

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

SECOND REGULAR SESSION
January 5, 2000 to May 12, 2000

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 11, 2000

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
2000

3. Regional issues. The commission's efforts undertaken in accordance with its authority under this Title to promote and protect consumer interests through participation in and presentations before regional entities and federal agencies with jurisdiction over regional marketplaces that affect the State's consumers. The commission must provide an assessment of staffing requirements to undertake these responsibilities; and

4. Rural issues. The commission's efforts undertaken in accordance with its authority under this Title to ensure that rural areas of this State are not disadvantaged as utility industries are restructured and competitive markets developed. The commission shall identify any rural issues that it has determined may require legislative action.

See title page for effective date.

CHAPTER 585

H.P. 1849 - L.D. 2587

**An Act to Implement the
Recommendations of the Joint
Standing Committee on Natural
Resources Relating to the Review of
the Advisory Commission on
Radioactive Waste and
Decommissioning Under the State
Government Evaluation Act**

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

Sec. 1. 3 MRSA §959, sub-§1, ¶L, as amended by PL 1999, c. 127, Pt. C, §13, is further amended to read:

L. The joint standing committee of the Legislature having jurisdiction over natural resource matters shall use the following list as a guideline for scheduling reviews:

- (1) Department of Environmental Protection in 1997;
- (2) Board of Environmental Protection in 1997;
- (3) Advisory Commission on Radioactive Waste and Decommissioning in ~~1999~~ 2005;
- (4) Saco River Corridor Commission in 2005; and
- (5) Board of Underground Oil Tank Installers in 2003.

Sec. 2. 38 MRSA §1453-A, sub-§4, as amended by PL 1997, c. 700, §7, is further amended to read:

4. Meetings and reports. The commission shall meet at least 4 times a year. The commission shall submit an annual report of activities to the Governor, the President of the Senate, the Speaker of the House of Representatives, the joint standing committee of the Legislature having jurisdiction over natural resource matters and the joint standing committee of the Legislature having jurisdiction over utility and energy matters by February 15th of each year. In its report in 2002, the commission shall include an assessment of its funding pursuant to Title 22, section 679-A and recommendations for altering the funding formula in the event the Maine Yankee Atomic Power Company plant in Wiscasset no longer generates low-level radioactive waste.

Sec. 3. 38 MRSA §1453-A, sub-§7, as amended by PL 1999, c. 366, §2, is further amended to read:

7. Repeal. This commission is subject to review and terminates in accordance with Title 3, chapter 35; ~~not including the grace period, no later than June 30, 2000.~~ The commission, unless granted an extension by law, is dissolved and terminates on June 30, 2006.

See title page for effective date.

CHAPTER 586

S.P. 877 - L.D. 2292

**An Act to Direct the State Liquor
and Lottery Commission to Pursue
Partnerships to Enhance Lottery
Revenues**

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

Sec. 1. 8 MRSA §402, as enacted by PL 1983, c. 732, §1, is amended to read:

§402. Compact

The State enters into the following compact with the states of Vermont and New Hampshire, subject to the terms and conditions stated in this chapter. The compact may be expanded to include other New England states.

Sec. 2. 8 MRSA §404, sub-§§4 and 5, as enacted by PL 1983, c. 732, §1, are amended to read:

4. Party states. "Party states" means the states of New Hampshire, Vermont and Maine and other New England states pursuant to section 402.

5. Tri-state Lotto. "Tri-state Lotto," or other such name as may be adopted by the party states, means a combined lotto game for all member states, with common tickets, common advertising and a common prize pool.

Sec. 3. State Liquor and Lottery Commission directed to seek partnerships. The State Liquor and Lottery Commission is directed to seek partnerships with other states that will enhance lottery revenues. The commission shall investigate the State's membership in the Multi-State Lottery Commission conducting the "Big Game" Lottery and any similar multi-state lottery compact. In the event its investigation results in the development of a potential new partnership with another state or states, the commission is directed to propose legislation authorizing the State's membership in the "Big Game" Lottery, or other similar multi-state lottery compact, at the next regularly scheduled session of the Legislature.

Sec. 4. Contingent effective date. Pursuant to the Maine Revised Statutes, Title 8, section 420, those sections of this Act that amend Title 8, sections 402 and 404 take effect only if concurrent legislation is adopted by states party to the Tri-state Lotto Compact.

See title page for effective date, unless otherwise indicated.

CHAPTER 587

H.P. 243 - L.D. 347

An Act to Amend the Installment Payment Order Capability of the Disclosure Court

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

Sec. 1. 14 MRSA §3125, sub-§2, as amended by PL 1987, c. 708, §7, is further amended to read:

2. Agreement. If the creditor or the debtor, at or prior to the disclosure hearing, presents the court with a written agreement for an order pursuant to section ~~3127~~ 3126-A with affidavit signed by the judgment debtor on a form provided by the District Court, the court may enter an order for an installment payment in the amount agreed upon by the parties or a lesser amount without the necessity of appearance by the parties. In determining whether to accept, reject or modify to a lesser amount the agreement of the parties,

the court shall apply the factors set forth in section ~~3128~~ 3126-A, subsection 4.

Sec. 2. 14 MRSA §3125-A, as amended by PL 1995, c. 65, Pt. A, §37 and affected by §153 and Pt. C, §15, is further amended to read:

§3125-A. Debtor subject to loss or suspension of right to operate or register a motor vehicle

A judgment debtor subject to suspension or loss of the right to operate or register a motor vehicle under Title 29-A, section 2251, subsection 10 may request a disclosure hearing on the issue of how to satisfy the judgment. The court may enter an order for an installment payment agreement in the manner agreed upon by the parties or a modified order in accord with the factors set forth in section ~~3128~~ 3126-A, subsection 4. If the parties fail to reach an agreement for an order, the judgment debtor may ask the court for the entry of an installment payment agreement in consideration of those factors.

Sec. 3. 14 MRSA §3126-A is enacted to read:

§3126-A. Installment payments

Following a disclosure hearing, the court shall determine the amount, if any, of the installment payments that the judgment debtor must make to the judgment creditor.

1. Definition. For purposes of this section, "exempt income" means the debtor's right to receive:

A. A social security benefit, unemployment compensation or a local public assistance benefit;

B. A veteran's benefit;

C. A disability, illness or unemployment benefit;

D. Alimony, support or separate maintenance, to the extent reasonably necessary for the support of the debtor and any dependents of the debtor; and

E. A payment or account under a stock bonus, pension, profit sharing, annuity, individual retirement account or similar plan to the extent described in section 4422, subsection 13, paragraph E.

2. Installment payment order not permitted. The court may not order a judgment debtor to make installment payments if the judgment debtor is receiving or will receive money or earnings only from a source or sources exempt from attachment and execution under sections 4421 to 4426.

3. Maximum amount of earnings subject to installment payment order. In the case of a