

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 scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
OCTOBER 9, 1991

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
1991

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

subject to this section include but are not limited to, proceedings involving:

- A. Partition actions;
- B. Boundary and access disputes;
- C. Insolvency;
- D. Mortgage foreclosure;
- E. Declaratory judgment actions;
- F. Attachment and mechanic liens;
- G. Dissolution; and
- H. Actions to quiet title.

3. Abstract required. Upon the expiration of the applicable appeal period or the entry of a final order on appeal, an abstract of any judgment or final order of judicial proceedings subject to this section must be prepared. The court shall name the party or parties responsible for preparing and recording the abstract and for paying the recording fees. The abstract must be signed by the judge and contain the provisions of the final order.

4. Abstract; recording and contents. The abstract must be recorded in the registry of deeds in the county or counties in which the subject property is located and must include the following:

- A. The names and addresses of all parties to the action, including the counsel of record;
- B. The docket number;
- C. A certification that all parties have received notice of the proceedings, that the notice has been given in accordance with the applicable provisions of the Maine Rules of Civil Procedure and, if the notice has been served or given pursuant to an order of a court, including service by publication, that the notice has been served or given pursuant to the order;
- D. An adequate description of real estate involved;
- E. A copy of any order, including the final order, that affects the property, with the applicable dates of that order; and
- F. A certification that any applicable appeal period has expired without action or, if appealed by any party, a certification of the appeal.

5. Original abstract filing. Upon recording, the original of the court abstract must be forwarded to the clerk of courts for filing with the original court records.

See title page for effective date.

CHAPTER 126

H.P. 465 - L.D. 659

An Act to Prohibit Family Exclusion Clauses in Automobile Insurance Policies

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

Sec. 1. 24-A MRSA §2902-A, sub-§1, ¶¶B to E are enacted to read:

B. "Economic damages" means medical expenses, wage loss and the expense of substitute services.

C. "Medical expenses" means expenses incurred for necessary medical goods and services, including funeral expenses, resulting from bodily injury.

D. "Substitute services" means expenses incurred for necessary services such as homemaker or household services normally performed by the injured person but that must be purchased from a substitute when the injured person can not perform them as a result of bodily injury.

E. "Wage loss" means 75% of any actual and demonstrably predictable and verifiable cessation of present or future income or reduction of earned income resulting from bodily injury.

Sec. 2. 24-A MRSA §2902-A, sub-§2, as enacted by PL 1985, c. 136, is amended to read:

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~~ violates this section ~~shall be~~ is invalid and of no effect.

Sec. 3. 24-A MRSA §2902-A, sub-§4 is enacted to read:

4. Coverage for family members must be offered. An insurer may not sell or renew a motor vehicle liability insurance policy on or after January 1, 1992 with a provision that excludes coverage for injury to the insured or any family member unless the insurer offers the opportunity to remove that exclusion by buying coverage in the nonliability section of the policy for economic damages for injury to the insured or any family member. This optional coverage must be available in monetary increments limited to no more than the liability limits of the policy for liability to other persons.

See title page for effective date.