

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
December 6, 2000 to June 22, 2001

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 21, 2001

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
2001

examination and rebuttal, whether or not objected to by a party.

Sec. 4. 22 MRSA §4005, sub-§1, ¶G is enacted to read:

G. A person serving as a guardian ad litem under this section acts as the court's agent and is entitled to quasi-judicial immunity for acts performed within the scope of the duties of the guardian ad litem.

See title page for effective date.

CHAPTER 254

H.P. 970 - L.D. 1294

An Act to Change the Snowmobile Registration Rates

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this 90-day period will not terminate until after the beginning of the snowmobile registration period on July 1st; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 12 MRSA §7824, sub-§2, as amended by PL 1997, c. 227, §2, is further amended to read:

2. Fee. Except as provided in subsection 2-B, the annual snowmobile registration fee is as follows:

A. For residents, ~~\$25~~ \$30. The registration for a snowmobile owned by a resident is valid for one year, commencing on July 1st of each year; and

B. For nonresidents:

(1) ~~Thirty five~~ Forty dollars for a 3-consecutive day registration. A person may purchase more than one 3-day registration in any season;

(2) ~~Fifty~~ Fifty-five dollars for a 10-consecutive day registration. A person may purchase more than one 10-day registration in any season; and

(3) ~~Sixty~~ Sixty-five dollars for a seasonal registration.

The registration for a snowmobile owned by a nonresident must specify the dates for which the registration is valid.

Five dollars from each registration fee in this subsection must be transferred to a special fund administered by the Off-Road Vehicle Division of the Bureau of Parks and Lands within the Department of Conservation. The funds must be used to assist any entity that has a snowmobile trail-grooming contract with the bureau in the purchase of trail-grooming equipment.

Sec. 2. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

	2001-02	2002-03
CONSERVATION, DEPARTMENT OF		
Off-road Recreational Vehicle Program		
All Other	\$431,115	\$431,115
Allocates additional funds for the Snowmobile Trail Fund.		

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect July 1, 2001.

Effective July 1, 2001.

CHAPTER 255

H.P. 1136 - L.D. 1522

An Act to Clarify the Status of Support Obligations if an Obligor Begins to Receive Public Assistance

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

Sec. 1. 19-A MRSA §2302, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is repealed and the following enacted in its place:

§2302. Support obligations when obligor receives public assistance

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

A. "Assisted obligor" means an obligor under a court or administrative child support order who receives:

(1) Supplemental security income; or

(2) Public assistance for the benefit of a child of that obligor.

B. "Order" means a court or administrative child support order in existence at the time an obligor becomes an assisted obligor.

C. "Public assistance" has the same meaning as set forth in section 2101, subsection 11, except that it does not include medical care only.

2. Child support obligation during period that obligor is assisted obligor. For the period during which an obligor is an assisted obligor and for 2 weeks thereafter, the assisted obligor's child support obligation is automatically suspended. At the end of the 2 weeks, the obligor's child support obligation resumes automatically at the same level at which it was suspended unless modified by an order entered pursuant to subsection 3.

A debt previously incurred under section 2301 may not be collected from a responsible parent while that parent is an assisted obligor.

3. Obligee's opportunity for modification. The obligee may seek to modify the effect of subsection 2 by filing a petition for modification with the court or the department, whichever issued the affected order. The court or administrative hearing officer may, by order after hearing, modify the effect of subsection 2. The court or administrative hearing officer, in determining whether to make such a modification, shall consider the suspension in subsection 2 and the child support guidelines under chapter 63. For purposes of the hearing, a substantial change in circumstances is deemed to have occurred.

4. Department notification responsibilities. As soon as practicable after the department knows that an obligor has become an assisted obligor, the department shall send notices to the obligor and obligee notifying them of:

A. The obligor's status as an assisted obligor;

B. The existence of the suspension in subsection 2;

C. The obligee's opportunity to contest the suspension by seeking a modification as set forth in subsection 3; and

D. The location where forms for modification proceedings can be obtained.

In addition, the department shall include with the notices to the parties blank forms for use in initiating modification actions.

See title page for effective date.

CHAPTER 256

H.P. 845 - L.D. 1117

An Act Concerning Motor Vehicle Dealer Sale Practices

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

Sec. 1. 10 MRSA c. 204-A, as amended, is amended by repealing the chapter headnote and enacting the following in its place:

CHAPTER 204-A

DEALER PRACTICES FOR CERTAIN MOTOR VEHICLES

Sec. 2. 10 MRSA §1194 is enacted to read:

§1194. Dealer sale practices for new or used motor vehicles

When selling new or used motor vehicles a dealer must adhere to the following sale practices.

1. Dealer revocation of sale. If a dealer sells a new or used motor vehicle and allows the buyer to take possession of it, the dealer can not at a later date inform the buyer of that vehicle that the dealer is canceling the sale unless the dealer has disclosed at the time of the sale and at the time of cancellation that if financing can not be procured according to the terms agreed upon in the contract, the consumer shall receive:

A. Reimbursement of the entire vehicle purchase price or, if a leased vehicle, the lease payments made to date, including any paid finance charges on the purchased or leased vehicle;

B. Reimbursement of all charges pertinent to the contract, including, but not limited to, sales tax, license and registration fees and similar government charges; and

C. The vehicle traded in or, if the vehicle is not available, the trade-in value of the vehicle established in the contract.