

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

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.

This subsection does not apply to any sale canceled by the dealer due to material misrepresentation made by the buyer.

See title page for effective date.

CHAPTER 257

H.P. 717 - L.D. 932

An Act to Authorize the Maine State Housing Authority to Administer an Electric Assistance Program

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

Whereas, the 118th Legislature enacted Public Law 1997, chapter 316, requiring the Public Utilities Commission to establish needs-based assistance for low-income persons in this State; and

Whereas, the Public Utilities Commission will establish an electric assistance program to become effective before the winter of 2001-2002; and

Whereas, this legislation needs to take effect immediately to allow the Maine State Housing Authority the time necessary to implement procedures to administer this electric assistance program; 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. 30-A MRSA c. 201, sub-c. XI-A is enacted to read:

SUBCHAPTER XI-A

ELECTRIC ASSISTANCE

§4961. Electric assistance program

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

A. "Authority" means the Maine State Housing Authority established pursuant to section 4722.

B. "Electric assistance" means assistance as established by the commission pursuant to Title 35-A, section 3214 and rules adopted pursuant to

that section, based on an eligible household's income level and electricity usage and paid to an electric utility on behalf of an eligible household.

C. "Electric utility" means a transmission and distribution utility as defined in Title 35-A, section 102, subsection 20-B.

D. "Eligible household" means a household that is eligible to receive fuel assistance through the Maine State Housing Authority pursuant to section 4722, subsection 1, paragraph W; section 4741, subsection 15; and subchapter XIII and rules adopted pursuant to these laws. "Eligible household" does not include a tenant who resides in subsidized housing and receives a utility allowance or a tenant whose utilities are included in the rent.

E. "Commission" means the Public Utilities Commission established pursuant to Title 35-A, section 103.

F. "Fund" means the Electric Assistance Program Fund established in section 4962.

G. "Program" means the electric assistance program established by the commission pursuant to Title 35-A, section 3214.

2. Program administration. The authority shall administer the program directly or through regional contract agents. The program may be administered in conjunction with other programs of the authority.

3. Reporting requirements. The authority shall report annually to the commission information to determine the amount of funding necessary for the program, including the amount of electric assistance paid on behalf of each eligible household, the total amount of electric assistance paid on behalf of eligible households, the number of eligible households served and other reasonably necessary information required by the commission in connection with the program.

4. Rulemaking. The authority may adopt rules to implement this subchapter. Rules adopted pursuant to this subchapter are routine technical rules pursuant to Title 5, chapter 375, subchapter II-A.

§4962. Electric Assistance Program Fund

1. Established. The fund is established under the jurisdiction of the authority.

2. Sources of the fund. The funds consists of:

A. Funds collected by an electric utility as determined by the commission pursuant to Title 35-A, section 3214;