F to a registrant who requests that person's own information. The process for access and review of that information is governed by Title 16, section 620.

**Sec. 3. 34-A MRSA §11221, sub-§13** is enacted to read:

**13. Access to registrant information existing in electronic form restricted.** Notwithstanding Title 1, chapter 13:

A. Except as made available to the public through the bureau's Internet website pursuant to subsection 9, the bureau may not disseminate in electronic form information about a registrant that is created, collected or maintained in electronic form by or for the bureau; and

B. Except as made available to the public through an Internet website maintained by a law enforcement agency pursuant to subsection 12, a law enforcement agency may not disseminate in electronic form information about a registrant that is collected or maintained in electronic form by or for the law enforcement agency.

See title page for effective date.

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**CHAPTER 300**

**H.P. 1107 - L.D. 1506**

**An Act To Remove Obstacles  
to the Use of Technological  
Advances for Heating in  
Multifamily Structures**

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

**Sec. 1. 10 MRSA §1413, sub-§7-A** is enacted to read:

**7-A. Geothermal heat pump.** "Geothermal heat pump" means a central heating or central cooling system that pumps heat to or from the ground.

**Sec. 2. 10 MRSA §1415-G, sub-§1,** as amended by PL 2005, c. 350, §11, is further amended to read:

**1. Residential construction, remodeling and renovation.** Except as provided in this section, during the construction, remodeling or renovation of a multifamily residential structure, a person may not install electric space heating equipment as the primary heating system if that construction, remodeling or renovation is funded in whole or in part by public funds, guarantees or bond proceeds. For purposes of this section, "multifamily residential structure" means a residential structure with more than one dwelling unit and "electric space heating equipment" does not include electric thermal storage space heating equipment or a geothermal heat pump.

See title page for effective date.

**CHAPTER 301**

**H.P. 1083 - L.D. 1474**

**An Act To Amend the Beano Laws**

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

**Sec. 1. 17 MRSA §317, first ¶,** as amended by PL 1999, c. 74, §2, is further amended to read:

The Chief of the State Police ~~has the power to~~ may adopt rules, not inconsistent with law, that are necessary for the administration and enforcement of this chapter and for the licensing, conduct and operation of the amusement commonly known as "Beano" or "Bingo" and for the permitting and operation of commercial beano halls. The Chief of the State Police ~~has the power and authority to~~ may regulate, supervise and exercise general control over the operation of such amusement and commercial beano halls, including, but not limited to, the payment of prizes and the use of equipment. Any rule adopted by the Chief of the State Police concerning the value of prizes that may be awarded must include a provision that no single prize may exceed \$400 in value and that no more than \$1,400 in total prizes may be awarded on any one occasion except that once per calendar year on one occasion a licensee may award up to \$2,000 in total prizes. In establishing such rules, which are routine technical rules pursuant to Title 5, chapter 375, subchapter ~~H-A~~ 2-A, the Chief of the State Police must, in addition to the standards set forth in other provisions of this chap-

ter, use the following standards setting forth conduct, conditions and activity considered undesirable:

See title page for effective date.

**CHAPTER 302**

**H.P. 1130 - L.D. 1538**

**An Act To Amend the Laws Governing the Maine Turnpike Authority and To Implement Certain Recommendations of the Government Oversight Committee in the Office of Program Evaluation and Government Accountability Report Concerning the Maine Turnpike Authority**

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

**Whereas,** this legislation makes adjustments to the management and operations of the Maine Turnpike Authority; and

**Whereas,** it is necessary that these changes be implemented as soon as possible to allow the Maine Turnpike Authority to correct prior deficiencies; 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. 5 MRSA §12004-F, sub-§4,** as enacted by PL 1987, c. 786, §5, is amended to read:

**4.**

Maine Turnpike Authority, <u>Board of Directors</u>	Legislative Per Diem	23 MRSA § <del>1965</del> <u>1964-A</u>
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**Sec. 2. 23 MRSA §1961, sub-§2,** as amended by PL 1995, c. 504, Pt. C, §1, is further amended to read:

**2. Cooperation with the Department of Transportation.** ~~The Department of Transportation must be provided each year the operating surplus of the Maine Turnpike Authority. The Maine Turnpike Authority authority may issue bonds or other obligations to pay~~