

1005

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(Filing No. H- 152)

TAXATION

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
130TH LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 810, L.D. 1132, "An Act To Encourage the Renovation of Available Housing Stock"

Amend the bill in section 2 in §946-C in subsection 1 in paragraph E in the last line (page 1, line 20 in L.D.) by inserting after the following: "authorities;" the following: 'and'

Amend the bill in section 2 in §946-C in subsection 1 by striking out all of paragraph F (page 1, lines 21 and 22 in L.D.).

Amend the bill in section 2 in §946-C in subsection 1 by relettering the paragraphs to read alphabetically.

Amend the bill in section 2 in §946-C by striking out all of subsection 2 (page 1, lines 24 to 36 in L.D.) and inserting the following:

**2. Determination of abandonment.** Upon acquiring title to residential real estate for nonpayment of property taxes under section 943, a municipality may, through its code enforcement officer or other public official, make a determination that the property is abandoned. The code enforcement officer or other public official making the determination that the property is abandoned shall certify that determination and file a copy of that certification with the registry of deeds in the county in which the property is located. The certification must contain the following information:

A. The name and title of the code enforcement officer or other public official making the determination of abandonment;

B. A description of the real estate and information regarding the filing of a tax lien and foreclosure with regard to the property;

C. The name of the owner of the property at the time of foreclosure;

D. A description of the factors considered by the code enforcement officer or other public official that contributed to the determination of abandonment; and

E. The signature of the code enforcement officer or other public official making the determination of abandonment.

COMMITTEE AMENDMENT

ROFS

1 The code enforcement officer or other public official making the determination that the  
2 property is abandoned shall certify that the property is abandoned and file a copy of that  
3 certification with the registry of deeds in the county in which the property is located.

4 For the purposes of this subsection, "residential real estate" means property that includes a  
5 residential structure that has one to 4 residential units.'

6 Amend the bill in section 2 in §946-C in subsection 3 in the first line (page 1, line 37  
7 in L.D.) by striking out the following: "September" and inserting the following:  
8 'December'

9 Amend the bill in section 2 in §946-C in subsection 3 in the 4th line (page 1, line 40 in  
10 L.D.) by striking out the following: "judgment" and inserting the following: 'certification'

11 Amend the bill in section 2 in §946-C in subsection 3 in the 2nd to the last line (page  
12 2, line 1 in L.D.) by striking out the following: "September" and inserting the following:  
13 'December'

14 Amend the bill in section 2 in §946-C by inserting after subsection 3 the following:

15 **'4. Program to monitor municipal abandoned property. A municipality that**  
16 **certifies abandoned property under this section shall submit the address and parcel data for**  
17 **the abandoned property to the Maine State Housing Authority for use in determining**  
18 **opportunities for redevelopment, programs supporting first-time home buyers and similar**  
19 **programs and data analysis.'**

20 Amend the bill by striking out all of section 3.

21 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
22 number to read consecutively.

23 **SUMMARY**

24 This amendment changes the process in the bill for the determination of abandoned  
25 property acquired by a municipality through foreclosure for nonpayment of property taxes  
26 by removing the process for a court determination of abandonment and substituting a  
27 process for municipal determination of abandonment of residential real estate. The  
28 amendment deletes a requirement in the bill that the Maine State Housing Authority  
29 develop a new program for abandoned property and instead requires municipal officials to  
30 notify the Maine State Housing Authority of determinations of abandonment for use by the  
31 authority in determining opportunities for redevelopment, programs supporting first-time  
32 home buyers and similar programs and data analysis.

33 **FISCAL NOTE REQUIRED**

34 **(See attached)**



# 130th MAINE LEGISLATURE

LD 1132

LR 1418(02)

An Act To Encourage the Renovation of Available Housing Stock

Fiscal Note for Bill as Amended by Committee Amendment "A(H - 152)

Committee: Taxation

Fiscal Note Required: Yes

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## Fiscal Note

Minor cost increase - Maine State Housing Authority

Minor savings - General Fund

Minor revenue decrease - General Fund

Minor revenue decrease - Other Special Revenue Funds

### Correctional and Judicial Impact Statements

This bill may decrease the number of civil suits filed in the court system.

The Judicial Branch may realize some minor reduction of workload and administrative costs associated with the minimal number of cases that will no longer be filed.

Collection of filing fees may decrease General Fund and other dedicated revenue by minor amounts.

### Fiscal Detail and Notes

Additional costs to the Maine State Housing Authority to utilize data submitted by municipalities in determining opportunities for redevelopment, programs supporting first-time homebuyers and similar programs and data analysis can be absorbed within existing budgeted resources.