

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
OCTOBER 9, 1991

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
1991

PUBLIC LAWS
OF THE
STATE OF MAINE

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address of the office rendering the certification and be manually executed and dated. The statement must include the actuary's relevant experience, the absence in the engagement of any actual or potential conflict of interest and the actuary's subscription to the code of professional ethics of the Casualty Actuarial Society.

2. Statement content. The actuary's statement must outline the scope of work performed and set out qualifications or limitations respecting the opinion rendered. If the actuary has relied on other persons to test data underlying the actuary's calculations of required reserves, the actuary shall state the names of the persons performing those tests and include the extent of testing required by the actuary as necessary to express an opinion pursuant to subsection 3.

3. Opinion content. An opinion expressed must identify any material changes in assumptions or methods employed in any previous certification. Opinions must state that reserves are calculated in accordance with generally accepted actuarial loss-reserving standards and are stated fairly and in conformity with sound loss-reserving principles based upon policy provisions and that recorded reserves make good and sufficient provision for obligations of the insurer.

§944. Exceptions

Insurers otherwise subject to the requirements of this subchapter are excused from providing a certification of reserves when in any year:

1. Percentage of aggregate writings. Casualty insurance premiums are not more than 20% of annual aggregate writing of premiums subject to this subchapter; and

2. Gross direct premium limitation. Gross direct premiums subject to this subchapter do not exceed \$10,000,000.

§945. Transition period

The certifications required under this subchapter are due on April 1, 1992 and March 1st of each year thereafter.

§946. Required notice

If, subsequent to the date of the required certification, the certifying qualified actuary becomes aware of material facts that alter the report given, the actuary shall promptly notify the insurer, its board of directors and the superintendent.

§947. Rules authorized

The superintendent may adopt rules necessary to effectuate this subchapter.

See title page for effective date.

CHAPTER 129

H.P. 221 - L.D. 312

An Act to Clarify the Powers and Duties of the Department of Administration, through the Bureau of Purchases

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

5 MRSA §1811, sub-§5, as amended by PL 1985, c. 785, Pt. A, §71, is further amended to read:

5. Storerooms. To establish and operate, with the approval of the Commissioner of Administration, ~~such~~ storerooms which, in the judgment of the State Purchasing Agent, are ~~deemed~~ determined necessary for the storage and distribution of supplies, materials and equipment required for use by the State Government or any department or agency thereof, or any political subdivision or school administrative unit;

See title page for effective date.

CHAPTER 130

H.P. 158 - L.D. 243

An Act Regarding the Operation of the Superior Court

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

Whereas, there is a need for the qualifications of chairs of prelitigation screening panels to be broadened under limited circumstances; and

Whereas, a question has arisen regarding the involuntary dismissal of cases pending before prelitigation panels created by Public Law 1985, chapter 804; 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. 24 MRSA §2852, sub-§1, as enacted by PL 1985, c. 804, §§12 and 22, is amended to read:

1. Creation of panel lists. The Chief Justice of the Superior Court shall recommend to ~~the each~~ clerk of ~~each~~ ~~judicial region~~ of the Superior Court the names of retired justices and judges ~~and~~, persons with judicial experience ~~who~~