



**LEGAL SERVICES
FOR MAINE ELDERS**

LD 399 -- An Act to Amend the Laws Regarding the Retention of Proceeds from Municipal Foreclosures

Testimony of John Brautigam, Esq. for Legal Services for Maine Elders
Joint Standing Committee on Taxation

March 4, 2025

Senator Grohoski, Representative Cloutier, and members of the Joint Standing Committee on Taxation:

My name is John Brautigam, and I am here today on behalf of Legal Services for Maine Elders. LSE provides free legal help for Mainers aged 60 and older when their basic human needs are at stake.

The United States Supreme Court recently ruled that when a government entity sells a property following a tax foreclosure, the homeowner is entitled to receive the proceeds net of any costs incurred by the municipality. The legislature recently amended Maine's statute to comply with that ruling.

Thereafter a work group met to consider a variety of other improvements to that section of the code. One of those improvements was a provision stating that if the municipality cannot locate the former owner of the home, any excess proceeds from the sale of the home will be placed in the state unclaimed property fund. This was agreed by all in the work group and enjoyed strong support within the Taxation Committee.

Unfortunately, LD 399 would undo that work. We see no compelling reason to reconsider the extensive work that enacted the provision at issue.

In addition, LD 399 may clash with the Supreme Court opinion mentioned above.

We think the recently approved approach should be given time to work, and we encourage you to reject LD 399.

Thank you.

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