

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

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**Legislative Document**

**No. 1172**

S. P. 394

In Senate, March 3, 1971

Referred to Committee on Public Utilities. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Moore of Cumberland.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-ONE

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**AN ACT Relating to Service Charges for Sewage Disposal.**

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

**Sec. 1. R. S., T. 30, § 4355, amended.** The 3rd sentence of section 4355 of Title 30 of the Revised Statutes is repealed and the following enacted in place thereof:

**There shall be a lien on real estate served or benefited by a municipal sewer or sewer disposal system to secure the payment of service charges duly established hereunder which shall take precedence over all other claims on such real estate, excepting only claims for taxes. The treasurer of the municipality shall have the same authority and power to collect such service charges as are granted by Title 38, section 1208, to treasurers of sanitary sewer districts with reference to rates established and due under Title 38, section 1202.**

**Sec. 2. R. S., T. 30, § 4453, amended.** The first sentence of section 4453 of Title 30 of the Revised Statutes is amended to read as follows:

**All Except for service charges established under section 4355 which shall be collected as therein provided, all assessments and charges made under this chapter shall be certified by the municipal officers and filed with the tax collector for collection.**

STATEMENT OF FACT

Under Title 38, chapter 235, the Revenue Producing Municipal Facilities Act, a municipality constructing a sewer system with the proceeds of the

sale of revenue bonds has a lien on the real estate benefited by the secure payment of charges duly established, and such charges may be collected as charges due sanitary sewer systems are collected under Title 38, section 1208 (see Title 30, section 4253). The procedure is substantially the same as the procedure used by most Maine municipalities for the collection of unpaid taxes.