

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-141)
110TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT" A " to H.P. 222, L.D. 259, Bill,
"AN ACT to Amend the Lien Law for Sewer Districts."

Amend the Bill by striking out all of the title and
inserting in its place the following:

'AN ACT' to Amend the Lien Law for Sanitary Districts and
Municipal Sewer Departments.'

Further amend the Bill by striking out everything
after the title and inserting in its place the following:

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

Sec. 1. 38 MRSA §1205, sub-§§1, 2 and 3 are enacted
to read:

1. Budget payments. Prior to claiming or notifying the
owner of any lien under this section, the treasurer of the
district shall notify the owner of the real estate served
and attempt in good faith to arrange for budgeted install-
ment payments of the outstanding debt and, if the owner or
occupant wishes, for budgeted installment payments of future
charges.

2. Redemption. In case a lien is established under this section, the owner shall have all rights of redemption accorded to owners with respect to tax liens under Title 36, chapter 105, subchapter IX.

3. Municipalities, sewer districts and others. Any entity, other than a sanitary district, providing sewerage treatment services, including municipalities or sewer districts formed under the private and special laws, claiming a lien for unpaid assessments shall follow the requirements of subsections 1 and 2.

Sec. 2. 38 MRS §1208, 2¶, 3rd sentence is amended to read:

In addition to other methods established by law for the collection of rates, tolls, rents and other charges, and without waiver of the right to sue for the same as aforesaid, when the unpaid rates, tolls, rents and other charges exceed \$100, the lien hereby created may be enforced in the following manner.

Sec. 3. 38 MRS §1208, sub-§§1, 2 and 3 are enacted to read:

1. Budget payments. Prior to claiming or notifying the owner of any lien under this section, the treasurer of the district shall notify the owner of the real estate served

and attempt in good faith to arrange for budgeted installment payments of the outstanding debt and, if the owner or occupant wishes, for budgeted installment payments of future charges.

2. Redemption. In case a lien is established under this section, the owner shall have all rights of redemption accorded to owners with respect to tax liens under Title 36, chapter 105, subchapter IX.

3. Municipalities, sewer districts and others. Any entity, other than a sanitary district, providing sewerage treatment services, including municipalities or sewer districts formed under the private and special laws, claiming a lien for those services shall follow the requirements of subsections 1 and 2.'

Statement of Fact

This amendment requires the district or other entity offering sewerage services to offer a budget plan first before claiming any lien for unpaid rates or assessments.

It reduces the minimum rate bill for which a lien can be claimed to \$100.

Reported by the Committee on Public Utilities.
Reproduced and distributed under the direction of the Clerk of the House.