

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 5, 2012 to July 10, 2013**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**OCTOBER 9, 2013**

**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**  
**2013**

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

**Sec. 1. 5 MRSA §7070, sub-§5** is enacted to read:

**5. Constitutional obligations of a prosecutor.** Notwithstanding this section or any other provision of law, this section does not preclude the disclosure of confidential personnel records and the information contained in those records to the Attorney General, a deputy attorney general, an assistant attorney general, a district attorney, a deputy district attorney, an assistant district attorney or the equivalent departments or offices in a federal jurisdiction that are related to the determination of and compliance with the constitutional obligations of the State or the United States to provide discovery to a defendant in a criminal matter. A person or entity participating in good faith disclosure under this subsection or participating in a related proceeding is immune from criminal and civil liability for the act of disclosure or for participating in the proceeding.

**Sec. 2. 30-A MRSA §503, sub-§3** is enacted to read:

**3. Constitutional obligations of a prosecutor.** Notwithstanding this section or any other provision of law, this section does not preclude the disclosure of confidential personnel records and the information contained in those records to the Attorney General, a deputy attorney general, an assistant attorney general, a district attorney, a deputy district attorney, an assistant district attorney or the equivalent departments or offices in a federal jurisdiction that are related to the determination of and compliance with the constitutional obligations of the State or the United States to provide discovery to a defendant in a criminal matter. A person or entity participating in good faith disclosure under this subsection or participating in a related proceeding is immune from criminal and civil liability for the act of disclosure or for participating in the proceeding.

**Sec. 3. 30-A MRSA §2702, sub-§3** is enacted to read:

**3. Constitutional obligations of a prosecutor.** Notwithstanding this section or any other provision of law, this section does not preclude the disclosure of confidential personnel records and the information contained in those records to the Attorney General, a deputy attorney general, an assistant attorney general, a district attorney, a deputy district attorney, an assistant district attorney or the equivalent departments or offices in a federal jurisdiction that are related to the determination of and compliance with the constitutional obligations of the State or the United States to provide discovery to a defendant in a criminal matter. A person or entity participating in good faith disclosure under this subsection or participating in a related

proceeding is immune from criminal and civil liability for the act of disclosure or for participating in the proceeding.

See title page for effective date.

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**CHAPTER 202**

**S.P. 223 - L.D. 633**

**An Act To Grant the  
Commissioner of Health and  
Human Services and the  
Commissioner's Designees the  
Independent Authority To  
Issue Adjudicatory Subpoenas**

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

**Sec. 1. 22-A MRSA §207, sub-§10** is enacted to read:

**10. Adjudicatory subpoena power.** In an adjudicatory proceeding conducted by the department, the commissioner may issue subpoenas to require the attendance and testimony of witnesses and the production of evidence or discovery relating to an issue of fact in the proceeding and may designate employees of the department to issue such subpoenas. Subpoenas must be issued in accordance with Title 5, section 9060.

See title page for effective date.

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**CHAPTER 203**

**S.P. 51 - L.D. 130**

**An Act To Stabilize Education  
Funding by Reducing the  
Impact of Changes in Property  
Valuation**

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

**Sec. 1. 20-A MRSA §15672, sub-§23**, as amended by PL 2005, c. 2, Pt. D, §36 and affected by §§72 and 74 and affected by c. 12, Pt. WW, §18, is repealed and the following enacted in its place:

**23. Property fiscal capacity.** "Property fiscal capacity" means:

A. Prior to fiscal year 2014-15, the certified state valuation for the year prior to the most recently certified state valuation.

B. For fiscal year 2014-15, the average of the certified state valuations for the 2 most recent years