

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.

Augusta, Maine
2011

~~and ballot question committees in a town or city that has adopted those provisions must be filed with the municipal clerk instead of the Commission on Governmental Ethics and Election Practices. A town or city that votes to adopt those provisions may revoke that decision, but it must do so at least 90 days before an election subject to that subchapter.~~

~~**3. Public access to records.** A town or city with a population of less than 15,000 that has adopted the provisions of Title 21-A, chapter 13 that receives registrations or reports pursuant to this section must keep the campaign reports for at least them for 8 years.~~

Sec. 61. Legislation. The Commission on Governmental Ethics and Election Practices is authorized to submit legislation to the Second Regular Session of the 125th Legislature to address the definition of "expenditure" in a campaign for office or by a political action committee relating to the production or distribution of a news story made by persons not directly connected to the candidate or to the political action committee. The commission shall consider similar provisions in other states and any relevant court decisions concerning disclosure of such expenditures.

Sec. 62. Effective date. Those sections of this Act that amend the Maine Revised Statutes, Title 21-A, section 1011; section 1013-A, subsection 1, paragraph A; section 1017, subsection 3-A; section 1017-A, subsection 8; section 1019-B, subsection 4; section 1020-A, subsection 3; section 1056-B, first paragraph; section 1059, first paragraph; and Title 30-A, section 2502 take effect August 1, 2011. Those sections of this Act that amend Title 21-A, section 1125, subsections 10 and 13-A take effect September 1, 2011.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved, except as otherwise indicated.

Effective June 20, 2011, unless otherwise indicated.

CHAPTER 390

H.P. 865 - L.D. 1167

An Act To Protect the Privacy of Persons Involved in Reportable Motor Vehicle Accidents

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

Sec. 1. 29-A MRSA §2251, sub-§7, as amended by PL 2003, c. 709, §4, is further amended to read:

7. Report information. An accident report made by an investigating officer or a ~~48-hour~~ report made by an operator as required by ~~former~~ subsection ~~5~~ 2 is for the purposes of statistical analysis and accident prevention.

A report or statement contained in the accident report, or a ~~48-hour~~ report as required by ~~former~~ subsection ~~5~~ 2, a statement made or testimony taken at a hearing before the Secretary of State held under section 2483, or a decision made as a result of that report, statement or testimony may not be admitted in evidence in any trial, civil or criminal, arising out of the accident.

A report may be admissible in evidence solely to prove compliance with this section.

~~The~~ Notwithstanding subsection 7-A, the Chief of the State Police may disclose the date, time and location of the accident and the names and addresses of operators, owners, injured persons, witnesses and the investigating officer. On written request, the chief may furnish a photocopy of the investigating officer's report at the expense of the person making the request. The cost of furnishing a copy of the report is not subject to the limitations of Title 1, section 408, subsection 3.

Sec. 2. 29-A MRSA §2251, sub-§7-A is enacted to read:

7-A. Accident report database; public dissemination of accident report data. Data contained in an accident report database maintained, administered or contributed to by the Department of Public Safety, Bureau of State Police must be treated as follows.

A. For purposes of this subsection, the following terms have the following meanings.

(1) "Data" means information existing in an electronic medium and contained in an accident report database.

(2) "Nonpersonally identifying accident report data" means any data in an accident report that are not personally identifying accident report data.

(3) "Personally identifying accident report data" means:

(a) An individual's name, residential and post office box mailing address, social security number, date of birth and driver's license number;

(b) A vehicle registration number;

(c) An insurance policy number;

(d) Information contained in any free text data field of an accident report; and

(e) Any other information contained in a data field of an accident report that may be used to identify a person.

B. The Department of Public Safety, Bureau of State Police may not publicly disseminate personally identifying accident report data that are contained in an accident report database maintained, records administered or contributed to by the Bureau of State Police. Such data are not public records for the purposes of Title 1, chapter 13.

C. The Department of Public Safety, Bureau of State Police may publicly disseminate nonpersonally identifying accident report data that are contained in an accident report database maintained, administered or contributed to by the Bureau of State Police. The cost of furnishing a copy of such data is not subject to the limitations of Title 1, section 408.

See title page for effective date.

**CHAPTER 391
S.P. 353 - L.D. 1153**

**An Act Related to
Authorization of GARVEE
Bonds**

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

Sec. 1. 23 MRSA §1612, first ¶, as enacted by PL 2007, c. 329, Pt. P, §1, is amended to read:

Notwithstanding any other provision of law, upon certification, the bank may issue from time to time GARVEE bonds for qualified transportation projects and qualified transportation project costs in such amounts as are authorized by the Legislature by a 2/3 vote in each House of the Legislature, as long as the rolling, 3-year average ratio of GARVEE bond debt service payments to federal funds received from the United States Department of Transportation, Federal Highway Administration does not exceed 15%, less the amount of capacity necessary to issue a \$25,000,000 GARVEE bond for extraordinary, unprogrammed needs.

See title page for effective date.

**CHAPTER 392
H.P. 989 - L.D. 1348**

**An Act Making Unified
Appropriations and Allocations
for the Expenditures of State
Government, Highway Fund
and Other Funds, and
Changing Certain Provisions of
the Law Necessary to the
Proper Operations of State
Government for the Fiscal
Years Ending June 30, 2011,
June 30, 2012 and June 30,
2013**

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

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of state departments and institutions will become due and payable immediately; 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:

PART A

Sec. A-1. Appropriations and allocations.

The following appropriations and allocations are made.

**ADMINISTRATIVE AND FINANCIAL
SERVICES, DEPARTMENT OF**

Budget - Bureau of the 0055

Initiative: BASELINE BUDGET

HIGHWAY FUND	2011-12	2012-13
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$86,057	\$87,252
All Other	\$8,914	\$8,914
HIGHWAY FUND TOTAL	\$94,971	\$96,166