

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

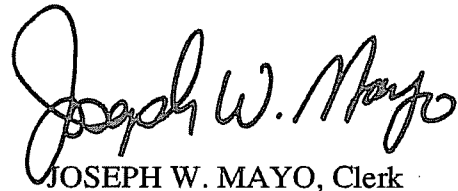
No. 659

H.P. 501

House of Representatives, February 25, 1993

An Act to Provide Protection for Mortgagees Under the Utility Laws.

Reference to the Committee on Utilities suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative CARLETON of Wells.
Cosponsored by Representative: BRUNO of Raymond.

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

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4 Sec. 1. 35-A MRSA §706, sub-§6, as enacted by PL 1987, c. 141,
Pt. A, §6, is amended to read:

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8 6. **Subsequent purchaser takes title free of lien.** Any
person who is a bona fide purchaser for value of rental property
shall--take takes title to that property free of the lien
established under subsection 3 unless, before the purchaser's
10 deed is recorded, the utility has filed the certificate set out
in subsection 4. The interest of any mortgagee of rental
12 property shall-be is not affected by the lien established unless,
before the mortgage is recorded, the utility has filed the
14 certificate set out in subsection 4.

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STATEMENT OF FACT

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The purpose of this bill is to provide protection for bona
fide mortgagees under the utility laws. This protection existed
22 in the Maine Revised Statutes, former Title 35, section 316,
subsection 3, but was inadvertently removed in the recodification
24 of Title 35 in Public Law 1987, chapter 141.