

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 1, 2004 to March 30, 2005**

**FIRST SPECIAL SESSION**  
**April 4, 2005 to June 18, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 29, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 17, 2005**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2005**

fund," is established within the agency to be used by the director of the agency to fund or assist in funding the program. Any balance in the fund does not lapse but is carried forward to be expended for the same purposes in succeeding fiscal years. The fund must be deposited with and maintained and administered by the agency. The agency may accept funds into the fund from any non-General Fund, ~~nonpublic fund~~ source, including grants or contributions of money or other things of value, that it determines necessary to carry out the purposes of this chapter. Money received by the agency to establish and maintain the program must be used for the expenses of administering this chapter.

**Sec. 2. 22 MRSA §2700, sub-§7** is enacted to read:

**7. Contingency.** The program must operate with funding solely from the fund provided in subsection 5. The program may begin operation for 2 years on July 1st of any year in which notice is given by April 1st by the director of the agency to the State Budget Officer that funding has been procured for the fund that is sufficient to operate the program for 2 years.

**Sec. 3. PL 2003, c. 679, §4** is amended to read:

**Sec. 4. Effective date.** That section of this Act that enacts the Maine Revised Statutes, Title 22, chapter 604 takes effect July 1, ~~2005~~ 2006.

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

Effective June 2, 2005.

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**CHAPTER 298**

**H.P. 454 - L.D. 621**

**An Act Regarding Divorce and Marital Property**

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

**Sec. 1. 19-A MRSA §953, sub-§6-A** is enacted to read:

**6-A. Nonowner spouse interest in certain payments or accounts.** After the filing of a divorce complaint under section 901, a nonowner spouse has an inchoate equitable ownership interest, without the need to obtain an attachment, levy or court order, in the individual retirement account or similar plan or contract on account of illness, disability, death, age or

length of service of the owner spouse, to the extent the account or plan is either exempt or beyond the reach of an attaching or judgment lien creditor under state or federal law.

See title page for effective date.

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**CHAPTER 299**

**H.P. 182 - L.D. 243**

**An Act To Allow Emergency Responders To Equip Their Vehicles with 2 Emergency Flashing Lights**

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

**Sec. 1. 29-A MRSA §2054, sub-§2, ¶F,** as amended by PL 2005, c. 14, §3, is further amended to read:

F. Only vehicles listed in this paragraph, rural mail vehicles as provided in paragraph C, subparagraph (5) and school buses may be equipped with, display or use a red auxiliary or emergency light.

(1) Emergency lights used on an ambulance, an emergency medical service vehicle, a fire department vehicle, a fire vehicle, a rescue vehicle or a hazardous material response vehicle must emit a red light or a combination of red and white light.

(2) The municipal officers or a municipal official designated by the municipal officers, with the approval of the fire chief, may authorize an active member of a municipal or volunteer fire department to use a ~~flashing red signal light not more than 5 inches in diameter on a vehicle~~ one red or combination red and white flashing auxiliary light mounted as near as practicable above the front registration plate on the front of the vehicle, behind the rearview mirror or on the dashboard or 2 flashing red or combination red and white auxiliary lights mounted on the front of the vehicle above the front bumper and below the hood. The light or lights may be displayed but may be used only while the member is en route to or at the scene of a fire or other emergency. ~~The light must be mounted as near as practicable above the registration plate on the front of the vehicle or on the dashboard.~~ A light mounted on the dashboard or behind the rearview mirror must be shielded so that the emitted light