

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 electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTIETH LEGISLATURE

SECOND REGULAR SESSION
January 2, 2002 to April 25, 2002

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 25, 2002

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
2002

C. To ensure that more technologically sophisticated equipment is available to students in grades 9 to 12 and in larger qualified libraries in the State;

D. To provide for necessary equipment to use the services obtained through the fund;

E. To provide for internal connections necessary to use the services obtained through the fund;

F. To provide training to teachers so that they may assist and educate their students in the use of the advanced technology equipment; ~~and~~

G. To provide for the establishment of computer technology training programs in schools to provide training to students in areas such as, but not limited to, electronic commerce, Internet proficiency and World Wide Web-enabled systems; ~~and~~

H. To provide for electronic database content to be used for the purposes of accessing information by schools and libraries.

A minimum of 25% of each annual program budget must be devoted to targeted projects that are innovative and technologically advanced.

7. Coordination with existing facilities. Any existing facilities developed to provide services to qualified schools ~~and~~ qualified libraries and the Raymond H. Fogler Library at the University of Maine, as directed by the commission under this section, must continue to provide services to qualified schools ~~and~~ qualified libraries and the Raymond H. Fogler Library at the University of Maine at rates that reflect the incremental costs to use those facilities.

Sec. 3. Cooperation. The Maine State Library and the Raymond H. Fogler Library at the University of Maine shall work cooperatively to provide access technology as well as licensing agreements to acquire publicly available databases.

Sec. 4. Transfer. Upon application from the Board of Trustees of the University of Maine System to the Public Utilities Commission, the commission shall order the National Exchange Carrier Association to transfer \$500,000 from the unexpended balance of the telecommunications education access fund no later than June 30, 2002 and \$500,000 no later than June 30, 2003 to the University of Maine System which must use the funds to provide for the infrastructure needs to create a digital library that is accessible statewide.

Sec. 5. Appropriations and allocations. The following appropriations and allocations are made.

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

Educational and General Activities - University of Maine System

New Initiative: Provides funds to create a digital library to meet the educational, research, business and economic needs of Maine. The funds will provide for information resources in digital form, such as books, scholarly journals, publicly accessible Internet sites, databases, electronic archives and other information sources. The Maine State Library and the Raymond H. Fogler Library at the University of Maine will cooperatively provide access technology as well as licensing agreements to acquire publicly available databases.

Other Special Revenue Funds	2001-02	2002-03
All Other	\$500,000	\$500,000

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

Effective March 12, 2002.

CHAPTER 523

H.P. 1534 - L.D. 2037

An Act to Repeal the Retroactive Effect of Changes Made to the Subdivision Laws

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, changes were made to the law regarding land subdivisions during the First Regular Session of the 120th Legislature that were applied retroactively; and

Whereas, this legislation is necessary in order to ensure the fair application of these changes; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. PL 2001, c. 359, §8 is repealed and the following enacted in its place:

Sec. 8. Retroactivity. That section of this Act that repeals and replaces the Maine Revised Statutes, Title 30-A, section 4401, subsection 4, paragraph H applies retroactively to June 1, 2001.

Sec. 2. Retroactivity. This Act applies retroactively to September 21, 2001.

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

Effective March 12, 2002.

CHAPTER 524

H.P. 1475 - L.D. 1976

An Act to Modify Investment-related Insurance Company Provisions of the Maine Insurance Code

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

Sec. 1. 24-A MRSA §901-A, sub-§1, as enacted by PL 2001, c. 72, §7, is repealed and the following enacted in its place:

1. Principles; admitted assets. In evaluating the financial condition of an insurer, the superintendent shall determine which assets may be recognized as admitted assets and shall value the insurer's admitted assets and the insurer's liabilities:

A. In accordance with recognized statutory accounting principles as codified by the National Association of Insurance Commissioners or its successor organization and reflected in the association's accounting practices and procedures manual and valuation of securities manual and their successor publications; and

B. In accordance with any additional accounting practices permitted by the superintendent upon the request of the insurer.

Sec. 2. 24-A MRSA §1106, sub-§4, as amended by PL 1993, c. 313, §21, is further amended to read:

4. Except as otherwise expressly provided, an insurer may not invest more than 10% of its assets in the securities of any one person, other than investments eligible under the following sections:

A. 1107 (public obligations); ~~and~~

B. 1108 (obligations, stock of certain federal and international agencies); ~~and~~

C. 1120 (common trust funds, mutual funds), but as to this exception, only with the prior approval of the superintendent and only in index mutual funds in an amount up to 20% of the insurer's assets.

Sec. 3. 24-A MRSA §1155, sub-§2, as amended by PL 1999, c. 715, §11, is further amended to read:

2. Government obligations; policy loans; other limitations. Except as otherwise expressly provided, an insurer may not invest in or may not incur counter-party exposure to any one person if, after giving effect to those investments and that counter-party exposure, the aggregate of those investments in and that counter-party exposure to that person would exceed 10% of the insurer's admitted assets, ~~other than investments eligible under~~ with the following sections exceptions:

A. Government obligations; pursuant to section 1156, subsection 2, paragraph A; ~~and~~

B. Policy loans; pursuant to section 1158; ~~and~~

C. Index mutual funds, but as to this exception, only with the prior approval of the superintendent and limited to 20% of the insurer's admitted assets.

See title page for effective date.

CHAPTER 525

S.P. 672 - L.D. 1875

An Act to Waive the Competitive Bid Requirement for Lease of Certain Unused State Facilities

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

Sec. 1. 5 MRSA §1782, sub-§3, as enacted by PL 1985, c. 758, §1, is amended to read:

3. Director. "Director" means the Director of the Bureau of ~~Public Improvements~~ General Services.

Sec. 2. 5 MRSA §1783, sub-§3, ¶B is enacted to read:

B. Notwithstanding this subsection, the director may lease an available facility or portion of an available facility to a type of organization described in paragraph A without competitive bidding if:

(1) A total of 2,500 square feet or less in the available facility is unused and therefore available for lease; or