

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2003

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Legislative Document

No. 967

S.P. 308

In Senate, February 25, 2003

### An Act To Amend the Charter of the Madawaska Water District

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Reference to the Committee on Utilities and Energy suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator MARTIN of Aroostook.  
Cosponsored by Representative PARADIS of Frenchville.

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

4 **Sec. 1. P&SL 1953, c. 17, §13,** as repealed and replaced by PL  
1995, c. 75, §3, is repealed.

6 **Sec. 2. P&SL 1953, c. 17, §§13-A and 13-B** are enacted to read:

8 **Sec. 13-A. Readiness to serve charges.** Effective January  
1, 2004, the district is authorized to collect readiness-to-serve  
10 charges. The district shall assess readiness-to-serve charges  
against properties abutting on or accessible to the water lines  
12 of the district that on January 1, 2004 or after that date become  
improved with new residential or commercial structures that do  
14 not connect to district water lines. The district shall assess  
readiness-to-serve charges at the district's minimum rate under  
16 the district's rate schedule.

18 **Sec. 13-B. Lien to secure collection of rates and other**  
**charges.** To secure the district's rights to collect rates and  
20 other lawful charges, including costs and interest not to exceed  
the highest rate established by the Public Utilities Commission  
22 for outstanding payments due to water utilities, the district has  
a lien on all properties served by the district and on all  
24 properties abutting on or accessible to the water lines of the  
district that are subject to the district's readiness-to-serve  
26 charges.

28 The method for obtaining, enforcing and receiving payment on the  
lien must be performed in the same manner, have the same effect  
30 and create the same rights as provided in the Maine Revised  
Statutes, Title 38, section 1208, pertaining to the collection of  
32 unpaid rates by a sanitary district, except that the sanitary  
district lien created under Title 38, section 1208 has priority  
34 over the district's water utility lien created under this section.

36 **SUMMARY**

38 Current law allows sewer and sanitary providers to collect  
40 rates from properties immediately adjacent to their service lines  
even though owners of such properties may opt not to connect to  
42 the wastewater treatment services. Sewer and sanitary districts  
are also authorized to use statutory lien procedures to assist in  
44 the collection of outstanding rates and services. This bill  
authorizes the Madawaska Water District to employ these same  
46 statutory rights and procedures in its operations.