

MAINE STATE LEGISLATURE

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OF R.

L.D. 723

(Filing No. S-78)

STATE OF MAINE
SENATE
110TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 254, L.D. 723, Bill, "AN ACT to Revise the Charter of the Richmond Utilities District."

Amend the Bill by striking out all of section 2 and inserting in its place the following:

'Sec. 2. P&SL 1961, c. 154, §24-A, 2nd paragraph, 4th, 5th and 7th sentences, as enacted by P&SL 1979, c. 39, §10, are amended to read:

The treasurer, when a rate, toll, rent or other charge has been committed to him for collection, may, after the expiration of 3 months and within one year after date when the same became due and payable, in the case of a person resident in the district, give to the person by certified mail addressed to his last known address, or give, or cause to be given to the person, or leave or cause to be left, at his last and usual place of abode, a notice in writing signed by the treasurer stating the amount of such rate, toll, rent or other charge, describing the real estate upon which the lien is claimed, and stating that a lien is claimed on the real estate to secure the payment of the rate, toll, rent or other charge and demanding within 30 days after the service of such notice payment as aforesaid. In the case of a nonresident of the district, the notice shall be given by registered certified mail addressed to his last known address or by publication in a newspaper of general circulation within

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the district once a week for 2 successive weeks, and shall demand payment within 30 days after the mailing thereof or the first publication of notice thereof as aforesaid.

At the time of the recording of any certificate in the registry of deeds as heretofore provided, the treasurer shall file in the office of the district a true copy of the certificate and shall mail a true copy thereof by registered certified mail to each record holder of any mortgage on the real estate, addressed to the record holder at his last and usual place of abode.

Sec. 3. P&SL 1961, c. 154, §25-A, as enacted by P&SL 1979, c. 39, §10, is amended by adding at the end a new sentence to read:

The district may charge interest on overdue assessments, rates, tolls, rents and other charges, commencing 60 days after presentation of the bill, in such amount as may be determined by the trustees from time to time, provided that the interest rate may not exceed the highest conventional rate of interest charged for commercial loans by Maine banking institutions as determined annually by the Treasurer of State in accordance with the Revised Statutes, Title 36, section 505.

Statement of Fact

The purpose of this amendment is to allow notice of a lien for payment of rates to be given by certified mail in addition

to other methods of service in the case of residents in the district, and notice by certified mail instead of by registered mail in the case of persons residing outside the district, and to give notice of such liens to mortgages by certified mail instead of registered mail.

Reported by the Committee on Public Utilities.

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