

# 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.

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

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

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

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long-term and nursing home care policies. The standards shall be in addition to and in accordance with applicable laws of this State, including chapters 33 and 35, and may include, but are not limited to:

- A. Terms of renewability;
- B. Initial and subsequent conditions of eligibility;
- C. Nonduplication of coverage;
- D. Probationary periods;
- E. Benefit limitations, exceptions and reductions;
- F. Elimination periods;
- G. Requirements for replacement;
- H. Recurrent confinements; and
- I. Definition of terms.

2. Prohibited policy provision. The superintendent may promulgate rules that specify prohibited provisions not otherwise specifically authorized by law which, in the opinion of the superintendent, are unjust, unfair, inequitable or unfairly discriminatory to any person insured or proposed for coverage under a long-term nursing home care policy.

§5053. Disclosure standards

The superintendent may promulgate reasonable rules to provide for the full and fair disclosure of information in connection with the sale of long-term and nursing home care policies, including, but not limited to, outline of coverage requirements and requirements relating to the replacement sale of the policies.

Effective July 16, 1986.

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## CHAPTER 649

H.P. 1221 - L.D. 1729

AN ACT to Clarify the Sand Dunes Law.

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

38 MRSA §474, sub-§2, ¶A is enacted to read:

A. Nothing in this article prohibits the re-building, replacement or new construction of a bulkhead, retaining wall or similar structure, provided that the applicant for a permit demonstrates to the board or municipality, as appropriate, that the following conditions are met:

(1) The bulkhead or similar structure to be constructed, rebuilt or replaced is located along some or all of the north-northeasterly property lines of land abutting the Scarborough River from the jetty to the Scarborough town landing; and

(2) The terminus of any bulkhead or similar structure, including any wing wall, unless connected to another bulkhead or similar structure, shall terminate at least 25 feet from any abutting property.

Any permit issued under this paragraph for a bulkhead or similar structure which is not connected at both ends to another bulkhead or similar structure shall be subject to only the standard conditions applicable to all permits granted under sections 471 to 478 as well as the following conditions: The permit applicant or applicants shall be responsible for reasonably maintaining the bulkhead or similar structure and for repairing damage to the frontal sand dune which occurs between the end of the bulkhead or similar structure and the Scarborough town landing and which is caused by the existence of the bulkhead or similar structure; the applicant or applicants shall submit a report prepared by a state-certified geologist to the commissioner every 2nd year following issuance of the permit, or until such time as the commissioner deems the report need not be filed or can be filed at longer intervals, which report shall describe the status of the frontal sand dune between the end of the bulkhead or similar structure and the Scarborough town landing and contain whatever recommendations the geologist determines are reasonably required to maintain the frontal sand

dune in that area; and the applicant or applicants shall follow the recommendations.

Effective July 16, 1986.

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## CHAPTER 650

H.P. 1622 - L.D. 2285

### AN ACT to Remove Maximum Annual Limits on the Captured Assessed Values within Tax Increment Financing Districts.

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

Whereas, the need to expand the scope of tax increment financing must be addressed in the tax year beginning on April 1, 1986; and

Whereas, certain critical projects must utilize provisions contained within this bill before it would normally become effective; 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:

Sec. 1. 20-A MRSA §1, sub-§37-A is enacted to read:

37-A. State valuation. "State valuation" means the value certified to the Secretary of State as provided in Title 36, section 305, subsection 1.

Sec. 2. 30 MRSA §4862, sub-§7-A, as enacted by PL 1981, c. 676, §5, is amended to read:

7-A. Project costs. "Project costs" means any expenditures made or estimated to be made or monetary obligations incurred or estimated to be incurred by the municipality which are listed in a project plan