

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 1382

S.P. 427

In Senate, April 5, 2011

An Act To Protect Homeowners Regarding Sewer Liens

Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed.

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by Senator HOBBS of York.

Cosponsored by Representative DRISCOLL of Westbrook and

Senators: BARTLETT of Cumberland, RECTOR of Knox, THIBODEAU of Waldo,

Representatives: HINCK of Portland, PEOPLES of Westbrook.

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

2 **Sec. 1. 38 MRSA §1205, last ¶** is enacted to read:

3 If the land is not occupied by the owner of the land but is occupied by a person
4 pursuant to a lease or other contract with the owner of the land, the district shall assess
5 the person occupying the land and may not enforce a lien upon the land for unpaid
6 assessments. The treasurer of the district may bring a civil action for the collection of the
7 assessment in the name of the district against the person occupying the land.

8 **SUMMARY**

9 This bill protects the owner of land that is occupied by another person when that
10 person fails to pay sanitary district assessments by prohibiting the enforcement of a lien
11 for unpaid assessments on the land. Instead, the treasurer of the district may bring a civil
12 action against the person occupying the land to recover the unpaid assessments.