

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 346

H.P. 272

House of Representatives, January 24, 2019

An Act To Amend the Brunswick Sewer District Charter

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative TUCKER of Brunswick.

Cosponsored by Representatives: DAUGHTRY of Brunswick, McCREIGHT of Harpswell.

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

2 **Sec. 1. P&SL 1981, c. 103, §32, sub-§4** is enacted to read:

3 **4. Rates and fees; readiness to serve.** The district's rates may include readiness to
4 serve rates charged against owners of real estate abutting or accessible but not connected
5 to sewers or drains of the district, whether or not the real estate is improved.

6 **Sec. 2. P&SL 1981, c. 103, §35, sub-§3-A** is enacted to read:

7 **3-A. Waiver of sewer district lien foreclosure.** The treasurer of the district, when
8 authorized by the trustees of the district, may waive the foreclosure of a district lien
9 mortgage created pursuant to this charter by recording in the registry of deeds a waiver of
10 foreclosure before the right of redemption from the mortgage has expired. The lien
11 mortgage remains in full effect after the recording of the waiver. Other methods
12 established by law for the collection of any unpaid rate are not affected by the filing of a
13 waiver under this subsection.

14 The waiver of foreclosure under this subsection must be in substantially the following
15 form:

16 The foreclosure of the sewer lien mortgage on real estate for charges against
17 (NAME) to the Brunswick Sewer District dated and recorded in the
18 Cumberland County Registry of Deeds in Book, Page is hereby
19 waived.

20 The form must be dated, signed by the treasurer of the district and notarized. A copy of
21 the form must be provided to the party named on the lien mortgage and each record
22 holder of a mortgage on the real estate.

23 **SUMMARY**

24 This bill amends the Brunswick Sewer District Charter to allow the district to charge
25 readiness to serve rates consistent with the Maine Revised Statutes, Title 38, section
26 1048. The bill also amends the charter to allow the treasurer of the district, when
27 authorized by the trustees, to waive the district's right to foreclose on a lien mortgage
28 established by the district on an individual's property, consistent with Title 38, section
29 1049. The bill provides the form that must be followed for filing the waiver.