

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

insurer, then the insured will be conclusively presumed to have accepted that amount of uninsured coverage in all future policies, until such time as the insured notifies the insurer in writing of an election to change the amount of uninsured coverage.

Reinstatement or renewal of coverage by the insured with the same insurer within 30 days of expiration of a policy must be considered, for purposes of this section, as continuous coverage and does not require a new rejection to be executed by the insured.

With respect to motor vehicle insurance policies not subject to the Maine Automobile Insurance Cancellation Control Act, the amount of coverage so provided may not be less than the minimum limits for bodily injury liability insurance provided for under Title 29-A, section 1605, subsection 1.

Sec. 2. 24-A MRSA §2902, sub-§6 is enacted to read:

6. When 2 or more persons are legally entitled to recover damages from a particular owner or operator of an underinsured motor vehicle, the amount of underinsured vehicle coverage applicable to each injured person is determined by subtracting any payments actually made to the injured person from any bodily injury liability insurance coverage applicable to the particular owner or operator of the underinsured motor vehicle from the injured person's, operator's or owner's underinsured vehicle coverage policy limits if applicable to that person. The amount of underinsured motor vehicle coverage must be further reduced by the amount by which the bodily injury liability insurance coverage applicable to the particular owner or operator of the underinsured motor vehicle exceeds all payments from that coverage to all persons legally entitled to recover damages from that particular owner or operator of the underinsured motor vehicle. This subsection does not prohibit an insurer from providing greater amounts of underinsured vehicle coverage than are required under this section.

Sec. 3. PL 1999, c. 271, §3, as enacted by PL 1999, c. 531, Pt. K, §1, is amended to read:

Sec. 3. Application. That section of this Act that amends the Maine Revised Statutes, Title 24-A, section 2902, subsection 2 applies to all motor vehicle liability insurance policies of personal automobile insurance issued or renewed in this State on or after July October 1, 2000.

Sec. 4. Application. This Act applies to all motor vehicle liability insurance policies issued or renewed in this State on or after October 1, 2000.

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

Effective April 11, 2000.

CHAPTER 664

H.P. 1496 - L.D. 2140

An Act to Enhance the Economic Security of Low-income Households with Respect to Utility Service

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

Sec. 1. 35-A MRSA §4706-A is enacted to read:

§4706-A. Special rate arrangements for eligible low-income customers

The commission may approve rates or bill payment assistance programs for residential customers who have been certified as eligible for state or federal fuel assistance that take into account the difficulty these customers have paying in full for natural gas service or that target assistance to these customers in the most efficient manner. Any such rates or bill payment assistance programs that have been approved by the commission are determined to be just and reasonable.

See title page for effective date.

CHAPTER 665

H.P. 1620 - L.D. 2267

An Act to Amend the Definition of Marital Property

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

Sec. 1. 19-A MRSA §953, sub-§2, ¶E, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

E. The increase in value of property acquired prior to the marriage and the increase in value of a spouse's nonmarital property as defined in paragraphs A to D.

(1) "Increase in value" includes:

(a) Appreciation resulting from market forces; and