

MAINE STATE LEGISLATURE

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LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

SECOND REGULAR SESSION
January 8, 1986 to April 16, 1986

SECOND SPECIAL SESSION
May 28, 1986 to May 30, 1986

AND AT THE

THIRD SPECIAL SESSION
October 17, 1986

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

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

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND TWELFTH LEGISLATURE
1985

vation of the public peace, health and safety; now, therefore,

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

19 MRSA §765, sub-§2, as amended by PL 1985, c. 495, §12, is further amended to read:

2. Temporary orders. The court may enter any temporary orders authorized under subsection 4 as it deems necessary to protect the plaintiff or minor child from abuse, on good cause shown in an ex parte proceeding. Immediate and present danger of physical abuse to the plaintiff or minor child shall constitute good cause. Any order shall remain in effect pending a hearing pursuant to subsection 1. If the complaint is filed initially in the Superior Court, the justice, after authorizing any temporary order under this section, may order that further proceedings be transferred to the District Court of the division in which either the plaintiff or the defendant resides.

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

Effective February 28, 1986.

CHAPTER 547

S.P. 658 - L.D. 1696

AN ACT to Allow Justices of the Superior
Court to Act on Requests for
Preliminary Child Protection Orders.

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

Whereas, rapid receipt of preliminary protection orders in child protection proceedings is essential in protecting children from abuse and neglect; and

Whereas, it is sometimes difficult for those seeking to protect a child to find a District Court or Probate Court Judge available to issue the emergency, temporary protection order; and

Whereas, the availability of judges to issue these temporary orders would be increased if the Superior Court had authority to act in these emergency situations; 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:

22 MRSA §4031, sub-§1, ¶C is enacted to read:

C. The Superior Court shall have jurisdiction to act on requests for preliminary child protection orders under section 4034. As soon as the action is taken by the Superior Court, the matter shall be transferred to the District Court.

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

Effective February 28, 1986.

CHAPTER 548

H.P. 1227 - L.D. 1734

AN ACT Relating to Dividends on Insurance Policies.

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

24-A MRSA §2162-A is enacted to read:

§2162-A. Payment of dividend conditioned upon renewal; unfair trade practice

It is an unfair trade practice to make the payment of a policy dividend or any portion of a dividend conditioned upon renewal of the policy or con-