

MAINE STATE LEGISLATURE

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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

return an attested copy of the order of the court, and upon return of the prisoner shall note ~~such~~ that return on ~~such~~ the copy. This paragraph as it relates to the responsibility for transportation shall be applicable to the transportation of prisoners transferred from the county jail to the State Prison under Title 15, section 453, and to transfers from the county jail to any other county jail or to a state correctional facility under Title 34 30-A, section 1046 1656.

Sec. 5. 30-A MRSA §421, sub-§11, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106; and as amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §88, 10, is repealed.

Sec. 6. 30-A MRSA §1504, as amended by PL 1989, c. 6; c. 9, §2; c. 104, Pt. C, §88, 10; and c. 146, is further amended to read:

§1504. Sheriff to return list of prisoners at each criminal session of court

Every ~~jailer~~ sheriff shall return a list of prisoners in custody to the Superior Court for a county on the first business day of every month, and afterwards a list of all committed during the session, certifying the cause for which and the person by whom committed, and shall have the calendar of prisoners in court for its inspection. The jailer sheriff shall also provide lists of prisoners in custody to the Superior Court or to a District Court upon receipt of a request for an additional or updated list. The sheriff shall also provide for the transportation of prisoners to and from the District Court or Superior Court and ensure the safe custody of prisoners while they may be present during any court proceeding as directed by the court. If the jailer fails to do so, the court may impose a reasonable fine.

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

Effective March 23, 1990.

CHAPTER 723

H.P. 1347 - L.D. 1864

An Act Allowing Day Care Centers to Use Cloth Diapers

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

22 MRSA §8302, sub-§3 is enacted to read:

3. Approval of laundering services. The rules must allow the use of cloth diapers in a day care facility if the facility employs a diaper laundering service. The rules must require that the diaper laundering service be

endorsed by a national accrediting organization and must specify the type of diaper covers that must be used.

See title page for effective date.

CHAPTER 724

H.P. 1669 - L.D. 2310

An Act to Amend the Maine Liability Risk Retention Act

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

Sec. 1. 24-A MRSA §6097, as enacted by PL 1987, c. 481, §3, is amended to read:

§6097. Purchasing groups; exemption from certain laws relating to the group purchase of insurance

Any purchasing group meeting the criteria established under the provisions of the federal Liability Risk Retention Amendments of 1986 is exempt from any law of this State relating to the creation of groups for the purchase of insurance, prohibition of group purchasing or any law that discriminates against a purchasing group or its members. In addition, an insurer is exempt from any law of this State which prohibits providing, or offering to provide, to a purchasing group or its members advantages based on their loss and expense experience not afforded to other persons with respect to rates, policy forms, coverages or other matters. A purchasing group and any insurer that provides coverage to a purchasing group with Maine members is subject to all other applicable laws of this State including, but not limited to, chapters 25, 27 and 39.

Sec. 2. 24-A MRSA §6099, sub-§1, as enacted by PL 1987, c. 481, §3, is amended to read:

1. Purchase from risk retention group; insurer; licensed agent or broker. A purchasing group may purchase insurance from a risk retention group that is chartered in a state or, in the case of product liability or completed operations liability coverage, that qualifies under section 6093, ~~section subsection~~ 13, paragraph C, subparagraph (2); from an insurer admitted in this State ~~in which the purchasing group is located;~~ or from a licensed agent or broker acting pursuant to the surplus lines laws and regulations of ~~that state~~ this State.

See title page for effective date.

CHAPTER 725

H.P. 1360 - L.D. 1877

An Act to Amend the Maine Human Rights Act to Prohibit Educational Discrimination on the Basis of National Origin