

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
**FIRST REGULAR SESSION**

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
SEPTEMBER 30, 1989

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

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J.S. McCarthy Company  
Augusta, Maine  
1989

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

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FOURTEENTH LEGISLATURE**

**1989**

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**Sec. 3. 22 MRSA §1814**, as amended by PL 1971, c. 598, §34, is further amended to read:

**§1814. Application**

Any person, partnership, association or corporation, including state, county or local governmental units, desiring a license shall file with the department a verified application containing the name of the applicant desiring ~~said~~ the license; whether ~~such~~ the persons so applying are at least 18 years of age; the type of institution to be operated; the location; the name of the person in charge. Application on behalf of a corporation or association or governmental units shall be made by any 2 officers thereof or by its managing agents. All applicants shall submit satisfactory evidence of their ability to comply with the minimum standards of this chapter and all regulations adopted thereunder.

**Sec. 4. 22 MRSA §1815**, as amended by PL 1981, c. 703, Pt. A, §12, is further amended to read:

**§1815. Fees**

Each application for a license to operate a hospital, convalescent home or nursing home shall be accompanied by a nonrefundable fee of \$50 ~~for facilities less than 50 beds in size, a fee of \$100 for facilities 51 to 100 beds in size, and a fee of \$200 for facilities larger than 100 beds in size~~ \$10 for each bed contained within the facility. No such fee shall be refunded. All licenses issued shall be renewed annually upon payment of a like fee. The ~~state's~~ share of all fees received by the department under this chapter shall be deposited in the General Fund. No license granted ~~shall~~ may be assignable or transferable. State hospitals are not required to pay licensing fees.

See title page for effective date.

**CHAPTER 137**

**H.P. 241 - L.D. 353**

**An Act to Amend the Laws Relating to Notaries Public**

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

Whereas, this legislation is immediately necessary to enable notaries public to perform marriage ceremonies for members of their families; and

Whereas, if this legislation is not enacted immediately, weddings which have been planned for long periods of time will need to be postponed causing financial and personal difficulties for the people of Maine; 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:**

**4 MRSA §954-A**, as enacted by PL 1987, c. 573, §1, is amended to read:

**§954-A. Conflict of interest if notary related**

A notary public shall not perform any notarial act for any person if that person is the notary public's spouse, parent, sibling, child, spouse's parent or child's spouse, except that a notary public may solemnize the marriage of the notary public's parent, sibling, child or spouse's parent if the ceremony is witnessed and the marriage certificate signed by another notary public unrelated by marriage or blood to the parties. This section does not affect or apply to notarial acts performed before the effective date of this section.

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

Effective May 17, 1989.

**CHAPTER 138**

**H.P. 362 - L.D. 493**

**An Act Relating to Theft of Services**

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

**17-A MRSA §357, sub-§3**, as amended by PL 1977, c. 183, §1, is further amended to read:

3. As used in this section, "services" includes, but is not necessarily limited to, labor, professional service, public utility and transportation service, ski lift service, restaurant, hotel, motel, tourist cabin, rooming house and like accommodations, the supplying of equipment, tools, vehicles or trailers for temporary use, telephone, telegraph, cable television or computer service, gas, electricity, water or steam, admission to entertainment, exhibitions, sporting events or other events or services for which a charge is made.

See title page for effective date.

**CHAPTER 139**

**H.P. 388 - L.D. 519**

**An Act to Change the Number of Rooms Required for Hotel Liquor Licenses**

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

**28-A MRSA §1061, sub-§4, ¶A**, as repealed and replaced by PL 1987, c. 623, §14, is amended to read:

A. The number of rooms required is based on the population of the municipality in which the hotel is located.

(1) If the hotel is located in a municipality of 3,000 or less population, the hotel must have at least ~~14~~ 12 adequate sleeping rooms.

(2) If the hotel is located in a municipality of more than 3,000 but not more than 7,500 population, the hotel must have at least 20 adequate sleeping rooms.

(3) If the hotel is located in a municipality of 7,500 or more population, the hotel must have at least 30 adequate sleeping rooms.

See title page for effective date.

## CHAPTER 140

S.P. 218 - L.D. 534

### An Act Regarding Alcohol Credit Sales

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

**28-A MRSA §705, sub-§1, ¶A**, as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

A. Credit may be extended:

(1) By a hotel or club to bona fide registered guests or members; ~~and~~

(2) By a hotel or Class A restaurant to the holder of a credit card which authorizes the holder to charge goods or credits: and

(3) By a hotel or Class A restaurant to the host of a private, prearranged function without a credit card.

See title page for effective date.

## CHAPTER 141

S.P. 254 - L.D. 644

### An Act to Provide Coverage for Chiropractic Services Under Hospital Service Plans, Medical Service Plans and Insurance Policies

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

**Sec. 1. 24 MRSA §2303-C, sub-§3**, as enacted by PL 1985, c. 516, §2, is amended to read:

**3. Reports to the Superintendent of Insurance.** Every nonprofit hospital or medical service organization subject to this section shall report its experience for each calendar year ~~beginning with 1986~~ to the Superintendent of Insurance not later than April 30th of the following year. The report shall be in a form prescribed by the superintendent and shall include the amount of claims paid in this State for the services required by this section and the total amount of claims paid in this State for group health care contracts. The superintendent shall compile this data for all nonprofit hospital or medical service organizations in an annual report.

**Sec. 2. 24 MRSA §2303-C, sub-§4**, as enacted by PL 1985, c. 516, §2, is repealed.

**Sec. 3. 24-A MRSA §2748, sub-§3**, as enacted by PL 1985, c. 516, §3, is amended to read:

**3. Reports to the Superintendent of Insurance.** Every insurer subject to this section shall report its experience for each calendar year ~~beginning with 1986~~ to the Superintendent of Insurance not later than April 30th of the following year. The report shall be in a form prescribed by the superintendent and shall include the amount of claims paid in this State for the services required by this section and the total amount of claims paid in this State for health care contracts. The superintendent shall compile this data for all insurers in an annual report.

**Sec. 4. 24-A MRSA §2748, sub-§4**, as enacted by PL 1985, c. 516, §3, is repealed.

**Sec. 5. 24-A MRSA §2840-A, sub-§3**, as enacted by PL 1985, c. 516, §5, is amended to read:

**3. Reports to the Superintendent of Insurance.** Every insurer subject to this section shall report its experience for each calendar year ~~beginning with 1986~~ to the Superintendent of Insurance not later than April 30th of the following year. The report shall be in a form prescribed by the superintendent and shall include the amount of claims paid in this State for the services required by this section and the total amount of claims paid in this State for health care contracts. The superintendent shall compile this data for all insurers in an annual report.

**Sec. 6. 24-A MRSA §2840-A, sub-§4**, as enacted by PL 1985, c. 516, §5, is repealed.

See title page for effective date.

## CHAPTER 142

H.P. 584 - L.D. 788

### An Act to Strengthen the Licensing Requirements for Foresters