

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985

Chapters 1-384

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

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

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tor may refuse to enter into a tenancy with a person who purchases the mobile home from the tenant on the basis that that person has children who will reside in the mobile home.

In no case may this subsection be construed to impose this obligation when a mobile home park owner or operator rents a space to a tenant under an agreement that the space is to be occupied only by adults or when a park owner or operator rents a space normally designated as an adult site to a tenant with children under an agreement that the tenancy is contrary to normal park procedures and of a temporary nature.

Effective September 19, 1985.

CHAPTER 356

H.P. 947 - L.D. 1356

AN ACT Concerning the Provision of Certain
Reports for Court-ordered
Examinations.

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

Whereas, there have been recent instances in which court-ordered examiners have had difficulty in obtaining records which they require in order to perform mental examinations and there exists no effective remedy for this problem; and

Whereas, such inability runs contrary to the needs of a civilized society; 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:

15 MRSA §101-A is enacted to read:

§101-A. Access to records by persons or entities performing examinations or evaluations

1. Written demand for records. When a person or entity has been ordered to perform an examination or evaluation pursuant to section 101, and the person to be examined has sought the examination, joined in a request or order for the examination or has entered a plea of not guilty by reason of insanity, that person may make written demand upon any individual, partnership, association, corporation, institution or governmental entity to produce the records or copies of the records, in whatever medium preserved, of the subject of the examination or evaluation.

2. Production of records. Any such entity from whom records are demanded pursuant to subsection 1 shall produce the records or copies of the records forthwith. The production shall be made notwithstanding any other law. No entity, or employee or agent of the entity, may be criminally or civilly responsible for furnishing any records in compliance with this section.

3. Confidentiality of records. Records provided under this section shall be confidential and shall not be disseminated by any person other than upon order of the court.

4. Definition. "Records" means information about a person, in whatever medium preserved. It includes, but is not limited to, medical histories, social histories, military histories, government histories, educational histories and documentation pertaining to diagnosis or treatment.

5. Failure to produce records. Any person who is required to produce records by this section and intentionally or knowingly fails to do so within 20 days of the service of the written request upon him, may be subject to civil contempt for his failure to comply with the request.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective June 14, 1985.

CHAPTER 357

S.P. 032 - L.D. 33

AN ACT to Amend the Laws Relating to Absentee Voting.