

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SIXTEENTH LEGISLATURE

SECOND REGULAR SESSION

January 5, 1994 to April 14, 1994

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 14, 1994

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
1993

**DEPARTMENT OF
ENVIRONMENTAL
PROTECTION
TOTAL**

\$155,992

Sec. 5. Effective date. This Act takes effect on July 1, 1994.

Effective July 1, 1994.

CHAPTER 501

S.P. 569 - L.D. 1610

**An Act to Clarify the State's
Implementing Regulations to Provide
for Schedules of Compliance**

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

Sec. 1. 38 MRSA §414-A, sub-§2, as repealed and replaced by PL 1991, c. 66, Pt. A, §7 and affected by §43, is repealed and the following enacted in its place:

2. Schedules of compliance. Within the terms and conditions of a license, the department may establish a schedule of compliance for a final effluent limitation based on a water quality standard adopted after July 1, 1977. When a final effluent limitation is based on new or more stringent technology-based treatment requirements, the department may establish a schedule of compliance consistent with the time limitations permitted for compliance under the Federal Water Pollution Control Act, Public Law 92-500, as amended. A schedule of compliance may include interim and final dates for attainment of specific standards necessary to carry out the purposes of this subchapter and must be as short as possible, based on consideration of the technological, economic and environmental impact of the steps necessary to attain those standards.

See title page for effective date.

CHAPTER 502

S.P. 548 - L.D. 1573

**An Act Governing Special Purpose
Investment Subsidiaries**

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

Sec. 1. 24-A MRSA §605, sub-§1, as amended by PL 1989, c. 502, Pt. A, §93, is further amended to read:

1. Payment by the insurer of the taxes as required by Title 25, section 2399 and Title 36, chapter 357 ~~shall be~~ is in lieu of all taxes imposed by the State upon the insurer, or any subsidiary referred to in section 1157, subsection 5, paragraph B, subparagraph (1), upon premiums or upon income, and of any franchise, privilege or other taxes measured by income of the insurer or the subsidiary.

Sec. 2. 24-A MRSA §605, sub-§2, as enacted by PL 1969, c. 132, §1, is amended to read:

2. The State ~~hereby~~ preempts the field of regulating, or of imposing excise, privilege, franchise, income, license, permit, registration and similar taxes, licenses and fees upon, insurers ~~and, any subsidiary referred to in section 1157, subsection 5, paragraph B, subparagraph (1),~~ their general agents, agents and other representatives as such; and on the intangible property of insurers, any subsidiary referred to in section 1157, subsection 5, paragraph B, subparagraph (1) or such representatives; and all political subdivisions or agencies thereof in this State are prohibited from regulating insurers, any subsidiary referred to in section 1157, subsection 5, paragraph B, subparagraph (1) or their general agents, agents and other representatives as such, and from imposing upon them any such tax, license, or fee. ~~Except that this~~ This provision shall does not prohibit the imposition by political subdivisions of taxes upon real and tangible personal property.

Sec. 3. 24-A MRSA §1157, sub-§5, ¶B, as enacted by PL 1987, c. 399, §14, is amended to read:

B. Investments made directly or indirectly in the following subsidiaries are not subject to the limitations contained in paragraph A; or in section 1155 or 1156, nor are these investments to be counted in determining compliance with those limitations:

(1) Subsidiaries, all of whose stock is owned by one or more insurers, engaged or organized to engage exclusively in the ownership or management of assets authorized under this chapter as investments for the insurer; and

(2) Subsidiaries engaged or organized to engage in the kinds of business in which the insurer may engage, provided that the aggregate net cost of the insurer's investments in all such subsidiaries may not exceed 50% of its surplus as to policyholders.