

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

**THIRD SPECIAL SESSION**

October 1, 1992 to October 6, 1992

**FOURTH SPECIAL SESSION**

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

**FIRST REGULAR SESSION**

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 13, 1993

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  
1993

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

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

**of the**  
**ONE HUNDRED AND SIXTEENTH LEGISLATURE**

**1993**

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

**Whereas,** this legislation allows credit unions to invest in service corporations; and

**Whereas,** under federal law credit unions are already authorized to invest in service corporations; and

**Whereas,** plans to invest in a service corporation are already underway; 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 §131, sub-§37,** as amended by PL 1981, c. 646, §1, is further amended to read:

**37. Service corporation.** “Service Corporation corporation” means a corporation substantially all the activities of which consist of originating, purchasing, selling and servicing loans and participation interests therein; or clerical, bookkeeping, accounting and statistical or similar functions related to a financial institution or real estate activities; or management, personnel, marketing or investment counseling related to a financial institution or real estate activities; or establishing or operating one or more satellite facilities; or any activity authorized by the superintendent by regulation ~~which activity that~~ has been authorized under federal law for service corporations owned or controlled by ~~federally chartered~~ federally chartered savings and loan associations ~~or federally chartered,~~ federally chartered savings banks or federally chartered credit unions. The purpose of authorizing any such activity is to maintain competitive equality between ~~federally chartered~~ federally chartered and state-chartered institutions.

**Sec. 2. 9-B MRSA §864, sub-§§1 and 2,** as enacted by PL 1975, c. 500, §1, are repealed and the following enacted in their place:

**1. Authorization.** A credit union may invest, individually or with other credit unions or other entities, in service corporations as defined in section 131.

**2. Limitations.** A credit union may invest 10% of its share capital and surplus in any service corporation only if:

**A.** The service corporation is structured as either a corporation or limited partnership, in order to limit the credit union’s exposure to loss; and

**B.** The service corporation primarily serves credit unions and the membership of affiliated credit unions.

The superintendent may approve an amount less than or in excess of 10%, subject to such terms and conditions as the superintendent determines necessary.

**Sec. 3. 9-B MRSA §864, sub-§3,** as enacted by PL 1975, c. 500, §1, is amended to read:

**3. Applicability of section 445.** A credit union or credit unions seeking to organize as or invest in a service corporation shall do so in accordance with the provisions of section 445 only if the controlling interest in the service corporation is owned by credit unions authorized to do business in this State.

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

Effective May 12, 1993.

## CHAPTER 100

H.P. 304 - L.D. 392

### An Act to Allow Rebate Coupons in Agency Liquor Stores

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

**Sec. 1. 28-A MRSA §708, sub-§3,** as repealed and replaced by PL 1987, c. 342, §44, is amended to read:

**3. Retail licensees.** ~~No~~ A retail licensee may not offer any free merchandise, rebate or gift contingent on the purchase of spirits, malt liquor or wine. A retail licensee may not offer any free merchandise, rebate or gift contingent on the purchase of spirits, except for mail-in rebate coupons redeemed by the manufacturer.

See title page for effective date.

## CHAPTER 101

H.P. 367 - L.D. 470

### An Act to Allow Service of Protective Orders on Sunday

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

**Whereas,** citizens seeking protection from abuse or harassment are not protected until the protection or-