

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
**FIRST REGULAR SESSION**

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
SEPTEMBER 30, 1989

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

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J.S. McCarthy Company  
Augusta, Maine  
1989

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

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FOURTEENTH LEGISLATURE**

**1989**

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involving other than ordinary negligence on the part of the debtor.

C. That portion of the proceeds from any sale of property which is exempt under this section shall be exempt for a period of 6 months from the date of receipt of such proceeds for purposes of reinvesting in a residence within that period.

Sec. 2. 14 MRSA §4426, as enacted by PL 1981, c. 431, §2, is amended to read:

**§4426. Exemptions in bankruptcy proceedings**

Notwithstanding anything to the contrary in the United States Code, Title 11, Section 522(b), a debtor may exempt from property of his the debtor's estate under United States Code, Title 11, only that property exempt under the United States Code, Title 11, Section 522(b)(2)(A) and (B), except that any debtor eligible for a residence exemption under section 4422, subsection 1, paragraph B, may exempt the amount allowed in that paragraph.

See title page for effective date.

## CHAPTER 287

H.P. 389 - L.D. 520

**An Act to Expand the Jurisdiction of the District Courts to Include Violations within Municipal Harbors and to Impose the Same Penalties for Harbor Violations that Have Been Created for Land Use Violations**

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

Sec. 1. 4 MRSA §152, sub-§6, ¶¶R and S, as repealed and replaced by PL 1987, c. 737, Pt. C, §§2 and 106 and as amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, are amended to read:

R. The site location of development laws, Title 38, sections 481 to 485 and 488 to 490; and

S. The oil discharge prevention and pollution control laws, Title 38, sections 543, 545 and 560; and

Sec. 2. 4 MRSA §152, sub-§6, ¶Z is enacted to read:

Z. The laws pertaining to harbors in Title 38, chapter 1, subchapter I; local harbor ordinances adopted in accordance with Title 38, section 7 and regulations adopted by municipal officers pursuant to Title 38, section 2.

Sec. 3. 30-A MRSA §4452, sub-§5, ¶¶P and Q, as enacted by PL 1989, c. 104, Pt. A, §45 and Pt. C, §10, are amended to read:

P. Waste water discharge licenses issued pursuant to Title 38, section 413, subsection 8; and

Q. Shoreland zoning ordinances adopted pursuant to Title 38, sections 435 to 447, including those which were state-imposed; and

Sec. 4. 30-A MRSA §4452, sub-§5, ¶R is enacted to read:

R. The laws pertaining to harbors in Title 38, chapter 1, subchapter I, local harbor ordinances adopted in accordance with Title 38, section 7 and regulations adopted by municipal officers pursuant to Title 38, section 2.

Sec. 5. 38 MRSA §12, as enacted by PL 1987, c. 655, §8, is repealed and the following enacted in its place:

**§12. Violation of subchapter**

Notwithstanding any provision in this subchapter, a violation of this subchapter or any harbor ordinance may be prosecuted and relief, fees, fines and penalties granted and assessed pursuant to the provisions of Title 30-A, section 4452.

See title page for effective date.

## CHAPTER 288

H.P. 341 - L.D. 460

**An Act to Ensure the Confidentiality of Emergency Medical Services Quality Assurance and Peer Review Activities**

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

32 MRSA §92-A is enacted to read:

**§92-A. Records of quality assurance activities**

1. Immunity from suit. Any person who participates in the activities of any emergency medical services quality assurance committee approved by the Emergency Medical Services Board is immune from civil liability for undertaking or failing to undertake any act within the scope of the function of the committee.

2. Confidentiality. All proceedings and records of proceedings concerning the quality assurance activities of any emergency medical services quality assurance committee approved by the board are confidential and shall be exempt from discovery.

3. Assistance of information; immunity. Any person, health care facility or other emergency services organization which assists in the activities of an emergency medical services quality assurance committee approved by the board