

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

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

AS PASSED BY THE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE

AS PUBLIC LAWS AND CONSTITUTIONAL RESOLUTIONS

at the

**THIRD SPECIAL SESSION**

September 15, 1988 to September 16, 1988

and the

**FOURTH SPECIAL SESSION**

November 28, 1988

AND

AS PRIVATE AND SPECIAL LAWS AND RESOLVES

at the

**FIRST REGULAR SESSION**

December 3, 1986 to June 30, 1987

**FIRST SPECIAL SESSION**

October 9, 1987 to October 10, 1987

**SECOND SPECIAL SESSION**

October 21, 1987 to November 20, 1987

**SECOND REGULAR SESSION**

January 6, 1988 to May 5, 1988

**THIRD SPECIAL SESSION**

September 15, 1988 to September 16, 1988

and the

**FOURTH SPECIAL SESSION**

November 28, 1988

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

---

---

Twin City Printery  
Lewiston, Maine  
1989

---

---

**PRIVATE AND  
SPECIAL LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION

of the

ONE HUNDRED AND THIRTEENTH LEGISLATURE

1987

---

---

1987-88 1988-89

PUBLIC SAFETY, DEPARTMENT OF

State Police

All Other \$3,750 \$3,750

Provides a 75% Highway Fund match to produce Maine State Police publication, to include new laws, and for continuing education.

Effective September 29, 1987.

---

**CHAPTER 48****H.P. 998 — L.D. 1344****AN ACT to Provide Pension Rights to Morris G. Pilot.**

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

**Sec. 1. Pension rights for Morris G. Pilot.** Morris G. Pilot shall have the pension rights granted in this Act.

**Sec. 2. Retirement pension.** Notwithstanding the Maine Revised Statutes, Title 4, chapter 29, Morris G. Pilot, on reaching the age of 65, shall have the right to a pension equal to 35% of his average final compensation as a District Court Judge. "Average final compensation" is defined in the Maine Revised Statutes, Title 4, section 1201, subsection 3. The pension shall be adjusted annually by a cost-of-living factor, as determined in the Maine Revised Statutes, Title 4, section 1358.

**Sec. 3. Survivors benefits.** On the death of Morris G. Pilot, his spouse Ann S. Pilot, if living, shall receive a pension equal to 35% of his average final compensation or his retirement allowance at the time of his death, whichever is greater. The pension shall be adjusted annually by a cost-of-living factor as determined in the Maine Revised Statutes, Title 4, section 1358.

**Sec. 4. Funding.** Benefits provided in this Act shall be funded solely by the State in the same manner as provided under the Maine Revised Statutes, Title 4, section 1403.

Effective September 29, 1987.

---

**CHAPTER 49****S.P. 616 — L.D. 1817****AN ACT to Provide for the Compilation of Data and Information Relating to Reasons for Residential Mortgage Foreclosures in Maine.**

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjourn-

ment unless enacted as emergencies; and

Whereas, there is very limited information relating to residential mortgage foreclosures in the State; and

Whereas, there are many banks, including federally chartered banks, savings and loan banks and mortgage companies which are not required to report to the Bureau of Banking; and

Whereas, the State has experienced the loss or decline of several significant employers or firms which has created serious economic dislocation in several regions of the State; and

Whereas, a number of families may have lost their homes or may lose their homes as industries and regions experience further economic distress; and

Whereas, the extent of the impact of economic distress upon residential mortgagees needs to be determined before any remedial approaches can be developed; and

Whereas, the data and information required for this study needs to be developed as soon as possible; 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. Study and analysis.** The Maine State Housing Authority shall conduct a study of residential mortgage foreclosures in the State to determine the underlying reasons for these foreclosures.

**Sec. 2. Bureau of Banking.** The Bureau of Banking shall cooperate with the Maine State Housing Authority by providing data and other information necessary for the Maine State Housing Authority to conduct this study and by encouraging financial institutions and private mortgage lenders to work with the Maine State Housing Authority to undertake this study.

**Sec. 3. State agencies.** The State Development Office, the State Planning Office, the Department of Labor and regional planning and economic development organizations shall cooperate with the Maine State Housing Authority by providing the authority with economic data reflecting economic conditions of the State and the ability of homeowners to make mortgage payments, such as plant closing data, unemployment data and any other information that the Maine State Housing Authority finds necessary to conduct this study.

**Sec. 4. Residential mortgage holding institutions.** The Governor and Legislature invite and urge financial institutions and private mortgage companies

holding mortgages of residential property in this State to cooperate with the Maine State Housing Authority and provide the Maine State Housing Authority with historic and current data and information about foreclosures on residential mortgages held by these institutions and companies.

**Sec. 5. Report.** The Maine State Housing Authority shall report the findings of its study and any necessary implementing legislation designed to remedy the problem to the Joint Standing Committee on Economic Development to the First Regular Session of the 114th Legislature.

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

Effective June 26, 1987.

## CHAPTER 50

H.P. 1311 — L.D. 1789

### AN ACT to Provide Discretion to the State Liquor Commission to Establish a Temporary Agency Liquor Store in Response to a Natural Disaster.

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

Whereas, the State Liquor Commission has no discretion to shorten the lengthy procedure for establishing an agency liquor store for any reason, even when circumstances indicate that such action is warranted; and

Whereas, a natural disaster has forced a state liquor store located in the City of Gardiner to close and that site is not available for a state liquor store, so that the area will not be adequately served by the State Liquor Commission; and

Whereas, because such a situation exists, the State Liquor Commission should have the discretion to license an agency liquor store to serve as a replacement on a strictly temporary basis until the state liquor store in the City of Gardiner can be reopened in the original or a new location; 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. Commission authorized to establish replacement store.** Notwithstanding the Maine Revised Statutes, Title 28, section 153 and Title 28-A, section 453, the

State Liquor Commission may establish a temporary replacement agency liquor store to serve the same area served by the state liquor store in the City of Gardiner which was forced to close because of flooding in April of 1987. A temporary agency liquor store established pursuant to this Act may operate until the same or a new state liquor store is opened, but in no case for more than 120 days.

**Sec. 2. Procedure for selection.** The following procedures apply to the establishment of a temporary replacement agency liquor store pursuant to this Act.

1. The commission shall give, in accordance with the Maine Revised Statutes, Title 5, section 9052, public notice that a temporary replacement agency liquor store may be established in the City of Gardiner. The commission shall request all parties interested in establishing a temporary replacement agency liquor store to apply to the commission.

2. The commission shall set a deadline for applications of no earlier than 7 days after the date of the publication of the first public notice.

3. The commission shall provide all applicants with the necessary information for the establishment of a temporary replacement agency liquor store.

4. If requested, the commission shall hold a hearing, according to Title 5, chapter 375, subchapter IV, on the selection of the location for the temporary replacement agency liquor store at least 15 days after the date of the publication of the first public notice.

5. The commission shall notify any applicant denied a license of the reasons for the denial by certified mail to the mailing address given by the applicant in the application for the temporary replacement agency store license.

6. Any applicant aggrieved by a decision made by the commission may appeal the decision in accordance with Title 5, chapter 375, subchapter VII.

**Sec. 3. State liquor store employees.** The commission may not terminate the employment of persons employed at the state liquor store in the City of Gardiner which closed while the temporary replacement agency store is in operation, but shall make reasonable arrangements for their continued employment until they can be returned to the same or new state liquor store.

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

Effective June 26, 1987.