

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Second Legislature

OF THE

STATE OF MAINE

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

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The voters shall indicate by depositing a ballot in the ballot box with the word "Yes" or "No" on the same, their opinion of the same. This Act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the legal voters voting at said election; provided that the total number of votes cast for and against the acceptance of this Act equals or exceeds 20% of the number of voters on said check list. The result shall be declared in open meeting and due certificate thereof filed by the town clerk with the Secretary of State. Twenty per cent of the qualified voters of said district shall constitute a quorum for the purposes of this election, but a less number may adjourn from time to time not exceeding 7 days at one time.

Effective April 26, 1965

Chapter 126

AN ACT Relating to Delinquency in Payments to Winthrop Water District.

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

P. & S. L., 1923, c. 98, § 15-A, additional. Chapter 98 of the private and special laws of 1923 is amended by adding a new section 15-A, to read as follows:

'Sec. 15-A. Lien for payment of rates. There shall be a lien on real estate served or benefited by the sewers of the district to secure the payment of rates which shall take precedence of all other claims on such real estate, excepting only claims for taxes.

The treasurer of the district shall have full and complete authority and power to collect the rates, tolls, rents and other charges and the same shall be committed to him. The treasurer may, after demand for payment, sue in the name of the district in a civil action for any rate, toll, rent or other charge remaining unpaid in any court of competent jurisdiction. In addition to other methods established by law for the collection of rates, tolls, rents and other charges, and without waiver of the right to sue for the same as aforesaid, the lien hereby created may be enforced in the following manner. 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 2 years after date when the same became due and payable, in the case of a person resident in the district, give, or cause to be given to such 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 said real estate to secure the payment of said rate, toll, rent or other charge and demanding within 30 days after the service of such notice payment as aforesaid. Several delinquent rates over 3 months past due may be incorporated in one notice. In the case of a non-resident of the district, the aforesaid notice shall be given by registered mail addressed to his last known address or by publication in a newspaper of general circulation within 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. After the expiration of said period of 30 days and within one year thereafter, the treasurer may record in the registry of deeds of Kennebec County a certificate signed by the treasurer setting forth the amount of such rate, toll, rent or other charge, describing the real estate on which the lien is claimed, and stating that a lien is claimed on the real estate to secure pay-

ment of said rate, toll, rent or other charge and that a notice and demand for payment of the same has been given or made in accordance with this section and stating further that such rate, toll, rent or other charge remains unpaid. At the time of the recording of any such certificate in the registry of deeds, the treasurer shall file in the office of the district a true copy of such certificate and shall mail a true copy thereof by registered mail to each record holder of any mortgage on said real estate, addressed to such record holder at his last and usual place of abode. The fee to be charged by the district to the rate payer for such notice and filing shall not exceed \$1.50 and the fee to be charged to the district by the register of deeds for filing and recording shall not exceed \$1.

The filing of the aforesaid certificate in the registry of deeds as aforesaid shall be deemed to create, and shall create a mortgage on the real estate therein described to the district which shall have priority over all other mortgages, liens, attachments and encumbrances of any nature, except liens, attachments and claims for taxes, and shall give to the district all the rights usually possessed by mortgagees, except that the district as mortgagee shall not have any right to possession of said real estate until the right of redemption hereinafter provided for shall have expired. If the mortgage, together with interest and costs, shall not have been paid within 18 months after the date of filing of said certificate in the registry of deeds as herein provided, the mortgage shall be deemed to have been foreclosed and the right of redemption to have expired. The filing of the certificate in the registry of deeds shall be sufficient notice of the existence of the mortgage hereby provided for. In the event that said rate, toll, rent or other charge, with interest and costs as aforesaid, shall be paid within the period of redemption herein provided for, the treasurer of the district shall discharge the mortgage in the same manner as is provided for discharge of real estate mortgages.

Effective September 3, 1965

Chapter 127

AN ACT Relating to Composition and Election of Superintending School Committee of the City of Portland.

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

P. & S. L., 1961, c. 194, Art. III, § 1, repealed and replaced. Section 1 of Article III of chapter 194 of the private and special laws of 1961, is repealed and the following enacted in place thereof:

‘Sec. 1. Composition, election, tenure of office. The superintending school committee shall consist of 9 members. Three shall be elected at large by the registered voters of the entire city. One shall be elected from each of the 6 districts by the voters of his district.

They shall hold office for a term of 3 years with the following exceptions:

1st year—At large members to be elected, one for a one-year term and one for a 3-year term. One each from districts 3 and 6 for a 3-year term.

2nd year—One at large member for a 3-year term. One each from districts 4 and 5 for a 3-year term.