

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 TENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 1980 to June 19, 1981

AND AT THE

FIRST SPECIAL SESSION
August 3, 1981

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

K.J. Printing Co.
Augusta, Maine
1981

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND TENTH LEGISLATURE

1981

of which disciplinary action is being imposed and the conclusions of the acting authority as to the causes of the need for that action; and

Effective September 18, 1981

CHAPTER 346

H. P. 1214 — L. D. 1382

AN ACT to Clarify the Statutory Provisions for the Registration of Motor Vehicles in Maine.

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

Sec. 1. 29 MRSA § 1, sub-§ 10-D is enacted to read:

10-D. Resident. "Resident" means all legal residents of this State, all persons who have declared or established residence in this State and any person who accepts employment or engages in a trade, profession or occupation in this State for a period of at least 6 months. Any foreign person having a place of business in this State shall be deemed to be a resident as to all vehicles owned or leased and which are garaged or maintained in this State, or in the case of foreign persons in the business of renting you-drive or you-haul vehicles as to an apportioned share of their fleet based upon the mileage of all vehicles of the owner operated in this State bears to the total mileage of all vehicles of the owner operated both within and without the State.

Sec. 2. 29 MRSA § 102, first sentence, as repealed and replaced by PL 1975, c. 770, § 138, is further amended to read:

Except as section 2243 provides for reciprocity with other states, any resident person, firm or corporation, or owner as defined in section 1, who fails to register any vehicle to be operated, caused to be operated or remain on any way in this State shall be guilty of a misdemeanor.

Effective September 18, 1981

CHAPTER 347

H. P. 1266 — L. D. 1481

AN ACT Concerning Insurance Proceeds under the Maine Insurance Code.

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

24-A MRSA § 4386 is enacted to read:

§ 4386. Application for approval

1. Insolvency; assets disbursed. Within 120 days of a final determination of insolvency of a company by a court of competent jurisdiction of this State, the receiver shall make application to the court for approval of a proposal to disburse assets out of the company's marshaled assets, from time to time as those assets become available, to the Maine Insurance Guaranty Association and to any similar organization in another state. The Maine Insurance Guaranty Association and any similar organizations in other states shall be referred to, collectively, as the associations.

2. Proposals. The proposals shall at least include provisions for:

A. Reserving amounts for the payment of the expenses of administration and the claims falling within the priorities established in section 4379, subsections 1 and 2;

B. Disbursement of the assets marshaled to date and subsequent disbursements of assets as they become available;

C. Equitable allocation of disbursements to each of the associations entitled thereto; and

D. The securing by the receiver from each of the associations entitled to disbursements pursuant to this section of an agreement to return to the receiver the assets, and interest earned thereon, previously disbursed as may be required to pay claims as secured creditors and claims falling within the priorities established in section 4379, subsections 1 to 6, in accordance with those priorities.

3. Disbursements to associations. The receiver's proposal shall provide for disbursements to the associations in amounts at least equal to the payments made or to be made thereby for which the association could assert claims against the receiver and shall further provide that if the assets available for disbursement, from time to time, do not equal or exceed the amounts of the payments made or to be made by the associations, then disbursements shall be in the amount of available assets.

4. Notice. Notice of the application shall be given to the associations in, and to the commissioners of insurance of, each of the states. Any such notice shall be deemed to have been given when deposited in the United States certified mails, first class postage prepaid, at least 30 days prior to submission of the application to the court. Action on the application may be taken by the court provided the notice has been given and provided further that the receiver's proposal complies with subsection 2, paragraphs A and D.