

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.

J.S. McCarthy Company
Augusta, Maine
1989

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FOURTEENTH LEGISLATURE

1989

takes effect, shall be issued a warning that a violation of this section has occurred.

4. **Penalty.** Following the initial 6-month warning period, violation of this section is a civil violation for which a forfeiture of \$25 for the first violation and \$50 for each subsequent violation may be adjudged.

5. **Failure to secure child; use as evidence.** Failure to secure a child, in accordance with this section, may not be considered negligence imputable to the child, nor may that failure be admissible as evidence in any civil or criminal action.

See title page for effective date.

CHAPTER 351

S.P. 203 - L.D. 481

An Act to Amend the Maine Insurance Code

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

Sec. 1. 24-A MRSA §2302, sub-§1, ¶C, as amended by PL 1973, c. 585, §12, is further amended to read:

C. Property, marine and inland marine insurance on risks located in this State. Inland marine insurance shall be deemed to include insurance now or hereafter defined by statute, or by interpretation thereof, or if not so defined or interpreted, by ruling of the superintendent, or as established by general custom of the business, as inland marine insurance; and

Sec. 2. 24-A MRSA §2302, sub-§1, ¶D is enacted to read:

D. Title insurance.

Sec. 3. 24-A MRSA §2302, sub-§2, ¶E, as enacted by PL 1969, c. 132, §1, is amended to read:

E. Life insurance; or

Sec. 4. 24-A MRSA §2302, sub-§2, ¶F, as enacted by PL 1969, c. 132, §1, is repealed.

Sec. 5. 24-A MRSA §2303, sub-§1, ¶C, as amended by PL 1987, c. 559, Pt. A, §2, is further amended to read:

C. Due consideration shall be given:

(1) To past and prospective loss experience within and outside this State;

(2) To the conflagration and catastrophe hazards;

(3) To a reasonable margin for underwriting profit and contingencies;

(4) To dividends, savings or unabsorbed premium deposits allowed or returned by insurers to their policyholders, members or subscribers;

(5) To past and prospective expenses both countrywide and those specially applicable to this State;

(6) To all other relevant factors within and outside this State;

(6-A) In the case of workers' compensation rates, consideration shall be given to the information required to be filed under section 2363; ~~and~~

(7) In the case of fire insurance rates, consideration shall be given to the experience of the fire insurance business during a period of not less than the most recent 5-year period for which such experience is available; and

(8) In the case of title insurance rates, consideration shall be given to the reasonableness of commission levels and other acquisition costs both countrywide and those specifically applicable to this State.

Sec. 6. Applicability. The requirements of this Act shall apply to rates utilized on or after January 1, 1990. No title insurer may utilize a rate after January 1, 1990, which has not been filed with the superintendent pursuant to this Act.

Sec. 7. Allocation. The following funds are allocated from Other Special Revenue funds of the Bureau of Insurance within the Department of Professional and Financial Regulation to carry out the purposes of this Act.

1989-90

**PROFESSIONAL AND FINANCIAL
REGULATION, DEPARTMENT OF**

Bureau of Insurance

All Other \$10,000

See title page for effective date.

CHAPTER 352

S.P. 401 - L.D. 1045

**An Act Concerning the Regulation of
Cable Television**