

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

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1989

to discuss the development of criteria common to the judiciary and the department.

The Supreme Judicial Court and the Department of Human Services shall report their findings and recommendations, including any legislative recommendations, to the Legislature by January 1, 1991.

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

Effective June 19, 1989.

CHAPTER 366

H.P. 765 - L.D. 1069

An Act Relating to Motor Vehicle Insurance Surcharges Due to License Suspension

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

Sec. 1. 24-A MRSA §2303-A is enacted to read:

§2303-A. Surcharge

No insurer may surcharge a motor vehicle insurance policy based on a motor vehicle operator's license suspension when that suspension is pursuant to Title 29, section 2241-G, subsection 2, paragraph B, subparagraph (2), except in accordance with this section. If the person had a blood-alcohol level of at least 0.05%, but less than 0.08% by weight, the surcharge shall be limited to 20%. If the person had a blood-alcohol level of at least 0.02% but less than 0.05% by weight, the surcharge shall be limited to 10%. If the policy covers multiple vehicles, the surcharge may only be applied to that portion of the rate attributable to a single vehicle.

Sec. 2. 29 MRSA §2241-G, sub-§2, ¶P is enacted to read:

P. Any suspension under this subsection shall, in any report to an insurance company or any member of the public, be expressly identified as such and distinguished from a suspension under section 1312 or section 2241-J.

See title page for effective date.

CHAPTER 367

H.P. 1186 - L.D. 1653

An Act to Amend the Antitrust Laws to Permit Suits by Indirect Purchasers

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

10 MRSA §1104, sub-§1, as enacted by PL 1987, c. 60, §1, is amended to read:

1. Right of action and damages. Any person, including the State or any political subdivision of the State, injured directly or indirectly in its business or property by any other person or corporation by reason of anything forbidden or declared to be unlawful by section 1101, 1102 or 1102-A, may sue for the injury in a civil action. If the court finds for the plaintiff, ~~he~~ the plaintiff shall recover 3 times the amount of the damages sustained and cost of suit, including necessary and reasonable investigative costs, reasonable experts' fees and reasonable ~~attorneys~~ attorney's fees.

See title page for effective date.

CHAPTER 368

S.P. 635 - L.D. 1726

An Act to Amend the Banking Code

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

Whereas, the Treasurer of State, Abandoned Property Division, is in the process of completing its audit of banks and other financial institutions; and

Whereas, the banks and other financial institutions are concerned with observing the statutory provisions against disclosure of confidential information to unauthorized persons; and

Whereas, the authority of the Abandoned Property Division for access to confidential records necessary for audit purposes is not totally clear; and

Whereas, it is in the public interest for those audits to be completed as expeditiously 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. 9-B MRSA §161, sub-§2, ¶I, as reenacted by PL 1985, c. 819, Pt. A, §14, is amended to read:

I. Any disclosure of records made pursuant to Title 22, section 16; or