

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST SPECIAL SESSION

August 26, 2019

SECOND REGULAR SESSION

January 8, 2020 to March 17, 2020

**THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
NOVEMBER 25, 2019**

**THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 16, 2020**

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

**Augusta, Maine
2020**

**CHAPTER 646
H.P. 1386 - L.D. 1942**

**An Act To Protect Water
Quality by Requiring
Additional Disclosures to
Purchasers of Consumer
Fireworks Regarding Safe and
Proper Use**

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

Sec. 1. 8 MRSA §223-A, sub-§10, as enacted by PL 2011, c. 416, §5 and affected by §9, is amended to read:

10. Disclosures to customers. A person authorized to sell consumer fireworks shall provide to the purchaser at the point of sale written guidelines describing the safe and proper use of consumer fireworks, which must include, but are not limited to, guidelines regarding the safe and proper use of consumer fireworks around bodies of water; guidelines regarding the prevention of littering in the use of consumer fireworks; and guidelines regarding the effects from the use of consumer fireworks on wildlife, livestock and domesticated animals. The guidelines must also include the following statements in a conspicuous location: "MAINE LAW EXPRESSLY PROHIBITS PERSONS UNDER 21 YEARS OF AGE FROM PURCHASING, POSSESSING OR USING CONSUMER FIREWORKS" and "FURNISHING CONSUMER FIREWORKS TO PERSONS UNDER 21 YEARS OF AGE IS A CRIMINAL OFFENSE IN MAINE." Such guidelines must be published or approved by the commissioner prior to distribution.

See title page for effective date.

**CHAPTER 647
H.P. 1407 - L.D. 1963**

**An Act To Preserve the Value
of Abandoned Properties by
Allowing Entry by Mortgagees**

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

Sec. 1. 14 MRSA §6327 is enacted to read:

§6327. Abatement of nuisance and preservation of property by mortgage loan servicer

1. Actions to abate nuisance and preserve property. After the commencement of an action for foreclosure, a mortgage loan servicer, as defined in Title 9-A, section 1-301, subsection 24-C, may file an affidavit attesting to the conditions described in subsection 2 and any other facts evidencing abandonment with the court

and served on the parties to the foreclosure action pursuant to the Maine Rules of Civil Procedure, Rule 5. The affidavit must be based on the personal knowledge of the affiant, must state the basis for that personal knowledge and must include a statement that a municipal, county or state official, code enforcement officer or law enforcement official was present on the date when any conditions of abandonment described in subsection 2, paragraph B and included in the affidavit were observed by the affiant. Once the affidavit is filed with the court, the mortgage loan servicer or its designee may enter the property for the purpose of abating any identified nuisance, preserving property or preventing waste and may take steps to secure the property, including but not limited to:

- A. Installing missing locks on exterior doors. If any locks are changed, the mortgage loan servicer shall provide a lockbox. Working locks may not be removed or replaced unless all doors are secured and there is no means of entry, in which case only one working lock may be removed and replaced;
- B. Replacing or boarding up broken or missing windows;
- C. Winterizing, including draining pipes and disconnecting or turning on utilities;
- D. Eliminating building code or other violations;
- E. Securing exterior pools and spas;
- F. Performing routine yard maintenance on the exterior of the residence; and
- G. Performing pest and insect control services.

2. Presumption of abandonment. Mortgaged premises are presumed to be abandoned property, for purposes of this section only, if:

- A. A code enforcement officer or other public official determines that the mortgaged premises are abandoned;
- B. Three or more of the following subparagraphs apply to the mortgaged premises:
 - (1) There are:
 - (a) One or more doors on the mortgaged premises that are boarded up, broken off or continuously unlocked;
 - (b) Multiple windows that are boarded up or closed off; or
 - (c) Multiple windowpanes that are broken;
 - (2) Gas, electric or water service to the mortgaged premises has been terminated or utility consumption is so low that it indicates the mortgaged premises are not regularly occupied;