

MAINE STATE LEGISLATURE

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Date: 4-28-06

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STATE OF MAINE
SENATE
122ND LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1452, L.D. 2056, Bill, "An Act To Replace Municipal Revenues Subject to Business Equipment Property Tax Exemption"

Amend the amendment by inserting before section 1 the following:

'Sec. 1. 36 MRSA §459 is enacted to read:

§459. State tax on property of nonprofit hospitals

1. Tax imposed. Notwithstanding section 652, a state tax is imposed on the real and personal property of nonprofit hospitals at the rate of 10 mills multiplied by the just value of the property. Just value and ownership of the property must be determined as of the April 1st preceding the assessment. For purposes of this section, "real and personal property of a nonprofit hospital" means the real and personal property owned or leased by and occupied or used solely for its own purposes by an incorporated benevolent and charitable organization that is exempt from taxation under Section 501 of the Internal Revenue Code of 1954, as amended, and the primary purpose of which is the operation of a hospital licensed by the Department of Health and Human Services.

2. Assessment. The State Tax Assessor shall assess a tax on the real and personal property of nonprofit hospitals.

3. Procedure. The tax imposed pursuant to this section must be assessed and paid in accordance with this subsection.

A. The State Tax Assessor shall make the assessment by May 30th of each year.

B. The tax assessment must be paid no later than the August 15th following the date of assessment.

4. Collection. Taxes assessed by the State Tax Assessor must be enforced as generally provided by this Title.

5. Penalty. Underpayment of the tax imposed by this section and the prepayment of estimated tax required by this section are subject to the penalties imposed by section 187-B.

6. Application of revenues. All revenues received by the State Tax Assessor under this section must be credited to a General Fund suspense account. No later than the last day of each month, the State Controller shall transfer all revenues received by the

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1452, L.D. 2056

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1 assessor during the month under this section to the Medical Care - Payments to Providers
2 Other Special Revenue funds account in the Department of Health and Human Services.'

3 Further amend the amendment by relettering or renumbering any nonconsecutive Part
4 letter or section number to read consecutively.

5 **SUMMARY**

6 This amendment imposes a tax, at the state level, on the real and personal property
7 owned or occupied by nonprofit hospitals at the rate of 10 mills multiplied by the just
8 value of the property. Revenue generated by the tax is credited to the MaineCare
9 program.

10 **SPONSORED BY:** Joseph C. Perry
11 (Senator PERRY, J)
12 **COUNTY:** Penobscot

FISCAL NOTE REQUIRED
(See attached)



Approved: 04/28/06 *MAC*

122nd MAINE LEGISLATURE

LD 2056

LR 3069(05)

An Act To Replace Municipal Revenues Subject to Business Equipment Property Tax Exemption

Fiscal Note for Senate Amendment "A" to Committee Amendment "A"

Sponsor: Sen. Perry

Fiscal Note Required: Yes

Fiscal Note

Future biennium cost increase - General Fund
Future biennium revenue decrease - Federal Expenditures Fund
Future biennium revenue increase - Other Special Revenue Funds

	2005-06	2006-07	Projections 2007-08	Projections 2008-09
Revenue				
Other Special Revenue Funds	\$0	\$0	\$15,205,794	\$15,556,968

Fiscal Detail and Notes

This bill will increase Other Special Revenue Funds in the Department of Health and Human Services by approximately \$15,000,000 annually beginning in fiscal year 2007-08 as a result of the property tax on nonprofit hospitals. If this tax violates federal regulations regarding limitations on health care-related taxes this amendment will trigger a reduction in federal Medicaid funds. The Department of Health and Human Services will require additional General Fund appropriations equal to the lost Federal Expenditures Fund revenue to support MaineCare program costs.