

# MAINE STATE LEGISLATURE

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

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

**FIRST SPECIAL SESSION**  
**November 28, 1995 to December 1, 1995**

**SECOND REGULAR SESSION**  
**January 3, 1996 to April 4, 1996**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 4, 1996**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1995**

All Other	68,200	411,570
Capital Expenditures	33,970	
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TOTAL	136,170	615,620

Provides for the allocation of funds for one Director, Maine Health Data Organization position, one Senior Analyst position, one Analyst position and one Administrative Assistant position and related expenses to establish the Maine Health Data Organization.

**MAINE HEALTH DATA ORGANIZATION**

TOTAL	<hr/>	<hr/>
	136,170	615,620

TOTAL ALLOCATIONS	<hr/>	<hr/>
	\$136,170	(\$17,318)

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

Effective April 10, 1996, unless otherwise indicated.

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**CHAPTER 654**

**H.P. 1315 - L.D. 1799**

**An Act Concerning Notice in Foreclosure Proceedings**

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

**Sec. 1. 14 MRSA §6111, sub-§1,** as amended by PL 1993, c. 373, §1, is further amended to read:

**1. Notice; payment.** With respect to mortgages upon residential property located in this State when the mortgagor is occupying all or a portion of the property as the mortgagor's primary residence and the mortgage secures a loan for personal, family or household use, the mortgagee may not accelerate maturity of the unpaid balance of the obligation or otherwise enforce the mortgage because of a default consisting of the mortgagor's failure to make any required payment, tax payment or insurance premium payment, by any method authorized by this chapter until at least 30 days after the date that written notice is given by the mortgagee to the mortgagor and any cosigner at the last known ~~address~~ addresses of the mortgagor and any cosigner that the mortgagor has the

right to cure the default by full payment of all amounts that are due without acceleration, including reasonable interest and late charges specified in the mortgage or note as well as reasonable attorney's fees. If the mortgagor tenders payment of the amounts before the date specified in the notice, the mortgagor is restored to all rights under the mortgage deed as though the default had not occurred.

**Sec. 2. 14 MRSA §6111, sub-§2,** as enacted by PL 1991, c. 707, §1, is repealed.

**Sec. 3. 14 MRSA §6111, sub-§3,** as enacted by PL 1991, c. 707, §1, is amended to read:

**3. Notice procedure.** A mortgagee gives notice to a mortgagor and any cosigner under this section by mailing the notice by certified mail, return receipt requested. If the notice is undeliverable by certified mail, the mortgagee must send the notice to the mortgagor and any cosigner by ordinary mail. The time when notice is given is the date the mortgagor or any cosigner signs the receipt or, if the notice is undeliverable by certified mail, the date the notice was sent by ordinary mail.

**Sec. 4. 14 MRSA §6111, sub-§4** is enacted to read:

**4. Notice not required.** The notice to mortgagors and cosigners described in this section is not required when the mortgage deed contains a requirement that reinstatement notice, notice of right to cure or equivalent notice be given to mortgagors and cosigners in a manner reasonably consistent with this section.

See title page for effective date.

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**CHAPTER 655**

**H.P. 1378 - L.D. 1886**

**An Act to Reduce the Notice and Hearing Requirements Imposed on Quasi-municipal Corporations and Districts**

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

**Sec. 1. 30-A MRSA §2357, sub-§1,** as enacted by PL 1989, c. 479, is amended to read:

**1. Public notice and hearing required.** All quasi-municipal corporations or districts must provide reasonable public notice and hearing, as provided by Title 5, ~~chapter 375 section 8052, subsection 1 and Title 5, section 8053~~, before adopting any regulation or expanding or creating any program, except that

notice need not be given to the Secretary of State for publication in the consolidated newspaper notice of agency rulemaking. In addition to the preceding notice requirements, a quasi-municipal corporation or district must publish notice in a newspaper of general circulation in the service area of the corporation or district at least 17 days, but not more than 24 days, in advance of a meeting at which a regulation will be adopted or a program expanded or created.

See title page for effective date.

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**CHAPTER 656**

**H.P. 1343 - L.D. 1838**

**An Act to Remove Statutory  
References to the Maine Waste  
Management Agency**

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

**PART A**

**Sec. A-1. 5 MRSA §3305, sub-§1, ¶L**, as enacted by PL 1995, c. 465, Pt. B, §3 and affected by Pt. C, §2, is amended by amending subparagraph (2) to read:

(2) Preparing a solid waste management and recycling plan to be submitted to the Governor and the Legislature by January 1, 1998 and every 2 1/2 years thereafter; and

**Sec. A-2. 10 MRSA §1023-G, sub-§3, ¶D**, as enacted by PL 1989, c. 878, Pt. A, §26, is amended to read:

D. The project will contribute to achieving the goals identified in the state waste management and recycling plan adopted under Title 38, chapter 24 and is determined by the ~~Maine Waste Management Agency~~ State Planning Office to be consistent with that plan. Prior to adopting the state waste management and recycling plan, the fund may be used for projects that help achieve the goals identified in the state recycling plan approved under former Title 38, section 1310-M.

**Sec. A-3. 10 MRSA §1041, sub-§18**, as enacted by PL 1989, c. 585, Pt. C, §11, is amended to read:

**18. Recycling and waste reduction.** Provide financial assistance to businesses for recycling and waste reduction projects that are consistent with the management goals and objectives outlined in the state waste management and recycling plan under Title 38, chapter 24. The ~~Maine Waste Management Agency~~

State Planning Office shall provide assistance to the authority in determining consistency, technical eligibility and merit of application for recycling loans.

**Sec. A-4. 10 MRSA §1063, sub-§2, ¶I-1**, as enacted by PL 1989, c. 585, Pt. C, §14, is amended to read:

I-1. In the case of recycling and waste reduction projects, the proposed facility is consistent with and will contribute to the management goals and objectives outlined in the state waste management and recycling plan under Title 38, chapter 24 and will reduce the amount of solid or hazardous waste requiring disposal. The ~~Maine Waste Management Agency~~ State Planning Office shall provide assistance to the authority in determining consistency, technical eligibility and merit of applications for assistance under this subchapter.

**Sec. A-5. 32 MRSA §1723, sub-§2**, as amended by PL 1995, c. 465, Pt. A, §7 and affected by Pt. C, §2, is repealed.

**Sec. A-6. 32 MRSA §1726**, as amended by PL 1995, c. 465, Pt. A, §8 and affected by Pt. C, §2, is repealed and the following enacted in its place:

**§1726. Enforcement**

A person who labels a plastic container in violation of this chapter commits a violation of the Maine Unfair Trade Practices Act.

**Sec. A-7. 32 MRSA §1732, sub-§1**, as amended by PL 1995, c. 465, Pt. A, §9 and affected by Pt. C, §2, is repealed.

**Sec. A-8. 32 MRSA §1732, sub-§1-A** is enacted to read:

**1-A. Department.** "Department" means the Department of Environmental Protection.

**Sec. A-9. 32 MRSA §1734, sub-§2**, as amended by PL 1995, c. 184, §3, is further amended to read:

**2. Health and safety requirements; feasibility; post-consumer materials.** The manufacturer, supplier or distributor petitions the ~~agency~~ department for an exemption for a particular package or packaging component and the ~~agency~~ department grants an exemption for one or more of the following reasons.

A. The package or packaging component contains lead, cadmium, mercury or hexavalent chromium added in the manufacturing, forming, printing or distribution process in order to comply with health or safety requirements of state or federal law.