

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWELFTH LEGISLATURE

SECOND REGULAR SESSION
January 8, 1986 to April 16, 1986

SECOND SPECIAL SESSION
May 28, 1986 to May 30, 1986

AND AT THE

THIRD SPECIAL SESSION
October 17, 1986

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND TWELFTH LEGISLATURE
1985

vation of the public peace, health and safety; now, therefore,

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

4 MRSA §18, sub-§2-A is enacted to read:

2-A. Immunity from civil liability. A person serving as a mediator under contract with the Judicial Department is immune from any civil liability for negligent acts described in Title 14, section 8111, subsection 1, performed within the scope of the mediator's duties.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective March 5, 1986.

CHAPTER 563

H.P. 1204 - L.D. 1711

AN ACT Relating to Public Utility Service Charge Liens.

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

Sec. 1. 4 MRSA §152, sub-§3, as repealed and replaced by PL 1983, c. 796, §1, is amended to read:

3. Civil actions to enforce liens. Original jurisdiction, concurrent with the Superior Court, of all civil actions to enforce liens under Title 10, chapter 603 and under Title 35, section 316, and the court shall determine the amount pursuant to Title 10, section 3258;

Sec. 2. 35 MRSA §316, sub-§3, as enacted by PL 1985, c. 87, is amended to read:

3. Lien against the rental property. Notwithstanding section 3225, in addition to whatever other legal remedies the utility may have against the landlord who does not pay for utility service provided to rental property, the utility shall have a lien upon the rental property and on any interest the landlord

has in the same, to secure payment for utility services thereto, with costs. This lien may be filed, preserved and enforced in the same manner as these liens provided for in Title 10, sections 3251 through 3269.

This lien shall be dissolved unless, within 90 days after the date on which the unpaid bill was served, the utility files in the registry of deeds for the county in which the property is located a lien certificate, setting forth the amount of the lien, a description of the rental property subject to the lien, the name of the landlord, a statement that a lien is claimed on the rental property to secure the payment of utility services, that a demand has been made for that payment and that payment has not been made. At the time of recording of the lien certificate in the registry of deeds, the utility shall send a copy of the certificate to the landlord by certified mail, return receipt requested.

This lien shall be dissolved unless, within 120 days after the unpaid bill was served, civil action to enforce the lien is brought in the District Court for the division where the rental property is located.

The proceedings in the District Court for enforcement of this lien shall be governed by Title 10, sections 3256 to 3260, and 3263 and 3264.

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

Effective July 16, 1986.

CHAPTER 564

H.P. 1226 - L.D. 1733

AN ACT Relating to the Surplus Lines
Insurance Law.