

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 833

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H.P. 584

House of Representatives, March 5, 2013

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

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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.

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

2 **Sec. 1. 30-A MRSA §3406**, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C,  
3 §106 and amended by PL 1989, c. 6 and c. 9, §2 and c. 104, Pt. C, §§8 and 10, is further  
4 amended to read:

5 **§3406. Service charges for sewage or storm water disposal**

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

10 **1. Interest.** The municipal officers may charge interest on delinquent accounts at a  
11 rate not to exceed the highest lawful rate set by the Treasurer of State for municipal taxes.

12 **2. Lien.** There ~~shall be~~ is a lien on real estate served or benefited by a municipal  
13 sewer or sewer or storm water disposal system to secure the payment of service charges  
14 and interest on delinquent accounts established under this chapter. This lien takes  
15 precedence over all other claims on the real estate, excepting only claims for taxes.

16 **3. Collection.** The treasurer of the municipality may collect the service charges and  
17 interest on delinquent accounts in the same manner as granted by Title 38, section 1208,  
18 to treasurers of sanitary sewer districts with reference to rates established and due under  
19 Title 38, section 1202.

20 **SUMMARY**

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