

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 3, 2008 to June 13, 2009**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 12, 2009**

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

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**Augusta, Maine**  
**2009**

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

Sec. 1. 36 MRSA §652, sub-§1, ¶K, as amended by PL 2007, c. 627, §20, is further amended to read:

K. The Except as otherwise provided in this subsection, the real and personal property leased by and occupied or used solely for its own purposes by an incorporated benevolent and charitable organization that is exempt from taxation under section 501 of the Code and the primary purpose of which is the operation of a hospital licensed by the Department of Health and Human Services, a health maintenance organization or a blood bank are exempt from taxation. For property tax years beginning on or after April 1, 2012, the exemption provided by this paragraph does not include real property.

See title page for effective date.

**CHAPTER 426  
H.P. 716 - L.D. 1041**

**An Act To Alter the  
Mechanism by which a  
Political Party is a Qualified  
Party**

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

Sec. 1. 21-A MRSA §301, sub-§1, ¶C, as amended by PL 1999, c. 450, §1, is repealed.

Sec. 2. 21-A MRSA §301, sub-§1, ¶E is enacted to read:

E. At least 10,000 voters enrolled in the party voted in the last general election.

See title page for effective date.

**CHAPTER 427  
H.P. 494 - L.D. 711**

**An Act To Authorize the Social  
Work Education Loan  
Repayment Program**

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

Sec. 1. 10 MRSA c. 110, sub-c. 2-B is enacted to read:

**SUBCHAPTER 2-B**

**SOCIAL WORK EDUCATION LOAN  
REPAYMENT PROGRAM**

**§1038. Social Work Education Loan Repayment Program**

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

A. "Fund" means the Social Work Education Loan Repayment Fund established in subsection 4.

B. "Program" means the Social Work Education Loan Repayment Program established in subsection 2.

**2. Social Work Education Loan Repayment Program.** The Social Work Education Loan Repayment Program is established for the purpose of increasing the number of social workers practicing in the State.

**3. Criteria.** For an applicant to participate in the program, the applicant must:

A. Be a social worker licensed under Title 32, chapter 83;

B. Have completed a bachelor's, master's or doctoral degree in social work from an accredited school of social work within 3 years prior to the date the applicant's application is received by the authority;

C. Possess an outstanding education loan relating to the degree;

D. Practice in an underserved practice area, including but not limited to the practice of social work:

(1) In a public or private child welfare or family service agency;

(2) In a public interest law service;

(3) In a public child care facility;

(4) In a public service for individuals with disabilities;

(5) In a public service for the elderly;

(6) In a public service for veterans; or

(7) At an organization exempt from taxation under the Unites States Internal Revenue Code, Section 501(c)(3).

Priority consideration must be given to social workers practicing in a public or private child welfare or family service agency, in a public service for the elderly or in a public service for individuals with disabilities;

E. Submit an application to the authority, which must include but is not limited to information concerning academic performance, awards and special honors and community involvement; and

F. Have signed a statement of intent in a form acceptable to the authority to work as a social worker in the State for a minimum of 3 years after acceptance into the program.

**4. Social Work Education Loan Repayment Fund.** The Social Work Education Loan Repayment Fund is created as a nonlapsing, interest-earning, revolving fund to carry out the purposes of this subchapter.

A. The authority may receive, invest and expend on behalf of the fund money from gifts, grants, bequests and donations in addition to money appropriated or allocated by the State and any federal funds received by the State for the benefit of social workers who have outstanding education loans. Money received by the authority on behalf of the fund must be used for the purposes of this subchapter. The fund must be maintained and administered by the authority. Any unexpended balance in the fund carries forward for continued use under this subchapter.

B. Costs and expenses of maintaining, servicing and administering the fund and of administering the program may be paid out of amounts in the fund.

**5. Administration.** The program and the fund are administered by the authority. The authority shall repay the loans of up to 3 applicants each year who meet the criteria in subsection 3 in the amount of up to \$5,000 for each applicant. The authority may adopt rules to carry out the purposes of this subchapter. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 428  
H.P. 331 - L.D. 443**

**An Act To Increase the  
Jurisdictional Limit for Small  
Claims**

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

**Sec. 1. 14 MRSA §7482, first ¶,** as amended by PL 1997, c. 23, §1, is further amended to read:

-A- Notwithstanding the total amount of a debt or contract, a "small claim" means a right of action cognizable by a court if the debt or damage does not ex-

ceed \$4,500 \$6,000 exclusive of interest and costs. It does not include an action involving the title to real estate.

**Sec. 2. 14 MRSA §7484-A, sub-§3** is enacted to read:

**3. Validation of debt in certain circumstances.** If the plaintiff has purchased the debt being collected in the proceeding under this chapter, the plaintiff shall include with the filing of the complaint a statement listing the name and address of the original creditor.

**Sec. 3. 14 MRSA §7485,** as enacted by PL 1981, c. 667, §2, is amended to read:

**§7485. Effect of judgment**

Any fact found or issue adjudicated in a proceeding under this chapter, may not be deemed found or adjudicated for the purpose of any other cause of action. The judgment obtained shall be is res judicata as to the amount in controversy. If a plaintiff has reduced the amount of a claim or contract to meet the jurisdictional limits of this chapter, the judgment obtained is res judicata as to the full amount of the debt or contract in controversy. The only recourse from an adverse decision shall be is by appeal.

**Sec. 4. Legislative intent concerning filing fees for small claims actions.** It is the Legislature's intent that the increase in the jurisdictional limit for small claims actions increase access to justice but not result in a decrease in General Fund revenue. The Legislature recommends that the Supreme Judicial Court review filing fees for small claims and revise the filing fees appropriately.

**Sec. 5. Appropriations and allocations.** The following appropriations and allocations are made.

**JUDICIAL DEPARTMENT**

**Courts - Supreme, Superior and District 0063**

Initiative: Provides funds for one Assistant Clerk position and related costs to handle the projected increase in small claims cases.

| GENERAL FUND       | 2009-10  | 2010-11  |
|--------------------|----------|----------|
| POSITIONS -        | 1,000    | 1,000    |
| LEGISLATIVE COUNT  |          |          |
| Personal Services  | \$42,010 | \$55,282 |
| All Other          | \$5,000  | \$2,500  |
| GENERAL FUND TOTAL | \$47,010 | \$57,782 |

See title page for effective date.