

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985

Chapters 1-384

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

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND TWELFTH LEGISLATURE

1985

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

30 MRSA §3223, sub-§5 is enacted to read:

5. Protection of permit privileges. A valid permit issued under this section for the installation of a subsurface sewage disposal system shall not be rendered void by the installation of a well under the following conditions:

A. The well is on the property of another and is within the minimum setback distance from the proposed site of the system, as established by rule by the Department of Human Services under Title 22, section 42; and

B. The well was installed after the date of issuance of the disposal system permit, but before the physical installation of the disposal system.

Effective September 19, 1985.

CHAPTER 136

S.P. 481 - L.D. 1300

AN ACT Concerning Motor Vehicle Insurance and the Household Exclusion.

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

24-A MRSA §2902-A is enacted to read:

§2902-A. Household exclusion

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Family member" means a person related to the insured by blood, marriage or adoption who is a resident of the insured's household, including a ward or foster child.

2. Exclusion. No insurer may sell or renew an insurance policy providing motor vehicle liability insurance on or after January 1, 1986, that excludes

coverage for injuries sustained by the insured's family members unless the insurer notifies the bureau in writing of its utilization of the exclusion, the insurer notifies each of its licensed agents within the State of its utilization of the exclusion and the exclusion is provided by a separate endorsement to the insured's policy. An exclusion that does not meet the requirements of this section shall be invalid and of no effect.

Effective September 19, 1985.

CHAPTER 137

S.P. 482 - L.D. 1301

AN ACT to Amend the Maine Consumer Credit Code.

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

Sec. 1. 9-A MRSA §2-307, sub-§2, as amended by PL 1981, c. 470, Pt. A, §18, is further amended to read:

2. With respect to a supervised loan in which the amount financed is \$1,000 or less, a lender may not take a security interest in the principal residence of the consumer. This subsection does not apply when the lender holds a first mortgage on the residence at the time the loan is made or when the loan is made pursuant to an open-end credit plan involving a commitment to advance amounts in excess of \$1,000. Notwithstanding Title 14, no judgment of foreclosure of a mortgage upon the principal residence of a consumer may be entered on account of the consumer's failure to repay supervised loans under an open-end credit plan, unless the consumer's outstanding balance described in section 8-205, subsection 2, paragraph I, has at some time exceeded \$1,000 and the consumer has not paid the account in full subsequent to the date of the last periodic statement showing an outstanding balance in excess of \$1,000.

Sec. 2. 9-A MRSA §2-307, sub-§3 is enacted to read:

3. The amount of \$1,000 in subsection 2 is sub-