

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 576

H.P. 419

House of Representatives, February 17, 1995

**An Act to Facilitate the Use of the Installment Method for the Collection
of Sewer Assessments and Charges.**

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

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative SPEAR of Nobleboro.
Cosponsored by Representatives: MURPHY of Berwick, RICE of South Bristol, Senator:
FERGUSON of Oxford.

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

Sec. 1. 30-A MRSA §3444, sub-§1, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

1. **Payment over time.** The legislative--body municipal officers of a municipality may ~~enact-an-ordinance~~ adopt an order generally authorizing the assessors and the tax collector to assess and collect those assessments and charges over a period of time not exceeding 10 years, including expenses involved in the municipality's abatement of malfunctioning domestic waste water disposal units under section 3428, subsection 4.

A. The assessors and collector may exercise this authority only when the person assessed has agreed to that method of assessment and collection in writing and notice of that fact has been recorded in the appropriate registry of deeds.

B. The municipal officers shall annually file with the collector a list of installment payments due the municipality, which shall must be collected with interest at a rate determined by the municipal officers. If, within 30 days after written notice of the total amount of the assessments and charges, or annual installment payment and interest, the person assessed fails, neglects or refuses to pay the municipality the expense incurred, the municipal assessors may assess a special tax, equal to the amount of the total unpaid assessment and charges, upon each lot or parcel of land so assessed and buildings upon the lot or parcel of land. This assessment shall must be included in the next annual warrant to the tax collector for collection and shall must be collected in the same manner as state, county and municipal taxes are collected.

(1) Interest at the rate of 12% per year on the unpaid portion of assessments and charges due the municipality shall--~~accrue~~ accrues from the 30th day after written notice to the person assessed and shall must be added to and ~~become~~ becomes part of the special tax when committed to the tax collector.

STATEMENT OF FACT

This bill makes it easier for municipalities to use the installment method for the collection of various sewer assessments and charges by eliminating the requirement that the legislative body first enact an ordinance authorizing the practice. In many towns, it is not practical to call a town meeting prior to the collection of the expenses related to the repair of a malfunctioning septic system or the costs of the construction of a sewer. This bill permits the municipality to

2 provide for the installment method of payment on the order of the
municipal officers.