

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 453-End

AND AT THE

FIRST SPECIAL SESSION
September 6, 1983 to September 7, 1983
Chapters 583-588

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH
IN ACCORDANCE WITH MAINE REVISED STATUTES
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

CONTINUED

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

§8849. Penalty

Violation of section 8842 shall be a theft, subject to the penalties prescribed in Title 17-A, section 362. Prosecution under this section does not preclude the civil remedy available under Title 14, section 7552.

Sec. 7. 14 MRSA §7552, as amended by PL 1977, c. 313, §1, is further amended to read:

§7552. Injury to lands or property

Whoever cuts down, destroys, injures or carries away any ornamental or fruit tree, Christmas tree, evergreen boughs, timber, wood, underwood, stones, gravel, ore, goods or property of any kind from land not his own, without license of the owner, or injures or throws down any fences, bars or gates, or leaves such gates open, or breaks glass in any building is liable in damages to the owner in a civil action. If such an act or such acts are ~~committed~~ committed willfully or knowingly, the defendant is liable to the owner in treble damages and, in addition, for the cost of any professional services necessary for the determination of damages, for attorney's fees, and for court costs. For purposes of this section, Christmas trees and evergreen boughs are defined in Title 12, section 8841.

Effective September 23, 1983.

CHAPTER 508

S.P. 611 - L.D. 1743

AN ACT Relating to the Financing of
Services in the Unorganized Territory.

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

Sec. 1. 5 MRSA §243, sub-§3-A is enacted to read:

3-A. Accounting systems for municipal cost component. To install uniform accounting systems and, no later than 90 days after the end of each fiscal year, perform an annual audit and postaudit of the municipal cost component and the Unorganized Territory Education and Services Fund in Title 36, chap-

ter 115. The expenses of these services shall be part of the municipal cost component and shall be paid out of the Unorganized Territory Education and Services Fund;

Sec. 2. 36 MRS.A §§1608 and 1609 are enacted to read:

§1608. Financial report

The Bureau of the Budget shall, by September 1st annually, publish a financial report of the status of the Unorganized Territory Education and Services Fund subject to the following provisions.

1. Record of financial transactions. It shall contain a record of all financial transactions of the fund during the preceding fiscal year, including an itemized list of receipts and disbursements from the fund. It shall also contain an itemized record showing the sources of all revenue received by the fund and showing all disbursements for each agency under the municipal cost component by major items of expense comparable with the approved budgetary expenditure classifications under the captions of personal services, contractual services, commodities, debt service and capital expenditures.

2. Statement of assets, liabilities, reserves and surplus. It shall contain an itemized statement of the assets, liabilities, reserves and surpluses of the fund under each municipal cost component.

3. Copies for distribution. Copies of the report shall be given to each member of the Legislature and to each county commissioner in each county which contains unorganized territory. Copies shall be made available in convenient locations for taxpayers in the unorganized territory.

§1609. Audit of municipal cost component and the Unorganized Territory Education and Services Fund

The Unorganized Territory Education and Services Fund and each account of the municipal cost component shall be audited annually by the Department of Audit. The audit shall cover the last entire fiscal year and be completed no later than 90 days after the end of each fiscal year. The expenses of these auditing services shall be part of the municipal cost component and shall be paid out of the Unorganized Territory Education and Services Fund. The audit shall be performed in accordance with generally accepted auditing standards and procedures pertaining to governmental accounting and shall include a management letter cov-

ering the audit of the operational aspects of the fund, as well as suggestions which the auditor may deem advisable for the proper administration of the fund. The auditor shall produce the audit report on the forms required by the accounting system established by the Department of Audit in Title 5, section 243.

The audit shall include an accounting of receipts, expenditures, disbursements, allocations, apportionments and methods for calculating requests for transfers from the fund covering each account of the municipal cost component and the Unorganized Territory Education and Services Fund. The audit shall also include a review of the accounting procedure used by agencies or governmental entities receiving transfers from the fund to determine whether the expenditures and transfers from the fund have been used in compliance with laws of this State.

Effective September 23, 1983.

CHAPTER 509

H.P. 1325 - L.D. 1758

AN ACT to Clarify the Rate Filing
Procedures and Standards for Workers'
Compensation Insurance.

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

Sec. 1. 39 MRSA §22, as amended by PL 1981, c. 471, §§1 and 2, is repealed.

Sec. 2. 39 MRSA §22-B is enacted to read:

§22-B. Approval of insurance policies and rates

The following provisions shall apply to approval of insurance policies and rates by the Superintendent of Insurance.

1. Policies. Every insurance company issuing workers' compensation insurance policies covering the payment of compensation and benefits provided for in this Act shall file with the Superintendent of Insurance:

A. A copy of the form of the policies. A policy may not be issued until the superintendent has approved the form; and