

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 2016 to August 2, 2017

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
NOVEMBER 1, 2017

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

Augusta, Maine
2017

- (b) Identify the property by reference to the last recorded deed in its chain of title; and
- (c) Indicate the fact that a variance, including any conditions on the variance, has been granted and the date of the granting.

(2) The variance is not valid until recorded as provided in this paragraph. Recording must occur within ~~90 days~~ 2 years of the final subdivision approval or approval under Title 38, chapter 3, subchapter ~~1~~ 1, article 6, where applicable, whichever date is later, or the variance is void.

See title page for effective date.

CHAPTER 105

S.P. 259 - L.D. 814

An Act Regarding Court Orders for Completion of a Batterers' Intervention Program in Domestic Violence Cases

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

Sec. 1. 17-A MRSA §1151, sub-§7, as enacted by PL 1975, c. 499, §1, is amended to read:

7. To promote the development of correctional programs ~~which that~~ that elicit the cooperation of convicted persons; ~~and~~

Sec. 2. 17-A MRSA §1151, sub-§8, ¶B, as amended by PL 2005, c. 551, §1, is further amended to read:

B. The selection by the defendant of the person against whom the crime was committed or of the property that was damaged or otherwise affected by the crime because of the race, color, religion, sex, ancestry, national origin, physical or mental disability, sexual orientation or homelessness of that person or of the owner or occupant of that property; ~~and~~

Sec. 3. 17-A MRSA §1151, sub-§9 is enacted to read:

9. To recognize domestic violence as a serious crime against the individual and society and to recognize batterers' intervention programs certified pursuant to Title 19-A, section 4014 as the most appropriate and effective community intervention in cases involving domestic violence.

Sec. 4. 17-A MRSA §1204, sub-§6 is enacted to read:

6. If a person is convicted of a crime under chapter 9 or 13 or section 758 that the State pleads and proves was committed by the person against a spouse, domestic partner or sexual partner; a former spouse, domestic partner or sexual partner; an individual with whom the person is living or lived as a spouse; or an individual who is or was a dating partner of the person and the court does not order as a condition of probation that the person complete a batterers' intervention program certified pursuant to Title 19-A, section 4014, the court shall make findings on the record of the court's reasons for not ordering the person to complete a batterers' intervention program. If a plea agreement submitted to the court in accordance with Rule 11A(b) of the Maine Rules of Unified Criminal Procedure does not contain a provision ordering the person to complete a batterers' intervention program, the attorney for the State shall indicate, in a writing submitted to the court, the basis for the plea agreement's not including completion of a batterers' intervention program as a condition of probation. For purposes of this subsection, "dating partner" means an individual currently or formerly involved in dating the person, whether or not the individual and the person are or were sexual partners. For purposes of this subsection, "domestic partner" means one of 2 unmarried adults who are domiciled together under a long-term arrangement that evidences a commitment to remain responsible indefinitely for each other's welfare.

See title page for effective date.

CHAPTER 106

S.P. 444 - L.D. 1292

An Act To Improve the Foreclosure Process by Regulating Mortgage Loan Servicers

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

Sec. 1. 9-A MRSA §1-301, sub-§17, as repealed and replaced by PL 2011, c. 427, Pt. A, §4, is amended to read:

17. "Creditor" means a person who both:

A. Regularly extends, whether in connection with loans, sales of property or services, or otherwise, consumer credit that is payable by agreement in more than 4 installments or for which the payment of a finance charge is or may be required; and

B. Is the person to whom the debt arising from the consumer credit transaction is initially payable on the face of the evidence of indebtedness or, if there is no such evidence of indebtedness, by agreement; except that, in the case of an open-end credit plan involving a credit card, the card issuer and any person who honors the credit card and of-