

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1414

H.P. 978

House of Representatives, March 22, 2005

An Act To Authorize Municipalities To Create Municipal Fire Districts

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative DUPLESSIE of Westbrook.
Cosponsored by Senator PERRY of Penobscot and
Representatives: BARSTOW of Gorham, BLANCHETTE of Bangor, PILON of Saco,
TUTTLE of Sanford, VALENTINO of Saco, Senators: MITCHELL of Kennebec,
SCHNEIDER of Penobscot.

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

2 Sec. 1. 30-A MRSA §3158 is enacted to read:

4 **§3158. Municipal fire districts**

6 **1. Ordinance.** A municipal legislative body may enact an
8 ordinance to create a municipal fire district within the
10 municipality. The municipal fire district may contain all or
 part of the municipality.

12 **2. Services charges.** A municipal fire district ordinance
14 must establish service charges for fire protection within the
16 municipal fire district based on an estimation of the cost of
18 providing the services. The service charges must be levied
20 against all property owners or parties in possession within the
 municipal fire district, including institutions and organizations
 otherwise exempt from tax under Title 36, section 652. With
 respect to the determination of service charges, appeals must be
 made in accordance with an appeals process to be provided by
 municipal ordinance.

22 **3. Unpaid service charges; collection.** The collection of
24 unpaid service charges levied pursuant to subsection 2 must be
26 carried out in the same manner as provided in Title 38, section
 1208.

28 **4. Revenues; use.** Municipalities shall use the revenues
30 accrued from service charges levied pursuant to subsection 2 to
 fund, as much as possible, the cost of fire protection.

32 Sec. 2. 30-A MRSA §3538, as enacted by PL 1997, c. 698, §2,
34 is amended to read:

36 **§3538. Warrant for taxes; service charges**

38 **1. Warrant.** The directors shall issue their warrant in the
40 same form as the warrant of the Treasurer of State for taxes,
42 with proper changes, to the assessors of the municipalities
44 ~~comprising~~ composing the district. The warrant must require the
46 municipalities to assess the sum allocated to each municipality
48 for payment of the costs of the district ~~upon the taxable estates~~
50 ~~within these municipalities and to commit their assessment to the~~
 ~~constable or collector of the municipalities. The constable or~~
 ~~collector has all the authority and powers to collect these taxes~~
 ~~as is vested by law to collect state, county and municipal~~
 ~~taxes. Within 30 days after the date fixed by the municipality~~
 ~~on which its taxes are due, the treasurer of the municipality~~
 ~~shall pay the amount of the tax assessed under this section to~~
 ~~the treasurer of the district.:~~

