

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

Chapters 1-542

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Twin City Printery
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1987

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION
of the
ONE HUNDRED AND THIRTEENTH LEGISLATURE
1987

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

17 MRSA §2921, sub-§5, ¶E and F, as enacted by PL 1977, c. 628, §1, are amended to read:

E. Lewd exhibition of the genitals, anus or pubic area of a person; or

F. Conduct that creates the appearance of the acts in paragraphs A through D and also exhibits any uncovered or covered portions of the genitals, anus or pubic area.

Effective September 29, 1987.

CHAPTER 166

S.P. 406 — L.D. 1257

AN ACT to Modify Certain Criminal Appeal Laws.

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

Sec. 1. 15 MRSA §2111, as amended by PL 1981, c. 647, §4, is repealed and the following enacted in its place:

§2111. Time to appeal

In any criminal proceeding in the District Court, any defendant aggrieved by a judgment of conviction or order may appeal to the Superior Court in the county where the offense, on which the judgment of conviction or order was rendered, is alleged to have been committed. Venue may be transferred by the Chief Justice of the Superior Court at his discretion. The time for taking the appeal and the manner and any conditions for the taking of the appeal shall be as the Supreme Judicial Court provides by rule.

Sec. 2. 15 MRSA §2112, as amended by PL 1965, c. 356, §60, is repealed.

Sec. 3. 15 MRSA §2115, first ¶, as repealed and replaced by PL 1965, c. 356, §63, is repealed and the following enacted in its place:

In any criminal proceeding in the Superior Court, any defendant aggrieved by a judgment of conviction, ruling or order may appeal to the Supreme Judicial Court, sitting as the Law Court. The time for taking the appeal and the manner and any conditions for the taking of the appeal shall be as the Supreme Judicial Court provides by rule.

Effective September 29, 1987.

CHAPTER 167

S.P. 410 — L.D. 1261

AN ACT Relating to a Court Granting Continuance under the Corrections Law.

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

Sec. 1. 34-A MRSA §3042, sub-§5, as enacted by PL 1983, c. 459, §6, is repealed and the following enacted in its place:

5. Continuance. For good cause shown in open court, the prisoner or his counsel being present, the court having jurisdiction of the matter may grant any necessary or reasonable continuance.

Sec. 2. 34-A MRSA §3042, sub-§6, ¶A, as enacted by PL 1983, c. 459, §6, is amended to read:

A. The untried indictment, information or complaint is no longer of any force of or effect;

Effective September 29, 1987.

CHAPTER 168

H.P. 1143 — L.D. 1553

AN ACT to Require Insurers to Report Utilization Review Data.

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

Sec. 1. 24 MRSA §2302-A is enacted to read:

§2302-A. Utilization review data

1. Report required. On or before April 1st of each year, every nonprofit hospital or medical service organization which issues or administers a program or contract in this State that contains a provision whereby in nonemergency cases the insured is required to be prospectively evaluated through a prehospital admission certification, preinpatient service eligibility program or any similar preutilization review or screening procedure prior to the delivery of contemplated hospitalization, inpatient or outpatient health care or medical services which are prescribed or ordered by a duly licensed physician shall file a report on the results of that evaluation for the preceding year with the superintendent which shall contain the following:

A. The number and type of evaluations performed.

(1) For the purposes of this section, the term "type of evaluations" means the following preutilization