

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

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Augusta, Maine  
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**PUBLIC LAWS**  
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apply for a hearing before the Superintendent of Insurance within 30 days, as provided in section 3054.

**Sec. 12.** 24-A MRSA § 3051, first paragraph, as amended by PL 1977, c. 414, § 4, is further amended to read:

No insurer shall fail to renew a policy except by notice to the insured as provided in this subchapter. A notice of intention not to renew shall not be effective unless ~~mailed or delivered~~ **received** by the insurer to the named insured at least 30 days prior to the expiration date of the policy. A post-office department certificate of mailing to the named insured at ~~the~~ **his last known** address ~~shown in the policy~~ shall be **conclusive** proof of receipt of such mailing **on the 3rd calendar day after mailing**. The reason shall accompany the notice of intent not to renew, together with notification of the right to apply for a hearing before the Superintendent of Insurance within ~~45~~ **30** days as provided.

**Sec. 13.** 24-A MRSA § 3054, first sentence, as amended by PL 1973, c. 585, § 12, is further amended to read:

Any named insured who has received a statement of reason for cancellation, or of reason for an insurer's intent not to renew a policy, may, within ~~45~~ **30** days of the receipt ~~or delivery~~ of a statement of reason, request a hearing before the ~~Insurance~~ Superintendent of Insurance.

Effective September 14, 1979

## CHAPTER 348

S. P. 406 — L. D. 1245

**AN ACT to Amend the Law with Regard to the Diagnostic Laboratory of the Department of Human Services.**

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

**Sec. 1.** 22 MRSA § 562, 2nd ¶, first and 2nd sentences, as amended by PL 1975, c. 771, § 214, are repealed and the following enacted in their place:

The department shall annually establish a schedule of charges for services rendered by the diagnostic laboratory based upon the average costs for those services. The establishment of that schedule is deemed to be rule making and is subject to the Maine Administrative Procedure Act, Title 5, chapter 375.

**Sec. 2.** 22 MRSA § 562, 3rd ¶, as enacted by PL 1975, c. 618, is amended to read:

Services considered **by the department** to be essential to the maintenance of the public health ~~including but not limited to services related to the diagnosis of tuberculosis and venereal disease~~ shall be provided free to the people of the state. **The determination by the department of services as essential to the maintenance of the public health shall be deemed to be rule making and shall be subject to the Maine Administrative Procedure Act, Title 5, chapter 375.**

Effective September 14, 1979

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## CHAPTER 349

S. P. 91 — L. D. 177

### AN ACT Prohibiting a Bank Holding Company from Owning more than One Type of Financial Institution.

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

9-B MRSA § 1013, sub-§ 1, as enacted by PL 1975, c. 500, § 1, is amended by adding at the end the following new paragraph:

**A financial institution holding company which controls a commercial bank and any subsidiary of such a holding company shall not acquire or hold more than 5% of the stock of a stock savings bank or stock savings and loan association or gain control directly or indirectly of that institution. A financial institution holding company which controls a stock savings bank or stock savings and loan association and any subsidiary of such a holding company shall not acquire or hold more than 5% of the stock of a commercial bank or gain control directly or indirectly of that institution.**

Effective September 14, 1979

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## CHAPTER 350

S. P. 260 — L. D. 790

### AN ACT to Prohibit the Practice of a Mandatory Retirement Age.

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

Sec. 1. 5 MRSA § 4553, sub-§ 6-A, is enacted to read:

6-A. Normal retirement age. "Normal retirement age" means the specified