

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND ELEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 1982 to June 24, 1983
Chapters 1-452

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ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co., Inc.
Augusta, Maine
1983

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

CHAPTER 42

S.P. 136 - L.D. 428

AN ACT to Clarify Provisions of the Maine Banking Act.

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

9-B MRSA §357, sub-§1, as enacted by PL 1975, c. 500, §1, is amended to read:

1. Continuing entity. Even though the charter of any participating or converting institution has been terminated, the resulting institution shall be deemed to be a continuation of the entity of the participating or converting institution such that all property of the participating or converting institution, including rights, titles and interests in and to all property of whatsoever kind, whether real, personal or mixed, and things in action, and every right, privilege, interest and asset of any conceivable value or benefit then existing, or pertaining to it, or which would inure to it, including appointments, designations and nominations, and all other rights and interests as trustee, personal representative, guardian and conservator, and in every other fiduciary capacity, shall immediately by act of law and without any conveyance or transfer and without further act or deed be vested in and continue to be that property of the resulting institution; and such institution shall have, hold and enjoy the same in its own right as fully and to the same extent as the same was possessed, held and enjoyed by the participating or converting institution and such resulting institution as of the time of the taking effect of such merger, consolidation, conversion or acquisition shall continue to have and succeed to all the rights, obligations and relations of the participating or converting institution.

Effective September 23, 1983.

CHAPTER 43

H.P. 661 - L.D. 821

AN ACT to Increase the Tax on Fire Insurance Premiums.

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

Whereas, the fire prevention tax funds the State Fire Marshal's office and fire service training programs; and

Whereas, the tax paid by fire and casualty insurance companies licensed in Maine is not sufficient to fund these programs; and

Whereas, legislation is vitally needed to increase this tax which will allow the State Fire Marshal's office to continue to operate; 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:

25 MRSA §2399, 2nd ¶, as amended by PL 1981, c. 456, Pt. A, §§89 and 90, is further amended to read:

Every fire insurance company or association which does business or collects premiums or assessments in the State shall pay to the State Tax Assessor, in addition to the taxes now imposed by law to be paid by such those companies or associations, $\frac{3}{4}$.95 of 1% of the gross direct premiums for fire risks written in the State, less the amount of all direct return premiums thereon and all dividends paid to policyholders on direct fire premiums. Such That tax shall be paid at the same time and under the same conditions as provided for insurance premium taxes as specified in Title 36, section 2521-A, except that the tax prescribed by this section shall be paid on an estimated basis at the end of each quarter starting with the first quarter of 1983, with each installment equal to at least 25% of the estimated total tax to be paid for the current calendar year. The State Tax Assessor shall pay over all receipts from such that tax to the Treasurer of State daily. These funds shall be used to defray the expenses incurred by the Commissioner of Public Safety in administering all fire preventive and investigative laws, rules and regulations and in educating the public in fire safety and are appropriated for such those purposes and to carry out the administration and duties of the Office of State Fire Marshal. These In addition, 10.5% of these funds shall also be

used to defray the expenses of the fire service training program as established in Title 20, chapter 315.

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

Effective March 10, 1983.

CHAPTER 44

H.P. 19 - L.D. 15

AN ACT to Eliminate the Requirement that
Persons Over 75 Years of Age Take Periodic
Driving Tests.

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

Sec. 1. 29 MRSA §545-A, sub-§5, as enacted by PL 1977, c. 620, §2, is amended to read:

5. Persons 65 years of age. Any person who has attained his 65th birthday ~~but has not attained his 75th birthday~~ shall pass the vision portion of a driver's license examination before his license may be renewed.

Sec. 2. 29 MRSA §545-B, as enacted by PL 1977, c. 620, §3, is repealed.

Effective September 23, 1983.

CHAPTER 45

H.P. 287 - L.D. 346

AN ACT for the Repeal of Obsolete Provisions
of the Retirement Allowance Adjustment Fund.

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

5 MRSA §1062, sub-§7, as amended by PL 1975, c. 622, §§19 and 20, is repealed.

Effective September 23, 1983.