

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

Chapters 1-542

PUBLISHED BY THE REVISOR OF STATUTES
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1987

PUBLIC LAWS

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(6) An order to pay in cases of unlawful price discrimination the victim thereof 3 times the amount of any excessive price demanded and paid by reason of such unlawful discrimination; and

(7) An order to pay to the complainant civil penal damages not in excess of ~~\$500~~ \$1,000 in the case of the first order under this Act against the respondent, not in excess of ~~\$1,000~~ \$2,000 in the case of a 2nd such order against the respondent, and not in excess of ~~\$2,000~~ \$3,000 in the case of a 3rd or subsequent such order against the respondent; and

Effective September 29, 1987.

CHAPTER 39

H.P. 318 — L.D. 417

AN ACT to Grant Judges the Authority to Stay a License Suspension for a Period of Time not to Exceed 4 Hours.

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

29 MRSA §2241-H, first ¶, as amended by PL 1981, c. 679, §45, is further amended to read:

In the case of any conviction or adjudication under former section 1312, subsection 10, section 1312-B, 1312-C, 1314 or for any offense for which the suspension of a license or the right to operate a motor vehicle or the right to apply for or obtain a license is required by law or in any case in which the court suspends a license under section 2305, the court shall inform the defendant of the suspension and the defendant shall acknowledge this notice in writing on a form to be provided by the court. The court, as part of its sentence, unless the defendant appeals and a stay of execution of the suspension is granted, shall take any license certificate issued by this State from the person convicted or adjudicated or any license certificate issued by another state, foreign country or province from the person convicted or adjudicated if that person is residing, domiciled or employed in this State. The court, as part of its sentence, unless the defendant appeals and a stay of execution of the suspension is granted, may take from the person convicted or adjudicated any license certificate issued by another state or foreign country or province if the person is not residing, domiciled or employed in this State. At sentencing, the court, upon reasonable cause shown, may stay the suspension of the license or a right to operate a motor vehicle for a period not to exceed 4 hours from the time of sentencing. The court may issue such evidence of that stay as it deems necessary. The court shall forward the license certificate, a copy of the sentence and the acknowledgment of notice by mail to the Secretary of State.

Effective September 29, 1987.

CHAPTER 40

S.P. 106 — L.D. 279

AN ACT to Clarify the Law Regarding Expedited Charter Conversions, Mergers and Consolidations.

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

Sec. 1. 9-B MRSA §345-A, as enacted by PL 1981, c. 539, §1, is amended to read:

§345-A. Authority for expedited charter conversions

Notwithstanding any other provision of law, or any charter, certificate of organization, articles of association, articles of incorporation, or bylaw of any participating institution, when a charter conversion is approved by the directors of a financial institution authorized to do business in this State as a component of a plan of merger or consolidation or acquisition with another financial institution authorized to do business in this State or financial institution holding company, regardless of this institution's or holding company's domicile and following compliance with all applicable requirements of federal law, if any, the superintendent may order that the charter conversion become effective immediately. The superintendent may take such action if he believes that it is necessary for the protection of depositors, shareholders or the public. Any person aggrieved by a charter conversion executed pursuant to this section shall be entitled to judicial review of the superintendent's order in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, subchapter VII.

Sec. 2. 9-B MRSA §355-A is enacted to read:

§355-A. Authority for expedited acquisitions

Notwithstanding any other provision of law, or any charter, certificate of organization, articles of association, articles of incorporation or bylaw of any participating institution, following approval of a plan of acquisition of assets and an assumption of liabilities by a majority vote of the boards of directors acquiring or assuming financial institution or financial institution holding company and the transferring institution and upon receipt by the superintendent of certified copies of the authorizing resolutions adopted by the respective boards of directors, the superintendent may order that the acquisition of assets and assumption of liabilities become effective immediately if he believes that the action is necessary for the protection of depositors, shareholders or the public. Any person aggrieved by an acquisition of assets and assumption of liabilities pursuant to this section shall be entitled to judicial review of the superintendent's order in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, subchapter VII.

Effective September 29, 1987.

CHAPTER 41

S.P. 77 — L.D. 163

AN ACT to Amend the Piscataquis County Budget Committee Procedures.

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

30 MRSA §1425, sub-§5, as enacted by PL 1985, c. 707, is repealed and the following enacted in its place:

5. Adoption of budget. After completion of the public hearing, the county commissioners may further increase, decrease, alter or revise the proposed itemized budgets, provided that:

A. The county commissioners shall enter into their minutes and submit to the budget committee a statement of their basis for any rejection of any recommendation of the budget committee; and

B. The county commissioners shall hold a public meeting prior to December 7th with the budget committee to discuss any rejections.

The proposed itemized budget shall be finally adopted by a majority vote of the county commissioners at a duly called meeting not later than December 15th.

Effective September 29, 1987.

CHAPTER 42

H.P. 465 — L.D. 632

AN ACT to Clarify the Benefits under State Group Life Insurance.

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

5 MRSA §18055, sub-§1, ¶A, as enacted by PL 1985, c. 801, §§5 and 7, is amended to read:

A. Elective and appointive officers and employees of the State eligible for membership in the retirement system or the Maine Legislative Retirement System;

Effective September 29, 1987.

CHAPTER 43

H.P. 553 — L.D. 740

AN ACT to Permit the Disclosure of Information on a Real Estate Transfer Tax Declaration of Value Form.

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

36 MRSA §191, sub-§2, ¶K, as enacted by PL 1985, c. 764, §5, is amended to read:

K. The disclosure by a municipal assessor, or by the State Tax Assessor with regard to the unorganized territory, of information contained on the declaration of value form required by section 4641-B, ~~to a person who has filed an application for abatement pursuant to section 841. Information which may be disclosed is limited to information which is relevant to the determination of just value of the property for which the form was filed.~~

Effective September 29, 1987.

CHAPTER 44

H.P. 599 — L.D. 812

AN ACT to Limit the Party Size to 12 Persons for all Groups Operating with a Guide on Inland Waters.

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

Whereas, the guiding season for inland waters runs from May to late September; and

Whereas, there is concern for the safety and well-being of summer tourists, campers and residents who pay for the professional services of a guide who may overreach his guiding abilities by leading a party that is too large; and

Whereas, this bill will not take effect until after the peak boating season, unless it is passed as an emergency; 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:

12 MRSA §7301, sub-§8-A is enacted to read:

8-A. Guided parties. There shall be no more than 12 people per each registered guide in a party on any lake, stream or other waterway in this State. This sub-