

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

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

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

August 21, 1989 to August 22, 1989

and

**SECOND REGULAR SESSION**

January 3, 1990 to April 14, 1990

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
July 14, 1990

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

---

---

J.S. McCarthy Company  
Augusta, Maine  
1990

---

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

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

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

**January 3, 1990 to April 14, 1990**

---

1. In the case of a person convicted of a crime other than murder, the court may sentence to imprisonment for a definite term as provided for in this section, unless the statute which the person is convicted of violating expressly provides that the fine and imprisonment penalties it authorizes may not be suspended, in which case the convicted person shall be sentenced to imprisonment and required to pay the fine authorized therein. ~~The sentence of the court relative to a Class A, Class B or Class C crime shall specify the term to be served and the place of imprisonment if that place is to be a county jail, otherwise the court shall commit the person to the Department of Corrections.~~ Except as provided in subsection 7, the place of imprisonment must be as follows.

A. For a Class D or Class E crime the court must specify a county jail as the place of imprisonment.

B. For a Class A, Class B or Class C crime the court must:

(1) Specify a county jail as the place of imprisonment if the term of imprisonment is 9 months or less; or

(2) Commit the person to the Department of Corrections if the term of imprisonment is more than 9 months.

~~Beginning April 1, 1987, if the sentence of the court specifies the term of imprisonment to be 6 months or less, the court shall specify the place of imprisonment to be a county jail. Beginning January 1, 1989, if the sentence of the court specifies the term of imprisonment to be 9 months or less, the court shall specify the place of imprisonment to be a county jail. In the case of a Class D or Class E crime, the court shall, after the effective date of this paragraph, specify the place of imprisonment to be a county jail.~~

Sec. 6. 17-A MRSA §1252, sub-§6, as repealed and replaced by PL 1985, c. 821, §9, is repealed.

Sec. 7. 17-A MRSA §1252, sub-§7 is enacted to read:

7. If a sentence to a term of imprisonment in a county jail is consecutive to or is to be followed by a sentence to a term of imprisonment in the custody of the Department of Corrections, the court imposing either sentence may order that both be served in the custody of the Department of Corrections. If a court imposes consecutive terms of imprisonment for Class D or Class E crimes and the aggregate length of the terms imposed is one year or more, the court may order that they be served in the custody of the Department of Corrections.

Sec. 8. 17-A MRSA §1253, sub-§3, ¶A is enacted to read:

A. Deductions under this subsection must be calculated as follows for partial months.

<u>Days of partial month</u>	<u>Maximum good time credit available</u>
0 - 2 days	0
3 - 5 days	1
6 - 8 days	2
9 - 11 days	3
12 - 14 days	4
15 - 17 days	5
18 - 20 days	6
21 - 23 days	7
24 - 26 days	8
27 - 29 days	9
30 days	10

Sec. 9. 17-A MRSA §1253, sub-§3-B, ¶A is enacted to read:

A. Deductions under this subsection must be calculated as follows for partial months.

<u>Days of partial month</u>	<u>Maximum good time credit available</u>
0 - 7 days	0
8 - 15 days	1
16 - 23 days	2
24 - 30 days	3

See title page for effective date.

## CHAPTER 694

### S.P. 750 - L.D. 1958

#### An Act to Remove Notarization from the Voter Registration Application Process

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

Sec. 1. 21-A MRSA §130, as amended by PL 1985, c. 614, §9, is further amended to read:

#### §130. Applications for voter registration

~~A notary public or other authorized person before whom a person who~~ completes an application for registration to vote, as provided in section 152, ~~shall deliver the application~~ may mail the application or have the application delivered to the registrar before the closed period for the acceptance of registrations in the person's municipality, to be placed on the voting list prior to the next election; except that applications completed under section 122, subsection 5, may be delivered during the closed period for immediate placement on the voting list.

Sec. 2. 21-A MRSA §152, sub-§1, ¶I, as enacted by PL 1985, c. 161, §6, is amended to read:

I. Certification ~~Sworn statement~~ that all information is correct, ~~sworn before a notary public;~~

**Sec. 3. 21-A MRSA §154, sub-§1, ¶K**, as enacted by PL 1985, c. 161, §6, is amended to read:

~~K. Certification Sworn statement that all information is correct, sworn before a diplomatic or consular official of the United States or before the master of a United States vessel of 1,000 tons or more;~~

See title page for effective date.

---

## CHAPTER 695

H.P. 1353 - L.D. 1870

### An Act to Clarify the Succession of Estates under the Maine Probate Code

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

**18-A MRSA §2-611**, as enacted by PL 1979, c. 540, §1, is amended by adding at the end a new paragraph to read:

A devise to the issue of a person must be distributed per capita at each generation.

See title page for effective date.

---

## CHAPTER 696

H.P. 1318 - L.D. 1820

### An Act Requiring the Availability of Insurance Loss Information

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

**Sec. 1. 24-A MRSA §2910** is enacted to read:

**§2910. Loss information to be supplied**

**1. Request for information.** Every insurer shall provide loss information concerning an insurance policy to its insured within 30 calendar days of the receipt of a written request from the insured or an insurance agent or other authorized representative of the insured. An insurer may not cancel or refuse to renew an insurance policy for the nonpayment of premium during any period within which the insurer fails to provide the loss information requested under this section, unless the insured requests that information fewer than 45 calendar days prior to the expiration date of the insurance policy.

**2. Transmittal of request.** If an insured requests loss information from an insurance agent or an authorized representative of the insured, the representative or agent shall transmit the request for loss information to the insurer within 4 working days.

**3. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

**A. "Insurance policy"** means the insurance policy relating to the loss information requested pursuant to this section.

**B. "Loss information,"** except with respect to workers' compensation insurance, means the following items: the name of the insured, the date of the loss, the date that the claim was received by the insurer, a description of the loss, any amount paid by the insurer on account of the loss, any amount reserved for the loss and whether the claim is open or closed.

**C. "Loss information,"** with respect to workers' compensation insurance, means the following items: the name of the claimant, the date of the injury, a description of the injury, any amount paid for medical expense, any amount paid for indemnity expense, any medical reserve, the total incurred losses and whether the claim is open or closed.

**Sec. 2. 24-A MRSA §3042** is enacted to read:

**§3042. Loss information to be supplied**

**1. Request for information.** Every insurer shall provide loss information concerning an insurance policy to its insured within 30 calendar days of the receipt of a written request from the insured or an insurance agent or other authorized representative of the insured. An insurer may not cancel or refuse to renew an insurance policy for the nonpayment of premium during any period within which the insurer fails to provide the loss information requested under this section, unless the insured requests that information fewer than 45 calendar days prior to the expiration date of the insurance policy.

**2. Transmittal of request.** If an insured requests loss information from an insurance agent or an authorized representative of the insured, the representative or agent shall transmit the request for loss information to the insurer within 4 working days.

**3. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

**A. "Insurance policy"** means the insurance policy relating to the loss information requested pursuant to this section.

**B. "Loss information"** means the following items: the name of the insured, the date of the loss, the date the claim was received by the insurer, a description of the loss, any amount paid by the insurer on account of the loss, any amount reserved for the loss and whether the claim is open or closed.

See title page for effective date.