

126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 833

H.P. 584

House of Representatives, March 5, 2013

An Act To Allow Municipalities To Place Liens for Failure To Pay Storm Water Assessments

Reference to the Committee on State and Local Government suggested and ordered printed.

Millicent M. Macfarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MOONEN of Portland. (BY REQUEST)
Cosponsored by Senator HASKELL of Cumberland and
Representatives: GOODE of Bangor, KNIGHT of Livermore Falls, LIBBY of Lewiston,
TIPPING-SPITZ of Orono, Senator: MILLETT of Cumberland.

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

Sec. 1. 30-A MRSA §3406, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6 and c. 9, §2 and c. 104, Pt. C, §§8 and 10, is further amended to read:

§3406. Service charges for sewage or storm water disposal

The municipal officers may establish a schedule of service charges from time to time upon improved real estate connected with a municipal sewer or <u>sewer or storm water</u> disposal system for the use of the system. These service charges <u>shall must</u> include reserve fund contributions.

- **1. Interest.** The municipal officers may charge interest on delinquent accounts at a rate not to exceed the highest lawful rate set by the Treasurer of State for municipal taxes.
- **2. Lien.** There shall be <u>is</u> a lien on real estate served or benefited by a municipal sewer or sewer <u>or storm water</u> disposal system to secure the payment of service charges and interest on delinquent accounts established under this chapter. This lien takes precedence over all other claims on the real estate, excepting only claims for taxes.
- **3. Collection.** The treasurer of the municipality may collect the service charges and interest on delinquent accounts in the same manner as granted by Title 38, section 1208, to treasurers of sanitary sewer districts with reference to rates established and due under Title 38, section 1202.

20 SUMMARY

This bill allows municipalities to place liens on real estate for delinquent storm water disposal system accounts in the same manner as municipalities are presently allowed for delinquent sewer and sewer disposal system accounts.