

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**  
**ONE HUNDRED AND FIFTEENTH LEGISLATURE**

**SECOND SPECIAL SESSION**  
December 12, 1991 to January 7, 1992

**SECOND REGULAR SESSION**  
January 8, 1992 to March 31, 1992

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 30, 1992**

**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**  
**1992**

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

**AS PASSED AT THE**  
**SECOND REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FIFTEENTH LEGISLATURE**

**1991**

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I. Encourage the availability of and access to traditional outdoor recreation opportunities, including, without limitation, hunting, boating, fishing and hiking; and encourage the creation of greenbelts, public parks, trails and conservation easements. Each municipality ~~should~~ shall identify and encourage the protection of undeveloped shoreland and other areas identified in the local planning process as meriting such protection.

**4. Regional coordination program.** A regional coordination program ~~may~~ must be developed with other municipalities to manage shared resources and facilities, such as rivers, aquifers, transportation facilities and others. This program ~~should~~ must provide for consistency with the comprehensive plans of other municipalities for these resources and facilities.

**5. Implementation program.** An implementation program ~~may~~ must be adopted that is consistent with the strategies in subsection 3.

**Sec. 8. 30-A MRSA §4354, first ¶,** as amended by PL 1991, c. 18, §2 and c. 236, §2, is repealed and the following enacted in its place:

A municipality may enact an ordinance under its home rule authority requiring the construction of off-site capital improvements or the payment of impact fees instead of the construction. Notwithstanding section 3442, subsection 2, an impact fee may be imposed that results in a developer or developers paying the entire cost of an infrastructure improvement. A municipality may impose an impact fee either before or after completing the infrastructure improvement.

### **Sec. 9. Transition provisions.**

1. Chapter 300 of the rules adopted by the former Office of Comprehensive Land Use Planning pertaining to qualification and certification standards for municipal code enforcement officers remain in effect and are administered by the Office of Community Development in the Department of Economic and Community Development until amended or repealed by that office pursuant to the Maine Administrative Procedure Act. All other rules adopted by the former Office of Comprehensive Land Use Planning are void.

2. All contracts issued by the former Office of Comprehensive Land Use Planning in effect on December 23, 1991 remain in effect and are deemed to be contracts issued by the Department of Economic and Community Development.

**Sec. 10. Costs not funded.** Notwithstanding the Maine Revised Statutes, Title 30-A, section 5684, any requirements of this Act that result in additional costs to local or county government are not state man-

dates subject to that section and the State is not required to fund those costs.

**Sec. 11. Retroactivity clause.** This Act takes effect retroactively to December 23, 1991.

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

Effective March 23, 1992.

## **CHAPTER 723**

**H.P. 1597 - L.D. 2259**

### **An Act to Modify the Medical Examiner Act to Limit Liability of Medical Record Providers**

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

**22 MRSA §3022, sub-§7,** as repealed and replaced by PL 1987, c. 329, §2, is amended to read:

**7. Medical records provided.** In any medical examiner case, upon oral or written request of the medical examiner, any individual, partnership, association, corporation, institution or governmental entity which that has rendered treatment pertaining to the medical examiner case shall as soon as practicable provide the medical examiner with all medical records pertaining to the person and the treatment provided. No individual, partnership, association, corporation, institution, governmental entity or employee or agent of a governmental entity may be criminally or civilly responsible for furnishing any medical records in compliance with this subsection.

See title page for effective date.

## **CHAPTER 724**

**H.P. 1054 - L.D. 1543**

### **An Act to Facilitate Prompt Child Support Payments from the Department of Human Services**

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

**Whereas,** late child support payments inflict undue hardship on families throughout the State; and

**Whereas,** action should be taken immediately to ensure that payments are forwarded from the Department of Human Services in a more timely manner; and