

MAINE STATE LEGISLATURE

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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

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FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
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J.S. McCarthy Company
Augusta, Maine
1995

**PRIVATE AND SPECIAL LAWS OF THE STATE OF MAINE
AS PASSED AT
THE FIRST REGULAR SESSION OF THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE
1995**

CHAPTER 1

S.P. 7 - L.D. 2

**An Act to Protect the Future of the
United States Naval Shipyard at
Kittery and the United States Naval
Air Station at Brunswick**

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

Whereas, the United States Naval Shipyard at Kittery and the United States Naval Air Station at Brunswick are major sources of revenue for the State and employers of the State's citizens; and

Whereas, under the federal Base Closure Act of 1990, decisions on the closure of military facilities will be made during 1995; and

Whereas, closure of the United States Naval Shipyard at Kittery or the United States Naval Air Station at Brunswick and the resulting loss of jobs would create a substantial loss of revenue to the State and hardship to many of the State's families; 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. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1994-95

**ECONOMIC AND
COMMUNITY
DEVELOPMENT,
DEPARTMENT OF**

Economic Conversion Division

All Other \$100,000

Provides for the appropriation of funds for the support of community-based responses to the 1995 federal Base Realignment and Closure Commission proceedings.

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

Effective December 9, 1994.

CHAPTER 2

S.P. 156 - L.D. 379

**An Act Amending the Charter of the
Mutual Fire Insurance Company**

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

Whereas, the Mutual Fire Insurance Company of Saco was chartered through a Private and Special Law of the Maine Legislature in 1827; and

Whereas, the company is required to file a statement of financial condition with insurance regulators on or before March 1, 1995; and

Whereas, the Superintendent of Insurance has approved a plan that provides for a corporate restructuring and recapitalization through the issuance of guaranty capital shares; and

Whereas, the Legislature must amend the Mutual Fire Insurance Company's charter to allow the restructuring and recapitalization plan prior to the March 1, 1995 filing date; 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. P&SL 1827, c. 485, §§11 and 12 are enacted to read:

Sec. 11. Guaranty capital shares. That the corporation may issue a class of guaranty capital shares, of up to 40,000 shares, with a par value of \$100 per share and with the rights and preferences of the guaranty capital shares to be in accordance with the Maine Insurance Code, or its successor, and the board of directors of the corporation may designate the rights and preferences and approve the issuance of the guaranty capital shares in a manner consistent with the Maine Insurance Code, or its successor.

Sec. 12. Amendments. That all amendments to the charter do not require legislative action, but may be made in accordance with the Maine Insurance Code, or its successor.

Sec. 2. P&SL 1897, c. 534 is repealed.

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

Effective February 1, 1995.

CHAPTER 3

S.P. 125 - L.D. 308

An Act to Transfer Legislative Jurisdiction over Loring Air Force Base, Loring Water System and Loring Family Housing Annex

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

Whereas, the Legislature must approve the retrocession by the United States Department of the Air Force of Loring Air Force Base, Loring Water System and Loring Family Housing Annex; and

Whereas, the removal of military personnel from Loring Air Force Base creates the need to accommodate nonmilitary uses and to allow for local law enforcement jurisdiction by approving the retrocession; 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. Loring Air Force Base, Loring Water System and Loring Family Housing Annex; approval of transfer of legislative jurisdiction. The United States Department of the Air Force having filed with the Governor by letter dated August 26, 1994 its notice of intention to relinquish and retrocede to the State all of its exclusive legislative jurisdiction and to retain only a proprietary interest over all the lands comprising the Loring Air Force Base, the Loring Water System and the Loring Family Housing Annex in which the United States presently holds exclusive legislative jurisdiction, pursuant to the Maine Revised Statutes, Title 1, section 8, the State hereby approves the transfer of legislative jurisdiction as proposed in the notice of intention.

Sec. 2. Loring Air Force Base, Loring Water System and Loring Family Housing Annex; description of land. The existing land so affected is the Loring Air Force Base, inclusive of all land within the present boundaries of that base in the towns of Limestone and Caswell and the City of Caribou in Aroostook County; the Loring Water System in the Town of Connor and the City of Caribou in Aroostook County; and the Loring Family Housing Annex in the City of Presque Isle in Aroostook County.

Sec. 3. Loring Air Force Base, Loring Water System and Loring Family Housing Annex; legislative jurisdiction. This Act approves the retrocession of exclusive legislative jurisdiction by the United States of America back to the State over all lands currently comprising the Loring Air Force Base, the Loring Water System and the Loring Family Housing Annex as of the date of recordation of both this Act and the notice of intention in the Registry of Deeds of Aroostook County.

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

Effective March 7, 1995.

CHAPTER 4

S.P. 41 - L.D. 71

An Act to Amend the Charter of the Port Clyde Water District

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide