

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 TWENTIETH LEGISLATURE

SECOND REGULAR SESSION
January 2, 2002 to April 25, 2002

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 25, 2002

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
2002

in excess of \$50. Notwithstanding any other provisions of this subchapter, a covered claim ~~shall~~ does not include any claim filed with the association after the earlier of 24 months after the date of the order of liquidation or the final date set by the court for the filing of claims against the liquidator or receiver of an insolvent insurer. The association, in its discretion, may accept a late filed claim as a covered claim when the claimant demonstrates good cause. The demonstration of good cause by a claimant includes showing that the existence of the claim was not known to the claimant prior to the bar date and that the claimant filed the claim within 60 days of learning of the claim;

Sec. 9. 24-A MRSA §4438, sub-§2, ¶C, as enacted by PL 1969, c. 561, is amended to read:

C. Sue or be sued and may intervene as a party before any court in this State that has jurisdiction over an insolvent insurer as defined by this subchapter;

Sec. 10. 24-A MRSA §4441, sub-§2, ¶A, as enacted by PL 1969, c. 561, is amended to read:

A. Require that the association notify the insureds of the insolvent insurer and any other interested parties of the ~~determination~~ order of liquidation with a finding of insolvency and of their rights under this subchapter. Such notifications ~~shall~~ must be by mail at their last known addresses, where available, but if required information for notification by mail is not available, notice by publication in a newspaper of general circulation in this State ~~shall be~~ is sufficient. Any notification given under this paragraph must prominently display the date by which all claims must be filed with the association.

Sec. 11. Application. This Act applies to the obligations of the Maine Insurance Guaranty Association, established pursuant to the Maine Revised Statutes, Title 24-A, section 4436, under policies of insolvent insurers as these obligations exist on or after the effective date of this Act, except that the first-party exclusion contained in Title 24-A, section 4435, subsection 4; the unearned premium cap and the bar date contained in Title 24-A, section 4438, subsection 1, paragraph A; and the right of intervention contained in Title 24-A, section 4438, subsection 2, paragraph C apply only to new insolvencies occurring on or after the effective date of this Act.

See title page for effective date.

CHAPTER 479

S.P. 674 - L.D. 1877

An Act to Allow Pledging of Medical Education Loans to Secure Bonds to Finance Educational Loans

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

Sec. 1. 20-A MRSA §12105, sub-§1, as enacted by PL 1991, c. 830, §4 and c. 832, §10, is amended to read:

1. Fund created. A nonlapsing, interest-earning, revolving fund under the jurisdiction of the authority is created to carry out the purposes of this chapter. Any unexpended balance in the fund carries over for continued use under this chapter. The authority may receive, invest and expend, on behalf of the fund, money from gifts, grants, bequests and donations, or other sources in addition to money appropriated or allocated by the State. Loan repayments under this chapter or other repayments to the authority must be invested by the authority, as provided by law, with the earned income to be added to the fund. Money received by the authority on behalf of the fund, except interest income, must be used for ~~the designated purpose~~ such purposes; interest income may be used for ~~the designated purpose~~ such purposes or to pay student financial assistance administrative costs incurred by the authority.

Sec. 2. 20-A MRSA §12105, sub-§4, as enacted by PL 1993, c. 410, Pt. EEEE, §3, is amended to read:

4. Borrowing permitted. The authority may borrow funds pursuant to chapter 417-B for application to the fund established in subsection 1 and may pledge all or part of the fund or any assets or revenues of the fund in connection with any such borrowing.

Sec. 3. Compliance with United States Internal Revenue Code. The Finance Authority of Maine may purchase education loans from lenders to the extent necessary to ensure compliance with the United States Internal Revenue Code requirements regarding the timeliness of the use of proceeds of tax-exempt bonds.

See title page for effective date.

CHAPTER 480

S.P. 732 - L.D. 2042

An Act to Make Technical Changes to the Maine State Grant Program