

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

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

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 7, 1994 to June 30, 1995**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 29, 1995**

**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**  
**1995**

**§8-206-B. Reverse mortgages**

1. In addition to the disclosures required under this article, for each reverse mortgage the creditor shall provide to the consumer, at least 3 days prior to the consummation of the transaction, a disclosure in conspicuous type of a good faith estimate of the projected total cost of the mortgage to the consumer expressed as a table of annual interest rates. Each annual interest rate must be based on a projected total future credit extension balance under a projected appreciation rate for the dwelling and a term for the mortgage. The disclosure must include:

A. Statements of the annual interest rates for at least 3 projected appreciation rates and at least 3 credit transaction periods, as determined by the administrator, including:

- (1) A short-term reverse mortgage;
- (2) A term equaling the actuarial life expectancy of the consumer; and
- (3) Any longer term the administrator determines appropriate; and

B. A statement that the consumer is not obligated to complete the reverse mortgage transaction merely because the consumer has received the disclosure required under this section or has signed an application for the reverse mortgage.

2. In determining the projected total cost of the mortgage to be disclosed to the consumer under subsection 1, the creditor shall take into account:

A. Any shared appreciation or equity that the lender is, by contract, entitled to receive;

B. All costs and charges to the consumer, including the costs of any associated annuity that the consumer elects or is required to purchase as part of the reverse mortgage transaction;

C. All payments to and for the benefit of the consumer including, when an associated annuity is purchased and whether or not that purchase is required by the lender as a condition of making the reverse mortgage, the annuity payments received by the consumer and financed from the proceeds of the loan, instead of the proceeds used to finance the annuity; and

D. Any limitation on the liability of the consumer under reverse mortgage transactions such as nonrecourse limits and equity conservation agreements.

See title page for effective date.

---

**CHAPTER 327**

**H.P. 1076 - L.D. 1515**

**An Act Authorizing the Judicial Supervision of the Disclosure of Utility Records to the Attorney General**

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

**Sec. 1. 5 MRSA §200-B**, as repealed and replaced by PL 1987, c. 769, Pt. A, §9, is repealed and the following enacted in its place:

**§200-B. Authority of Attorney General to request utility records**

**1. Public utility services.** As used in this section, the term "public utility services" means services furnished by a public utility as defined in Title 35-A, section 102, subsections 5, 7, 8, 12, 14, 15, 17, 19 and 22 whether or not subject to the jurisdiction of the Public Utilities Commission.

**2. Demand for utility records; cause.** The Attorney General, a deputy attorney general or a district attorney may demand, in writing, all the records or information in the possession of the public utility relating to the furnishing of public utility services to a person or a location if the attorney has reasonable grounds to believe that the services furnished to a person or to a location by a public utility are being or may be used for, or to further, an unlawful purpose. Upon a showing of cause to any Justice of the Superior Court or Judge of the District Court, the justice or judge shall approve the demand. Showing of cause must be by the affidavit of any law enforcement officer.

**3. Release of other information.** An order approving a demand for utility records may include a provision prohibiting the public utility from releasing the fact of the request or that the records or information will be or have been supplied. The public utility may not release the fact or facts without obtaining a court order to that effect.

**4. Production of utility records.** Upon receipt of a demand, approved by a justice or judge, the public utility shall immediately deliver to the attorney, or the attorney's designee or agent, making the request all the records or information demanded. A public utility or employee of that public utility is not criminally or civilly liable for furnishing any records or information in compliance with the order approving the demand.

**5. Orders permitted under federal law.** The Attorney General, a deputy attorney general or a

district attorney may, upon an affidavit of an investigating law enforcement officer, make application to any Justice of the Superior Court or any Judge of the District Court for any order permitted pursuant to 18 United States Code, Section 3122(a)(2).

See title page for effective date.

**CHAPTER 328**

**H.P. 701 - L.D. 959**

**An Act to Establish Municipal Cost Components for Unorganized Territory Services to Be Rendered in Fiscal Year 1995-96**

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

**Whereas,** prompt determination and certification of the municipal cost components in the unorganized territory district are necessary to the establishment of a mill rate and the levy of the unorganized territory educational and services tax; 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. 36 MRSA §1605, sub-§3,** as enacted by PL 1977, c. 698, §8, is amended to read:

**3. Balance carried forward.** Any unexpended balance ~~shall may~~ not lapse but ~~shall must~~ be carried forward to the same fund for the next fiscal year and ~~shall must~~ be available for the purposes authorized by this chapter. Any unexpended balance remaining in the fund at the end of the year, not including amounts set aside in any capital reserve accounts, that is in excess of 10% of the amount of expenditures for that year must be used to reduce the amount to be collected in taxes during the next year.

**Sec. 2. Municipal cost components for services rendered.** In accordance with the Maine Revised Statutes, Title 36, chapter 115, the Legislature determines that the net municipal cost component for services and reimbursements to be rendered in fiscal year 1995-96 is as follows.

Audit - Fiscal Administration \$108,207

Education - Operations	9,605,547
Forest Fire Protection	200,000
Human Services - General Assistance	78,060
Property Tax Assessment - Operations	509,990
Maine Land Use Regulation Commission - Operations	173,005
<b>TOTAL STATE AGENCIES</b>	<b>\$10,674,809</b>

County reimbursements for services:

Aroostook	\$571,516
Franklin	308,503
Hancock	93,880
Oxford	327,729
Penobscot	563,336
Piscataquis	349,485
Somerset	590,808
Washington	313,504

**TOTAL COUNTY SERVICES** \$3,118,761

**TOTAL REQUIREMENTS** \$13,793,570

**COMPUTATION OF ASSESSMENT**

Requirements \$13,793,570

Less Deductions:

General -	
State Revenue Sharing	\$170,000
Miscellaneous Revenues	125,000
Transfer from undesignated fund balance	800,000

**TOTAL** \$1,095,000

Educational -

Lands Reserve Trust	\$100,000
Tuition - Travel	175,000
Miscellaneous	10,000
Special - Retirement	130,000
Brookton School Closure	100,000
Transfer - Fiscal Year 1994-95	
Salary Savings	110,000

**TOTAL** \$625,000

**TOTAL DEDUCTIONS** (\$1,720,000)