



132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 184

H.P. 117

House of Representatives, January 14, 2025

Resolve, Establishing the Commission to Study the Foreclosure Process

Reference to the Committee on Housing and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative DUCHARME of Madison.
Cosponsored by Representatives: ARATA of New Gloucester, FLYNN of Albion,
HASENFUS of Readfield.

1 **Sec. 1. Commission established. Resolved:** That the Commission to Study the
2 Foreclosure Process, referred to in this resolve as "the commission," is established.

3 **Sec. 2. Commission membership. Resolved:** That the commission consists of
4 7 members appointed as follows:

5 1. Two members of the Senate appointed by the President of the Senate, including a
6 member from each of the 2 parties holding the largest number of seats in the Legislature,
7 with preference given to members of the Joint Standing Committee on Housing and
8 Economic Development;

9 2. Two members of the House of Representatives appointed by the Speaker of the
10 House, including a member from each of the 2 parties holding the largest number of seats
11 in the Legislature, with preference given to members of the Joint Standing Committee on
12 Housing and Economic Development;

13 3. One member representing a credit union, appointed by the President of the Senate;

14 4. One member representing the Maine Bankers Association, appointed by the Speaker
15 of the House; and

16 5. The Director of the Maine State Housing Authority, or the director's designee.

17 **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair
18 and the first-named House of Representatives member is the House chair of the
19 commission.

20 **Sec. 4. Appointments; convening of commission. Resolved:** That all
21 appointments must be made no later than 30 days following the effective date of this
22 resolve. The appointing authorities shall notify the Executive Director of the Legislative
23 Council once all appointments have been completed. After appointment of all members,
24 the chairs shall call and convene the first meeting of the commission. If 30 days or more
25 after the effective date of this resolve a majority of but not all appointments have been
26 made, the chairs may request authority and the Legislative Council may grant authority for
27 the commission to meet and conduct its business.

28 **Sec. 5. Duties. Resolved:** That, in conducting the study, the commission shall
29 consider:

30 1. The laws and state agency rules governing the foreclosure process, the various
31 timelines of specific procedures in the foreclosure process and how those timelines affect
32 the availability of foreclosed properties for affordable housing;

33 2. The effect on the foreclosure process of mortgages sold in the secondary mortgage
34 market by large financial institutions and the ability of small financial institutions in the
35 State to work to keep property owners out of foreclosure and to make foreclosed property
36 available for sale quickly; and

37 3. How problems in the foreclosure process can be mitigated without losing existing
38 consumer protections.

39 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide
40 necessary staffing services to the commission, except that Legislative Council staff support
41 is not authorized when the Legislature is in regular or special session.

