

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)

L.D. 1857

DATE: 4/11/06

(Filing No. H-993)

TAXATION

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1297, L.D. 1857, Bill, "An Act To Clarify Municipal Valuations of Resort Property"

Amend the bill by striking out the title and substituting the following:

'An Act Relating to the Assessment of Property Taxes on Time-share Property'

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 33 MRSA §593, sub-§2, as amended by PL 1987, c. 358, §1, is further amended to read:

2. Time-share estates as separate estates. Each time-share estate constitutes for all purposes a separate estate in real property. Each time-share estate shall ~~shall~~ **must** be separately assessed and taxed. In addition to other factors relevant to the valuation of a time-share estate considered by the assessor, the assessor may consider the real property value of the time-share estate declared in the declaration of value, if any, submitted under Title 36, section 4641-D. The filing and discharge of tax liens on more than one time-share estate owned by the same person are governed by Title 36, section 942-A.

Sec. 2. 33 MRSA §593, sub-§5, as amended by PL 2003, c. 229, §1, is further amended to read:

5. Escrow account. If the managing entity collects money for taxes, it shall maintain an escrow account with a financial institution licensed by the State, and deposit any money collected or received for taxes in the escrow account within 10

R. 9. 3.

COMMITTEE AMENDMENT "A" to H.P. 1297, L.D. 1857

2 days after collection or receipt. The escrow account must be
3 established in the names of both the managing entity and the
4 municipality in which the time-share estates are located. No
5 withdrawal may be made from the escrow account without the
6 written agreement of the municipality.

7
8 Prior to the delinquency date established by the municipality in
9 which the time-share estates are located, the managing entity
10 shall pay to the municipal tax collector all money deposited in
11 the escrow account for the purpose of tax payment. If the amount
12 paid from the escrow account is not sufficient to discharge all
13 taxes and tax-related costs, due and owing, the managing entity
14 shall ~~pay the difference and~~ place a lien on those time-share
15 estates whose owners have not contributed to the escrow account
16 as provided in section 594, and if pay the outstanding amount no
17 later than 30 days after the date it has collected the taxes and
18 costs from the delinquent owner or has foreclosed the lien and
19 sold the time-share estate to a new owner or 10 months from the
20 date of commitment, whichever is earlier. If requested by the
21 municipality, the managing entity shall provide a list
22 identifying those owners and their interests, including the
23 periods of ownership, to the municipal tax collector, who may
24 then proceed to collect the taxes on those interests as allowed
25 by law.

26 If the tax collector and treasurer use the lien procedure
27 described in Title 36, sections 942, 942-A and 943 to collect
28 delinquent taxes on time-share estates, whenever a notice called
29 for by Title 36, section 942, 942-A or 943 is sent to a
30 time-share estate owner, the tax collector and treasurer shall
31 give to the managing entity or leave at the managing entity's
32 last and usual place of abode or send to the managing entity by
33 certified mail, return receipt requested, either a copy of the
34 notice sent to the time-share estate owner or a notice that lists
35 all time-share estate owners to whom notices have been
36 delivered. For sending the notice or notices to the managing
37 entity, the tax collector or treasurer is entitled to receive \$5
38 plus all certified mail, return receipt requested fees, plus the
39 cost of any photocopying.

40
41 **Sec. 3. Application.** This Act applies to taxes assessed based
42 on the status of property on or after April 1, 2006.'

43
44
45 **SUMMARY**

46
47 This amendment clarifies that an assessor may consider the
48 value of a time-share estate listed on a declaration of value
49 form under the real estate transfer tax when valuing the property
50 for property tax purposes. The amendment also provides that a
managing entity of time-share property that collects money for

COMMITTEE AMENDMENT "A" to H.P. 1297, L.D. 1857

2 property taxes must pay outstanding property tax amounts no later
than 30 days after the date it has collected those taxes or 10
4 months after the date of the property tax commitment, whichever
is earlier.

COMMITTEE AMENDMENT