

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST SPECIAL SESSION
August 29, 2013

SECOND REGULAR SESSION
January 8, 2014 to May 2, 2014

THE EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
EMERGENCY LAW IS
SEPTEMBER 6, 2013

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 1, 2014

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

Augusta, Maine
2014

Sec. E-3. 32 MRSA §11017, sub-§§1 and 2, as enacted by PL 1993, c. 126, §3, are amended to read:

1. Right to take possession after default. A Except in the case of a residential real estate property preservation provider, a debt collector acting on behalf of a creditor may take possession of collateral only if possession can be taken without entry into a dwelling, unless that entry has been authorized after default and without the use of force or other breach of the peace.

2. Return of private property. A Except in the case of a residential real estate property preservation provider, a debt collector shall inventory any unsecured property taken with repossessed collateral and immediately notify the consumer that the property will be made available in a manner convenient to the consumer.

Sec. E-4. 32 MRSA §11017, sub-§4 is enacted to read:

4. Residential real estate property preservation. A residential real estate property preservation provider may enter into a dwelling only if authorized by the terms of a note, contract or mortgage. The provider may not use force or effect a breach of the peace against any person. The provider shall inventory any unsecured items removed from the dwelling and immediately notify the appropriate consumer that the unsecured items will be made available in a manner convenient to the consumer. The provider shall make a permanent record of all steps taken to preserve and secure the dwelling and shall make that record and the inventory of removed unsecured items available to the consumer upon written request.

PART F

Sec. F-1. 14 MRSA §6321-A, sub-§7, ¶A, as enacted by PL 2009, c. 402, §18, is amended to read:

A. Assign mediators, including active retired justices and judges pursuant to Title 4, sections 104 and 157-B, who:

- (1) Are trained in mediation and ~~all~~ relevant aspects of the law related to real estate, mortgage procedures, foreclosure or foreclosure prevention;
- (2) Have knowledge of community-based resources that are available in the judicial districts in which they serve;
- (3) Have knowledge of mortgage assistance programs; ~~and~~
- (4) Are trained in using the relevant Federal Deposit Insurance Corporation forms and worksheets-;

(5) Are knowledgeable in principal loss mitigation and mortgage loan servicing guidelines and regulations; and

(6) Are capable of facilitating and likely to facilitate identification of and compliance with principal loss mitigation and mortgage loan servicing guidelines and regulations.

The court may establish ~~a training~~ an orientation program for mediators and require that mediators receive such ~~training~~ orientation prior to being appointed;

Sec. F-2. 14 MRSA §6321-A, sub-§13, as amended by PL 2009, c. 476, Pt. B, §7 and affected by §9, is further amended to read:

13. Report. A mediator must complete a report for each mediation conducted under this section. The mediator's report must indicate in a manner as determined by the court that the parties completed in full the Net Present Value Worksheet in the Federal Deposit Insurance Corporation Loan Modification Program Guide or other reasonable determination of net present value. If the mediation did not result in the settlement or dismissal of the action, the report must include the outcomes of the Net Present Value Worksheet or other determination of net present value. As part of the report, the mediator may notify the court if, in the mediator's opinion, either party failed to negotiate in good faith. The mediator's report must also include a statement of all agreements reached at mediation, with sufficient specificity to put all parties on notice of their obligations under agreements reached at mediation, including but not limited to a description of all documents that must be completed and provided pursuant to the agreements reached at mediation and the time frame during which all actions are required to be taken by the parties, including decisions and determinations of eligibility for all loss mitigation options.

See title page for effective date.

CHAPTER 522

H.P. 1294 - L.D. 1803

An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2014-15

Emergency preamble. Whereas, acts and resolves 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 Tax District are necessary to the establish-

ment 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. 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 2014-15 is as follows:

Audit - Fiscal Administration	\$219,722
Education	12,022,813
Forest Fire Protection	150,000
Human Services - General Assistance	55,750
Property Tax Assessment - Operations	1,031,852
Maine Land Use Planning Commission - Operations	523,019
TOTAL STATE AGENCIES	\$14,003,156

County Reimbursements for Services:

Aroostook	\$1,042,847
Franklin	991,854
Hancock	320,363
Kennebec	11,831
Oxford	1,185,959
Penobscot	1,020,403
Piscataquis	990,627
Somerset	1,441,824
Washington	839,105
TOTAL COUNTY SERVICES	\$7,844,813

COUNTY TAX INCREMENT FINANCING DISTRIBUTIONS FROM FUND

Tax Increment Financing Payments	\$3,100,000
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TOTAL REQUIREMENTS	\$24,947,969
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COMPUTATION OF ASSESSMENT

Requirements	\$24,947,969
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Less Deductions:
General -

State Revenue Sharing	\$100,000
Homestead Reimbursement	94,538
Miscellaneous Revenues	70,000
Transfer from undesignated fund balance	2,300,000

TOTAL GENERAL DEDUCTIONS	\$2,564,538
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Educational -

Land Reserved Trust	\$70,000
Tuition/Travel	105,077
United States Forestry Payment in Lieu of Taxes	0
Special - Teacher Retirement	148,378

TOTAL EDUCATION DEDUCTIONS	\$323,455
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TOTAL DEDUCTIONS	\$2,887,993
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TAX ASSESSMENT	\$22,059,976
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Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective April 5, 2014.

CHAPTER 523

H.P. 1304 - L.D. 1817

An Act To Amend the Law Concerning the State Cost-share Program for Salt and Sand Storage Facilities

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

Whereas, the construction of salt and sand storage facilities is important for the protection of groundwater; and