

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND ELEVENTH LEGISLATURE

**SECOND SPECIAL SESSION**

November 18, 1983

AND AT THE

**SECOND REGULAR SESSION**

January 4, 1984 to April 25, 1984

AND AT THE

**THIRD SPECIAL SESSION**

September 4, 1984 to September 11, 1984

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

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1986

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
SECOND REGULAR SESSION  
of the  
ONE HUNDRED AND ELEVENTH LEGISLATURE  
JANUARY 4, 1984 TO APRIL 25, 1984

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transmit these requirements to the Bureau of the Budget without any revision, alteration or change.

Sec. 16. 38 MRSA §90-C is enacted to read:

§90-C. Employees

With the advice of the board, the commissioner may appoint, subject to the Personnel Law, such employees as may be necessary to carry out the duties of the board. Any person so employed shall be located in the department and under the administrative and supervisory direction of the commissioner.

Sec. 17. 38 MRSA §92, as enacted by PL 1969, c. 410, §1, is amended to read:

§92. Duration and renewal of licenses

Licenses issued by the pilot commission shall run for 5 years from date of issue be renewed every 5 years on or before the expiration date established by the commissioner.

Effective July 25, 1984.

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## CHAPTER 759

S.P. 887 - L.D. 2395

### AN ACT to Amend the Investment Provisions and Certain Related Sections of the Maine Insurance Code.

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

Sec. 1. 24-A MRSA §1110, sub-§1, ¶B, as amended by PL 1979, c. 458, §4, is further amended to read:

B. "Institution" includes a corporation, a joint-stock association ~~and~~, a business partnership, a business trust and a trust where a bank or trust company duly authorized and licensed therefor is acting as a corporate trustee, with or without a co-trustee, provided that that trust is controlled by any of the foregoing types of institutions and that all of the beneficiaries of that trust are any of the foregoing types of institutions.

Sec. 2. 24-A MRSA §1115, sub-§3 is enacted to read:

3. A life or health insurer may invest in any solvent institution organized and existing under the laws of this State wholly-owned and controlled by the insurer or its insurance company affiliates, or both, and formed for and limited to the purposes of acquiring, holding and managing, exclusively for the insurer and its insurance company affiliates, assets which are authorized under this chapter as eligible investments for the insurer. Those assets of those institutions shall be deemed, for all purposes of this chapter, to be acquired and held directly by the insurer, pro rata, in the case of institutions of this type not wholly-owned by the insurer; shall be valued in accordance with the provisions of sections 981 to 984 and other applicable provisions of this Title; and shall be located pursuant to section 3408. Those institutions shall be subject to examination by the superintendent under section 221, subsection 1 and section 222, subsection 1.

Sec. 3. 24-A MRSA §1131, sub-§1, as repealed and replaced by PL 1979, c. 458, §12, is amended to read:

1. An insurer may make loans or investments, not otherwise eligible, qualified or expressly permitted under this chapter, in aggregate amount not over 5% of the insurers assets if a life insurer, and in aggregate amount not over 10% of the insurer's assets if a property or casualty or surety or other such nonlife insurer, and not over 1% of those assets as to any one such loan or investment. None of the investment limitations contained in this chapter, qualitative or quantitative or otherwise, shall apply to loans or investments under this section, provided that all loans or investments made or acquired hereunder shall meet the following requirements.

A. The loan or investment shall fulfill the requirements of section 1103, and otherwise ~~qualifies~~ qualify as a sound investment.

B. No such loan or investment shall be represented by:

- (1) Any item described in section 902;
- (2) Any loan or investment expressly prohibited under section 1136; or
- (3) Agent's balances, or amounts advanced to or owing by agents, except as to policy

loans, mortgage loans and collateral loans to those agents otherwise authorized under any provision of this chapter.

C. No loan or investment shall may cause the insurer to exceed the specific diversification requirements enumerated in sections 1105 and 1106.

Effective July 25, 1984.

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## CHAPTER 760

H.P. 1818 - L.D. 2410

### AN ACT to Amend the Air Emission License Law.

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

Sec. 1. 38 MRSA §582, sub-§3, as enacted by PL 1969, c. 474, §1, is amended to read:

3. Air pollution. "Air pollution" means the presence in the outdoor atmosphere of one or more air contaminants in sufficient quantities and of such characteristics and duration as to be injurious to human, plant or animal life or to property, or which unreasonably interfere with the enjoyment of life and property throughout the State or throughout such areas of the State as shall be affected thereby, ~~excluding, however, all air conditions subject to the requirements of employer-employee contracts, and state or local labor laws and industrial codes insofar as these excluded air conditions are confined to and exist solely within the property boundaries of the person giving rise to that air condition.~~

Sec. 2. 38 MRSA §584, first paragraph, as amended by PL 1979, c. 541, Pt. A, §272, is further amended to read:

The board shall establish and may amend reasonable standards, in this chapter called "ambient air quality standards," within a reasonable air quality region regulating and limiting the amount and types of air contaminants which may exist in the ambient air of such region. Such standards shall be designed to preserve or enhance the quality of ambient air