

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1085

H.P. 811 House of Representatives, April 2, 1987
Reference to the Committee on Taxation suggested and
ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative INGRAHAM of Houlton.
Cosponsored by Senator BRANNIGAN of Cumberland,
Representatives NADEAU of Lewiston and ZIRNKILTON of Mount
Desert.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Provide Municipalities with the
2 Option of Assessing Service Charges on
3 Tax-exempt Property.
4

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

7 36 MRS A §652-A is enacted to read:

8 §652-A. Local option service charges

9 1. Imposition. Municipalities may choose to im-
10 pose service charges on the owners of certain insti-
11 tutional and organizational real property which is
12 otherwise exempt from state or municipal taxation.

13 2. Calculations. These charges shall be calcu-
14 lated according to the cost of providing municipal

1 services to that real property and to the persons who
2 use that property.

3 3. Eligible services. A municipality may elect
4 to impose a service charge for one or more of the
5 following services:

6 A. Fire protection;

7 B. Police protection;

8 C. Road maintenance and construction, traffic
9 control, snow and ice removal, sidewalks and
10 street lights; or

11 D. Sanitation services.

12 4. Eligible property. The municipal legislative
13 body may impose service charges on any of the classi-
14 fications of tax-exempt real property listed in sec-
15 tion 652. If a municipality imposes service charges
16 in any of those classifications, that municipality
17 shall impose these service charges on all institu-
18 tions and organizations owning property in that clas-
19 sification.

20 5. Referendum. The municipal legislative body
21 shall hold a referendum on whether service charges
22 shall be imposed on certain tax-exempt property which
23 is located within the municipality. The referendum
24 shall be held at a municipal election called under
25 Title 30, chapter 207, or other applicable law for
26 calling an election in the municipality. The munici-
27 pality shall cause the required ballots to be pre-
28 pared, on which shall be placed the following ques-
29 tion for each classification of tax-exempt property:
30 "Shall (name of municipality) impose a service charge
31 on (classification of tax-exempt property) for (the
32 applicable services)?" The voters shall indicate by a
33 cross or check mark placed against the word "Yes" or
34 "No" their opinion of the question. If a majority of
35 the legal voters voting at that referendum are in fa-
36 vor of imposing a service charge for one or more
37 classifications of tax-exempt property, the municipal
38 officers of that municipality shall adopt, after no-
39 tice and hearing, an ordinance to impose the service
40 charges approved, beginning the next fiscal year.

1 2. Police protection;

2 3. Road maintenance and construction, traffic
3 control, snow and ice removal, sidewalks and street
4 lights; and

5 4. Sanitation service.

6 Municipalities choosing to impose service charges
7 must adopt an ordinance which ensures that the fol-
8 lowing requirements are met.

9 1. The institution or organization must receive
10 the service for which it is charged.

11 2. The service charge must reasonably reflect
12 the value of that service.

13 3. A service charge imposed on any classifica-
14 tion of tax-exempt property shall be imposed on all
15 institutions owning property in that classification.

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