

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE**

**SECOND SPECIAL SESSION**  
**June 19, 2018 to September 13, 2018**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**DECEMBER 13, 2018**

**ONE HUNDRED AND TWENTY-NINTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 5, 2018 to June 20, 2019**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 19, 2019**

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

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**Augusta, Maine**  
**2019**

the order a warning in conformity with Title 17-A, section 506-A.

**Sec. 5. 32 MRSA §11014, sub-§2-A** is enacted to read:

**2-A. Economic abuse.** If the consumer provides documentation to the debt collector as set forth in Title 14, section 6001, subsection 6, paragraph H that the debt or any portion of the debt is the result of economic abuse as defined in Title 19-A, section 4002, subsection 3-B, the debt collector shall cease collection of the debt or any disputed portion of the debt owed by the consumer subjected to economic abuse.

See title page for effective date.

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## CHAPTER 408

### H.P. 1020 - L.D. 1405

#### An Act To Amend the Laws Governing Foreclosure To Ensure Timely Completion

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

**Sec. 1. 14 MRSA §6323, sub-§1**, as amended by PL 2013, c. 521, Pt. C, §1, is further amended to read:

**1. Procedures for all civil actions.** Upon expiration of the period of redemption, if the mortgagor or the mortgagor's successors, heirs or assigns have not redeemed the mortgage, any remaining rights of the mortgagor to possession terminate, and the mortgagee shall cause notice of a public sale of the premises stating the time, place and terms of the sale to be published once in each of 3 successive weeks in a newspaper of general circulation in the county in which the premises are located, the first publication to be made not more than 90 days after the expiration of the period of redemption. Except when otherwise required under 12 Code of Federal Regulations, Section 1024.41 or any successor provision, the public sale must be held not less than 30 days nor more than 45 days after the first date of that publication. Except for sales of premises that the court has determined to be abandoned pursuant to section 6326, the public sale may be adjourned, for any time not exceeding ~~7~~ 60 days ~~and from time to time until a sale is made~~, by announcement to those present at ~~each~~ any such adjournment. The court, upon motion of the mortgagee, filed before the deadline for sale and showing good cause, may grant such further extensions of the mortgagee's time to sell as it considers appropriate. For sales of premises that the court has determined to be abandoned pursuant to section 6326, the public sale may be adjourned once for any time not exceeding 7 days, except that the court may permit one additional

adjournment for good cause shown. Adjournments may also be made in accordance with the requirements of 12 Code of Federal Regulations, Section 1024.41 or any successor provision. The mortgagee, in its sole discretion, may allow the mortgagor to redeem or reinstate the loan after the expiration of the period of redemption but before the public sale. The mortgagee ~~may shall~~ convey the property to the mortgagor upon redemption or may execute a waiver of foreclosure; ~~and in conjunction with a reinstatement only with the written consent of the mortgagor.~~ A waiver of foreclosure and the consent of the mortgagor to the waiver must be included in a stipulation of dismissal of the foreclosure and signed by the mortgagee and mortgagor or their respective attorneys, and, upon the filing of the stipulation of dismissal with the court, all other rights of all other parties remain as if no foreclosure had been commenced. The mortgagee shall sell the premises to the highest bidder at the public sale and deliver a deed of that sale and ~~the any~~ writ of possession, ~~if a writ of possession was obtained during the foreclosure process, that has been issued to the purchaser.~~ The deed conveys the premises free and clear of all interests of the parties in interest joined in the action. The mortgagee or any other party in interest may bid at the public sale. If the mortgagee is the highest bidder at the public sale, there is no obligation to account for any surplus upon a subsequent sale by the mortgagee. Any rights of the mortgagee to a deficiency claim against the mortgagors are limited to the amount established as of the date of the public sale. The date of the public sale is the date on which bids are received to establish the sales price, no matter when the sale is completed by the delivery of the deed to the highest bidder. If the property is conveyed by deed pursuant to a public sale in accordance with this subsection, a copy of the judgment of foreclosure and evidence of compliance with the requirements of this subsection for the notice of public sale and the public sale itself must be attached to or included within the deed, or both, or otherwise be recorded in the registry of deeds.

**Sec. 2. 14 MRSA §6324**, as amended by PL 2003, c. 20, Pt. T, §10, is further amended by adding at the end a new paragraph to read:

The report of sale required by this section must be filed with the court within the earlier of 90 days after the public sale and 45 days after the mortgagee's delivery of the deed conveying the mortgaged property to the purchaser at the mortgage sale. Upon a showing of good cause by the mortgagee, made by motion filed before the expiration of the deadline, the court may extend the deadline for the filing of the report of sale for an additional period of time as the court considers appropriate. In the event that the mortgagee fails to timely file the report of sale, the mortgagee has no right to seek a deficiency judgment.

See title page for effective date.

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**CHAPTER 409**

**H.P. 1070 - L.D. 1463**

**An Act To Create an  
Automatic Voter Registration  
System**

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

**Sec. 1. 21-A MRSA §122-A**, as enacted by PL 2005, c. 364, §4, is amended to read:

**§122-A. Alternative registration procedure for  
participants in Address Confidentiality  
Program**

Notwithstanding sections 122 and 152 and subchapter 9, a person who is certified by the Secretary of State as a program participant in the Address Confidentiality Program pursuant to Title 5, section 90-B may register to vote using the designated address and voter code assigned to that person pursuant to rules adopted to implement the program. To register to vote, a voter must present the registrar with that voter's authorization card assigned to the voter pursuant to rules adopted by the Secretary of State showing that voter's name, voter code, designated address and certification expiration date. The registrar may contact the Address Confidentiality Program administrator in the Secretary of State's office to determine the voter's eligibility to register in the municipality and to verify the electoral district in which the voter is voting for purposes of issuing an absentee ballot to the voter pursuant to section 753-C. All registration records for such voters must be designated as confidential and kept sealed in the registrar's office. The name of any voter certified as a program participant in the Address Confidentiality Program may not be placed on any voter list that is available for public inspection or copying.

**Sec. 2. 21-A MRSA §129, first ¶**, as amended by PL 2011, c. 399, §11, is further amended to read:

When Notwithstanding subchapter 9, when a voter's name is changed by marriage or other process of law; or when the voter moves within a municipality, the following provisions apply.

**Sec. 3. 21-A MRSA §152, sub-§1**, as amended by PL 2015, c. 447, §§4 and 5, is further amended to read:

**1. Application.** In addition to the ~~procedure~~ procedures provided by section 122 and subchapter 9, a person may register to vote or enroll in a political party, or both, by completing an application that is designed by the Secretary of State. The application must include, but is not limited to:

A. The legal name of the voter, in one of the following combinations:

- (1) First name and last name;
- (2) First initial, middle name and last name; or
- (3) First name, middle name or middle initial and last name;

B. Residence address, including street, street number, apartment number, town and zip code;

C. Mailing address;

D. Date of birth;

F. Most recent prior residence where registered to vote, including the municipality, county and state, and the name under which previously registered, if changed;

H. Notification that failure to complete the entire application may prevent registration;

J. Date of application;

K. Signature of applicant collected in a way that ensures the quality and integrity of the signature;

L. Choice of political party if the applicant desires to enroll in a political party or an indication that the applicant chose not to enroll in a party;

M. A place for the person's current, valid Maine driver's license number, if applicable; or, if the applicant has no driver's license number, the last 4 digits of the person's social security number, if applicable; or, if the applicant has neither number, a place to put "none" or "not applicable"; and

N. A place for the applicant to respond to the questions concerning the voter's qualifications as required by the federal Help America Vote Act of 2002, Public Law 107-252.

**Sec. 4. 21-A MRSA §155, first ¶**, as amended by PL 2011, c. 342, §8, is further amended to read:

The registrar shall conditionally accept the registration and enrollment of any person who is 16 or 17 years of age and who is otherwise qualified to be a voter. The conditional registration automatically becomes effective on the person's 18th birthday and the registrant then is eligible to vote.

**Sec. 5. 21-A MRSA §195**, as amended by PL 2009, c. 564, §6, is repealed and the following enacted in its place:

**§195. Report**

The Secretary of State shall report annually by January 15th to the joint standing committee of the Legislature having jurisdiction over voter registration matters on the administration of the central voter regis-