

# 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-

der issued by the court is served on the person from whom they need protection; and

**Whereas**, the potential for violence is heightened when a protection order is issued late Friday or on Saturday, and the order can not be served until Monday because under current law, no civil process, including protection from harassment orders and protection from abuse orders, can be served or executed on Sunday; and

**Whereas**, this legislation allows service of protection orders on Sunday; 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. 14 MRSA §705** is amended to read:

**§705. Civil process served on Sunday void; officer liable**

No A person ~~shall~~ may not serve or execute any civil process on ~~the Lord's Day~~ Sunday, but such a service is void; and the person executing it is liable in damages to the party aggrieved as if ~~he~~ the person had no process.

This section does not apply to service or execution of a protection from harassment order issued under Title 5, chapter 337-A or a protection from abuse order issued under Title 19, chapter 14.

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

Effective May 12, 1993.

**CHAPTER 102**

**S.P. 152 - L.D. 484**

**An Act to Amend the Maine Nuclear Emergency Planning Act**

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

**Whereas**, the 90-day period may not terminate until after the beginning of the next fiscal year; and

**Whereas**, certain obligations and expenses incident to the operation of the Maine Emergency Manage-

ment Agency will become due and payable on or immediately after July 1, 1993; 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. 37-B MRSA §956, sub-§1**, as amended by PL 1991, c. 375, §2, is further amended to read:

**1. Fee.** The license holder for any nuclear power reactor operating in this State is assessed a fee of ~~\$167,000~~ \$201,614 for fiscal year ~~1991-92~~; ~~\$144,000~~ \$180,406 for fiscal year ~~1992-93~~; and ~~\$140,000~~ \$199,994 for fiscal year ~~1993-94~~ 1994-95 and annually thereafter. License fees must be paid to the committee and, upon receipt by it, credited to the fund. The committee may waive all or part of this fee if a reactor is shut down for extended periods of time.

**Sec. 2. 37-B MRSA §957**, as amended by PL 1991, c. 375, §4, is further amended to read:

**§957. Disbursements from fund**

Money in the fund may be disbursed only for the preparation and implementation of emergency planning related to nuclear power plants and their fuel-cycle activities. Expenditures may be limited to support of state agency activities, grants to counties, municipalities, interjurisdictional or regional ~~civil~~ emergency preparedness management agencies and contractual services necessary to carry out the purposes of this chapter. Except as provided in section 959, disbursements from the fund may not exceed ~~\$207,842~~ \$247,902 in fiscal year ~~1991-92~~; ~~\$187,574~~ \$229,366 in fiscal year ~~1992-93~~; and ~~\$190,000~~ \$247,902 in fiscal year ~~1993-94~~ 1994-95 and annually thereafter.

**Sec. 3. Allocation of Maine Nuclear Emergency Planning Fund.** Income to the Maine Nuclear Emergency Planning Fund for fiscal years 1993-94 and 1994-95 must be segregated, apportioned and disbursed as designated in the following schedule.

	1993-94	1994-95
<b>DEFENSE AND VETERANS' SERVICES, DEPARTMENT OF</b>		
<b>Radiological Emergency Preparedness Committee</b>		
Positions	(2)	(2)
Personal Services	\$42,864	\$45,306