

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.

Augusta, Maine
2009

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.