

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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**Legislative Document**

**No. 1577**

H.P. 1160

House of Representatives, May 18, 2011

### **An Act To Amend the Winthrop Utilities District Charter**

(AFTER DEADLINE)

(EMERGENCY)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative FLOOD of Winthrop.  
Cosponsored by Senator ROSEN of Hancock and  
Representative: FITTS of Pittsfield.

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas**, the Winthrop Utilities District does not have a provision in its charter to file a lien for nonpayment of utility rates; and

**Whereas**, without such a provision the district is unable to file a lien for nonpayment of utility rates; and

**Whereas**, there are customers of the district who have failed to pay the rates due;  
and

**Whereas**, the inability to file liens for nonpayment of utility rates is causing financial hardship for the district; and

**Whereas**, to provide the district with the authority to file a lien for nonpayment of rates, it is necessary that the following legislation take effect immediately; and

**Whereas**, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. P&SL 1923, c. 98, §15-B is enacted to read:**

**Sec. 15-B. Collection of rates and assessments.** The collection of rates and assessments by the treasurer of the district is governed by the Maine Revised Statutes, Title 38, sections 1203, 1204, 1205, 1206, 1207, 1207-A, 1208 and 1208-A. Any notice of impending automatic foreclosure issued by the district pursuant to section 1208 must bear the name "Winthrop Utilities District" in all appropriate locations.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

## SUMMARY

This bill amends the charter of the Winthrop Utilities District to specify that collection of rates and assessments and foreclosure notices are governed by the statutes.