

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 1994 to June 30, 1995

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 29, 1995

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
1995

district attorney may, upon an affidavit of an investigating law enforcement officer, make application to any Justice of the Superior Court or any Judge of the District Court for any order permitted pursuant to 18 United States Code, Section 3122(a)(2).

See title page for effective date.

CHAPTER 328

H.P. 701 - L.D. 959

An Act to Establish Municipal Cost Components for Unorganized Territory Services to Be Rendered in Fiscal Year 1995-96

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

Whereas, prompt determination and certification of the municipal cost components in the unorganized territory district are necessary to the establishment of a mill rate and the levy of the unorganized territory educational and services tax; 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. 36 MRSA §1605, sub-§3, as enacted by PL 1977, c. 698, §8, is amended to read:

3. Balance carried forward. Any unexpended balance ~~shall may~~ not lapse but ~~shall must~~ be carried forward to the same fund for the next fiscal year and ~~shall must~~ be available for the purposes authorized by this chapter. Any unexpended balance remaining in the fund at the end of the year, not including amounts set aside in any capital reserve accounts, that is in excess of 10% of the amount of expenditures for that year must be used to reduce the amount to be collected in taxes during the next year.

Sec. 2. Municipal cost components for services rendered. In accordance with the Maine Revised Statutes, Title 36, chapter 115, the Legislature determines that the net municipal cost component for services and reimbursements to be rendered in fiscal year 1995-96 is as follows.

Audit - Fiscal Administration \$108,207

Education - Operations	9,605,547
Forest Fire Protection	200,000
Human Services - General Assistance	78,060
Property Tax Assessment - Operations	509,990
Maine Land Use Regulation Commission - Operations	173,005
TOTAL STATE AGENCIES	\$10,674,809

County reimbursements for services:

Aroostook	\$571,516
Franklin	308,503
Hancock	93,880
Oxford	327,729
Penobscot	563,336
Piscataquis	349,485
Somerset	590,808
Washington	313,504

TOTAL COUNTY SERVICES \$3,118,761

TOTAL REQUIREMENTS \$13,793,570

COMPUTATION OF ASSESSMENT

Requirements \$13,793,570

Less Deductions:

General -	
State Revenue Sharing	\$170,000
Miscellaneous Revenues	125,000
Transfer from undesignated fund balance	800,000

TOTAL \$1,095,000

Educational -

Lands Reserve Trust	\$100,000
Tuition - Travel	175,000
Miscellaneous	10,000
Special - Retirement	130,000
Brookton School Closure	100,000
Transfer - Fiscal Year 1994-95	
Salary Savings	110,000

TOTAL \$625,000

TOTAL DEDUCTIONS (\$1,720,000)

TAX ASSESSMENT

\$12,073,570

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

Effective June 26, 1995.

CHAPTER 329

H.P. 1100 - L.D. 1547

An Act to Provide Administrative Clarification within the Maine Insurance Code

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

Sec. 1. 9-A MRSA §2-501, sub-§2, ¶B, as enacted by PL 1973, c. 762, §1, is amended to read:

B. With respect to consumer credit insurance providing life, accident or health coverage or involuntary unemployment coverage, if the insurance coverage is not a factor in the approval by the creditor of the extension of credit, and this fact is clearly disclosed in writing to the consumer, and if, in order to obtain the insurance in connection with the extension of credit, the consumer gives ~~his~~ specific affirmative written indication of ~~his~~ the desire to do so after written disclosure to ~~him~~ the consumer of the cost ~~thereof~~ of the insurance.

Sec. 2. 9-A MRSA §8-105, sub-§2, as amended by PL 1987, c. 129, §71, is further amended to read:

2. Charges or premiums for credit life, accident or health insurance or involuntary unemployment insurance written in connection with any consumer credit transaction ~~shall~~ must be included in the finance charge unless:

A. The coverage of the debtor by the insurance is not a factor in the approval by the creditor of the extension of credit and this fact is clearly disclosed in writing to the person applying for or obtaining the extension of credit; and

B. In order to obtain the insurance in connection with the extension of credit, the person to whom the credit is extended ~~shall~~ must give specific affirmative written indication of ~~his~~ the desire to do so after written disclosure to ~~him~~ the person of the cost ~~thereof~~ of the insurance.

Sec. 3. 24-A MRSA §7, as enacted by PL 1969, c. 132, §1, is amended to read:

§7. "State" defined

When in context signifying other than this State, "state" means any state, district, territory, commonwealth or possession of the United States of America; ~~and the Panama Canal Zone.~~

Sec. 4. 24-A MRSA §706, as enacted by PL 1969, c. 132, §1, is amended to read:

§706. "Bonds" defined

~~Surety insurance~~ The definition of "bonds" includes:

1. Fidelity insurance, which is insurance guaranteeing the ~~fidelity~~ honesty of persons holding positions of public or private trust;

2. ~~Insurance~~ Surety insurance guaranteeing the performance of contracts, other than insurance policies, and guaranteeing and executing bonds, undertakings and contracts of suretyship; and

3. Insurance indemnifying banks, bankers, brokers, financial or moneyed corporations or associations against loss, resulting from any cause, of bills of exchange, notes, bonds, securities, evidences of debt, deeds, mortgages, warehouse receipts or other valuable papers, documents, money, precious metals and articles made therefrom, jewelry, watches, gems, precious and semiprecious stones, including any loss while the same are being transported in armored motor vehicles, or by messenger, but not including any other risks of transportation or navigation; also insurance against loss or damage to such an insured's premises or to his furnishings, fixtures, equipment, safes and vaults therein, caused by burglary, robbery, theft, vandalism or malicious mischief, or any attempt thereat.

Sec. 5. 24-A MRSA §742, sub-§4, ¶B, as enacted by PL 1991, c. 828, §20, is amended to read:

B. If the applicant is an individual and if the application is not submitted simultaneously with an application for an agent or broker license pursuant to chapter 17, the application must include full answers to questions reasonably necessary to determine the following: the applicant's identity; age; residence; present occupation and occupations over the 5 years preceding the date of the application; financial responsibility; insurance experience; and education in insurance and insurance laws of this State the applicant has had or expects to receive. ~~The application must be accompanied by an imprint of the applicant's fingerprints and a recent photograph of the ap-~~