

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 3, 2008 to June 13, 2009**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 12, 2009**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Augusta, Maine**  
**2009**

proved long-term care insurance policy ~~for nursing facility level of care.~~

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

Effective May 8, 2009.

## CHAPTER 102

H.P. 377 - L.D. 532

### An Act Regarding Liquor Licenses Issued to Incorporated Civic Organizations

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

**Sec. 1.** 28-A MRSA §1071, sub-§6 is enacted to read:

**6. Server requirements.** An incorporated civic organization issued a license in accordance with this section shall provide the names of those who will be serving alcoholic beverages at the public event or gathering being sponsored. In the event that a server from that list is unavailable, a licensed manufacturer, distributor, wholesaler, farm winery or small brewery that has provided alcoholic beverages to be served at the event may provide serving assistance.

See title page for effective date.

## CHAPTER 103

H.P. 635 - L.D. 917

### An Act To Prevent the Unauthorized or Deceptive Use of the Names of Financial Institutions

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

**Sec. 1.** 9-B MRSA §241, sub-§15 is enacted to read:

**15. Deceptive use of names.** A person may not use in an unauthorized or deceptive manner the name, abbreviated name or title of any financial institution authorized to do business in this State, credit union authorized to do business in this State, financial institution holding company or their affiliates or subsidiaries in any written or oral advertisement or solicitation. Use of a name, abbreviated name or title is not unauthorized or deceptive if the person using the name, abbreviated name or title has obtained written authorization for such use from the financial institution, credit

union, holding company, affiliate or subsidiary or if the use is limited solely to a truthful written advertisement or solicitation comparing the relative attributes of similar products or services offered by the financial institution, credit union, holding company, affiliate or subsidiary and the person using the name, abbreviated name or title.

The superintendent may, through the Attorney General, bring a civil action against any person who willfully violates any provision of this subsection. The penalty for violation of this subsection may not exceed \$5,000 for each violation.

Any financial institution, credit union, holding company, affiliate or subsidiary whose name, abbreviated name or title is used by any person in violation of this subsection may, in addition to any other remedy available under the laws of this State, bring an action to enjoin such use and recover damages. The court shall award actual damages or \$5,000 for each violation, whichever is greater, plus attorney's fees and costs, upon a finding that a violation has occurred.

See title page for effective date.

## CHAPTER 104

S.P. 314 - L.D. 806

### An Act To Authorize Fuel Cost Stabilization Funds To Be Established in School Administrative Units

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

**Sec. 1.** 20-A MRSA §15008 is enacted to read:

#### **§15008. Fuel cost stabilization fund**

A school administrative unit may establish and expend a fuel cost stabilization fund as provided in this section.

**1. Establishment and funding.** The voters or other legislative body of a school administrative unit may establish a fuel cost stabilization fund and may raise and appropriate funds for that purpose in addition to the school operating budget. A separate warrant article for that purpose must be approved at the budget meeting and at the budget validation referendum. If a school administrative unit has discontinued the budget validation referendum process, the article must be approved by the voters or other legislative body using the same process as for approval of the school budget. If a school administrative unit has available fund balances at the end of a fiscal year, the transfer of those funds to the fuel cost stabilization fund may be authorized at a budget meeting or other meeting of the voters