

# MAINE STATE LEGISLATURE

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**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.

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Twin City Printery  
Lewiston, Maine  
1989

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**PRIVATE AND  
SPECIAL LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
SECOND REGULAR SESSION

of the

ONE HUNDRED AND THIRTEENTH LEGISLATURE

1987

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## CHAPTER 120

S.P. 970 — L.D. 2578

### AN ACT to Authorize a General Fund Bond Issue in the Amount of \$3,000,000 for Construction and Renovation of Public Safety Facilities.

**Preamble.** Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14, to authorize the issuance of bonds on behalf of the State of Maine to provide funds for construction and renovation of public safety.

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

**Sec. 1. Authorization of bonds to provide for construction and renovation of public safety facilities.** The Treasurer of State is authorized, under the direction of the Governor, to issue from time to time registered bonds in the name and behalf of the State to an amount not exceeding \$3,000,000 for the purpose of raising funds to provide for construction and renovation of public safety facilities as authorized by section 6. The bonds shall be deemed a pledge of the full faith and credit of the State. The bonds shall not run for a longer period than 5 years from the date of the original issue thereof. Any issuance of bonds may contain a call feature at the discretion of the Treasurer of State with the approval of the Governor.

**Sec. 2. Records of bonds issued to be kept by the State Auditor and Treasurer of State.** The State Auditor shall keep an account of the bonds, showing the number and amount of each, the date when payable and the date of delivery of the bonds to the Treasurer of State who shall keep an account of each bond showing the number of the bonds, the name of the successful bidder to whom sold, the amount received for the same, the date of sale and the date when payable.

**Sec. 3. Sale, how negotiated; proceeds appropriated.** The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no such bond may be loaned, pledged or hypothecated in behalf of the State. The proceeds of the sale of the bonds, which shall be held by the Treasurer of State and paid by him upon warrants drawn by the State Controller, are appropriated to be used solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the projects in section 6 shall lapse to the debt service account established for the retirement of these bonds.

**Sec. 4. Interest and debt retirement.** Interest due or accruing upon any bonds issued under this Act and all sums coming due for payment of bonds at maturity shall be paid by the Treasurer of State.

**Sec. 5. Disbursement of bond proceeds.** The proceeds of the bonds set out in section 6 shall be expended under the direction and supervision of the Commissioner of Administration after consultation with the Commissioner of Public Safety.

**Sec. 6. Allocations from General Fund bond issue; public safety facilities.** The proceeds of the sale of bonds shall be expended for building, including, where necessary, land acquisition, repair or renovation of the following: public safety facilities in an amount not to exceed \$3,000,000. No money may be expended until the proceeds of the sale of bonds are allocated by the Legislature.

**Sec. 7. Contingent upon ratification of bond issue.** Sections 1 to 6 shall not become effective unless and until the people of the State have ratified the issuance of bonds as set forth in this Act.

**Sec. 8. Appropriation balances at year end.** At the end of each fiscal year, all unencumbered appropriation balances representing state money shall carry forward from year to year. Bond proceeds which have not been expended within 10 years after the date of the sale of the bonds shall lapse to General Fund debt service.

**Sec. 9. Bonds authorized but not issued.** Any bonds authorized but not issued, or for which bond anticipation notes have not been issued within 5 years of the ratification of this Act, shall be deauthorized and may not be issued, provided that the Legislature may, within 2 years after the expiration of that 5-year period, extend the period for issuing any remaining unissued bonds or bond anticipation notes for an additional amount of time not to exceed 5 years.

**Sec. 10. Statutory referendum procedure; submission at general election; form of question; effective date.** This Act shall be submitted to the legal voters of the State at the next general election in the month of November following passage of this Act. The city aldermen, town selectmen and plantation assessors of this State shall notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for holding a statewide election to vote on the acceptance or rejection of this Act by voting on the following question:

"Do you favor a \$3,000,000 bond issue to build, repair or renovate public safety facilities?"

The legal voters of each city, town and plantation shall vote by ballot on this question and shall designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No". The ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns, and, if it appears that a majority of the legal voters are in favor of the Act, the Governor

shall proclaim that fact without delay and the Act shall become effective 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Act necessary to carry out the purpose of this referendum.

Effective pending referendum.

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## CHAPTER 121

S.P. 861 — L.D. 2249

### AN ACT to Study Alternative Dispute Resolution in the Superior Court.

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

**Sec. 1. Pilot program; report.** The Judicial Council shall carry out a pilot program extending the process of mediation to Superior Court civil cases. The program shall commence on September 1, 1988 and terminate on March 1, 1990. It shall be conducted on the terms and conditions established by the council with the approval of the Supreme Judicial Court. The council shall submit a final report to the Legislature accompanied by its recommendations, including any necessary implementing legislation, no later than July 1, 1990.

**Sec. 2. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1988-89

JUDICIAL DEPARTMENT

Judicial Council

All Other \$40,500

Effective August 4, 1988.

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## CHAPTER 122

S.P. 920 — L.D. 2411

### AN ACT to Require the Study of the Laws Regulating Antitrust Activities of the Insurance Industry.

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

Whereas, there is confusion as to whether state antitrust laws apply to the insurance industry; and

Whereas, this study needs to begin in May in order to be completed by December 15, 1988; 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.** The Joint Standing Committee on Banking and Insurance shall study the feasibility and necessity of amending state antitrust laws as they relate to the insurance industry. In addition, the committee shall study the role of rating, advisory, and trade organizations in the rate-making process and in relation to antitrust laws.

**Sec. 2. Findings.** The committee shall report its findings and any recommended legislation to the 113th Legislature by December 1, 1988.

**Sec. 3. Meetings.** The committee chairmen shall appoint a subcommittee of 7 committee members to study these issues. The Senate chairman and House chairman shall serve as cochairmen of the subcommittee. This subcommittee may meet up to 5 times to conduct public hearings or to study information related to these issues. In addition, the subcommittee shall meet one time with the full committee to report its findings.

**Sec. 4. Compensation.** Committee members shall receive legislative per diem and expenses, as defined in the Maine Revised Statutes, Title 3, section 2, for days of attendance at committee meetings.

**Sec. 5. Staff; assistance.** The Legislative Council shall provide staff to the committee. The Bureau of Insurance and the Department of the Attorney General shall provide other information and assistance as needed to the committee.

**Sec. 6. Travel; experts; consultants; assessment.** The committee may travel to review a rating or advisory organization, hire consultants or seek expert advice. The Superintendent of Insurance shall assess insurers up to \$20,000 in the same manner of assessment as defined in Title 24-A, section 237, for these expenses. The superintendent shall deposit all payments made pursuant to this section with the Treasurer of the State. The money shall be used for the sole purpose of paying the expenses authorized in this section.

**Sec. 7. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1987-88 1988-89

LEGISLATURE