

## **125th MAINE LEGISLATURE**

## FIRST REGULAR SESSION-2011

Legislative Document

H.P. 1160

No. 1577

House of Representatives, May 18, 2011

An Act To Amend the Winthrop Utilities District Charter

(AFTER DEADLINE)

(EMERGENCY)

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.

Heath JR Print

HEATHER J.R. PRIEST Clerk

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

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1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not 2 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 3 file a lien for nonpayment of utility rates; and 4 5 Whereas, without such a provision the district is unable to file a lien for nonpayment of utility rates; and 6 7 Whereas, there are customers of the district who have failed to pay the rates due; 8 and 9 Whereas, the inability to file liens for nonpayment of utility rates is causing 10 financial hardship for the district; and 11 **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 12 Whereas, in the judgment of the Legislature, these facts create an emergency within 13 the meaning of the Constitution of Maine and require the following legislation as 14 immediately necessary for the preservation of the public peace, health and safety; now, 15 16 therefore, Be it enacted by the People of the State of Maine as follows: 17 Sec. 1. P&SL 1923, c. 98, §15-B is enacted to read: 18 19 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, 20 Title 38, sections 1203, 1204, 1205, 1206, 1207, 1207-A, 1208 and 1208-A. Any notice 21 22 of impending automatic foreclosure issued by the district pursuant to section 1208 must bear the name "Winthrop Utilities District" in all appropriate locations. 23 24 **Emergency** clause. In view of the emergency cited in the preamble, this 25 legislation takes effect when approved. **SUMMARY** 26 27 This bill amends the charter of the Winthrop Utilities District to specify that 28 collection of rates and assessments and foreclosure notices are governed by the statutes.