

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST SPECIAL SESSION
September 27, 2011

SECOND REGULAR SESSION
January 4, 2012 to May 31, 2012

THE EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
LAWS IS
SEPTEMBER 28, 2011

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 30, 2012

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

Augusta, Maine
2012

CHAPTER 514
S.P. 582 - L.D. 1682

**An Act To Allow Employees of
the Small Enterprise Growth
Board To Participate in the
State's Group Health Plan**

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

Whereas, during recent years, health insurance premiums have skyrocketed; and

Whereas, the cost of insurance is now at an unsustainable level for the Small Enterprise Growth Board; and

Whereas, allowing the Small Enterprise Growth Board to participate in the State's group health plan would make purchasing insurance more affordable for its employees; 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 §285, sub-§1, ¶F-10 is enacted to read:

F-10. Any employee of the Small Enterprise Growth Board;

Sec. 2. Application. Employees of the Small Enterprise Growth Board eligible for the group health plan pursuant to the Maine Revised Statutes, Title 5, section 285, subsection 1, paragraph F-10 are eligible to participate in the health plan effective July 1, 2012.

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

Effective March 16, 2012.

CHAPTER 515
S.P. 602 - L.D. 1754

**An Act To Amend Certain
Provisions of Law Governing
the Department of Corrections**

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

Sec. 1. 15 MRSA §224, sub-§2, as repealed and replaced by PL 1983, c. 843, §10, is amended to read:

2. Violations of probation and parole. Expenses incurred in connection with the extradition of persons charged with violating the terms and conditions of probation, ~~shall~~ must be shared equally between the district attorney of the county in which the person was convicted and the Department of Corrections, ~~Division of Probation and Parole.~~ Expenses incurred in connection with the extradition of persons charged with violating the terms and conditions of parole ~~shall~~ must be paid by the Department of Corrections, ~~Division of Probation and Parole.~~

Sec. 2. 34-A MRSA §1216, sub-§1, as amended by PL 2005, c. 487, §2 to 4, is further amended to read:

1. Limited disclosure. All orders of commitment, medical and administrative records, applications and reports, and facts contained in them, pertaining to any person receiving services from the department must be kept confidential and may not be disclosed by any person, except that public records must be disclosed in accordance with Title 1, section 408; criminal history record information may be disseminated in accordance with Title 16, chapter 3, subchapter 8; and documents other than those documents pertaining to information obtained by the department for the purpose of evaluating a client's ability to participate in a community-based program or from informants in a correctional or detention facility for the purpose of determining whether facility rules have been violated or pertaining to a victim's request for notice of release may, and must upon request, be disclosed:

- A. To any person if the person receiving services, that person's legal guardian, if any, and, if that person is a minor, that person's parent or legal guardian give informed written consent to the disclosure of the documents referred to in this subsection after being given the opportunity to review the documents sought to be disclosed;
- B. To any state agency if necessary to carry out the statutory functions of that agency;
- C. If ordered by a court of record, subject to any limitation in the Maine Rules of Evidence, Rule 503;
- D. To any criminal justice agency if necessary to carry out the administration of criminal justice or the administration of juvenile criminal justice or for criminal justice agency employment;
- E. To persons engaged in research if:
 - (1) The research plan is first submitted to and approved by the commissioner;