

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
OCTOBER 9, 1991

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
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PUBLIC LAWS
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Sec. 14. 24-A MRSA §2167, as amended by PL 1973, c. 585, §12, is repealed and the following enacted in its place:

§2167. Service upon unauthorized insurers

Provisions of this chapter applicable to insurers apply fully to unauthorized insurers. If an action under this chapter is brought against an unauthorized insurer, section 2105 applies to all process, notices and statements of charges.

Sec. 15. 24-A MRSA §2167-A is enacted to read:

§2167-A. Notice to domiciliary supervisory official

Whenever the superintendent has reason to believe that a foreign or alien insurer or licensed insurance professional is acting in violation of this chapter or chapter 21, the superintendent shall notify the insurance supervisory official of that person's domiciliary jurisdiction.

See title page for effective date.

CHAPTER 299

S.P. 117 - L.D. 216

An Act to Amend the Unclaimed Property Act

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

33 MRSA §1860, as enacted by PL 1987, c. 691, §4, is amended to read:

§1860. Action to establish claim

A person aggrieved by a decision of the administrator or whose claim has not been acted upon within 90 days after its filing may bring an action to establish the claim in a court of appropriate jurisdiction, naming the administrator as a defendant. The action must be brought within 90 days after the decision of the administrator or within 180 days after the filing of the claim if the administrator has failed to act on it.

~~If the aggrieved person establishes the claim in an action against the administrator, the court shall award that person costs and reasonable attorney fees.~~

See title page for effective date.

CHAPTER 300

H.P. 1248 - L.D. 1815

An Act to Authorize Employees of a Participating Local District to Participate in a Qualified Alternative Pension Plan

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

Sec. 1. 5 MRSA §18801, sub-§§1 and 2, as enacted by PL 1989, c. 811, §3, are amended to read:

1. Plan content. Benefits provided by the plan must be selected from benefits included in chapter 423, chapter 425 or this chapter and must include, but are not limited to:

A. Service retirement benefits, including:

- (1) Several plans, with levels of benefits to meet the needs of various classes of employees and employers; and
- (2) Portability of benefits when a member changes plans or employers;

B. Death benefits;

C. Disability retirement benefits;

D. ~~Compulsory and optional membership requirements; and except:~~

(1) Optional membership for those employees permitted optional membership under chapter 425; and

(2) Optional membership for those employees who are not subject to the municipal public employees labor relations laws contained in Title 26, chapter 9-A; and

E. A defined contribution plan consistent with the United States Internal Revenue Code.

2. Amendments. Any benefit provision selected from chapter 423, chapter 425 or this chapter to be included in the plan that is subsequently amended is not considered to have been amended for purposes of the plan until the rule that established the plan is amended to include the amended version of the benefit provision.

Sec. 2. 5 MRSA §18806, sub-§3 is enacted to read:

3. Ancillary benefits. The plan must include disability benefits and death benefits for those employees who choose not to be members under section 18801, subsection 1, paragraph D and who participate in the defined contribution plan.

See title page for effective date.