

MAINE STATE LEGISLATURE

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Date: 1/15/8

TAXATION

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 996, L.D. 1413, Bill, "An Act To Set Fees for Services for Tax-exempt Property in Municipalities"

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

'Resolve, To Review the Law Governing Municipal Service Charges for Tax-exempt Property'

Amend the bill by striking out everything after the title and before the summary and inserting the following:

'Sec. 1. Study group. Resolved: That the State Tax Assessor shall convene a group of interested parties to review the current laws and constitutional requirements related to municipal service charges for tax-exempt property. The group must include representatives of municipal assessors; municipal officers, including a municipal officer from a service center community as defined in the Maine Revised Statutes, Title 30-A, section 4301, subsection 14-A; private colleges and universities; hospitals; nonprofit medical institutions; an organization representing the interests of municipal governments; an organization representing a broad spectrum of nonprofit entities; and such persons as the assessor considers desirable; and be it further

Sec. 2. Duties. Resolved: That the group under section 1 shall review the Maine Revised Statutes, Title 36, section 652, subsection 1, paragraph L and evaluate and identify:

1. How the statute is designed to be implemented under current law;
2. Alternative methods of rationally calculating the direct cost of municipal services that are provided to institutions and organizations entitled to property tax exemptions pursuant to section 652;
3. Any institutions and organizations entitled to a property tax exemption pursuant to section 652 that should not be subject to service charges, either by category, size, assessed value or other circumstance;

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to H.P. 996, L.D. 1413

1 4. Whether service charges should be applied through the enactment of local
2 ordinances or uniformly across municipal jurisdictions as a matter of state law;

3 5. All issues regarding the administration of the statute that should be established as a
4 matter of ordinance or statute, including without limitation the process of appeal,
5 assessment and collection procedures, assessment limitations and the municipal use of
6 service fee revenue; and

7 6. Any other considerations regarding the statute as may be considered appropriate by
8 the group; and be it further

9 **Sec. 3. Report. Resolved:** That the group under section 1 shall review and
10 develop recommendations regarding ways to structure the funding of municipal services
11 directly provided to tax-exempt institutions and organizations that fairly allocate those
12 costs to the users and beneficiaries of those institutions and organizations. The group
13 shall submit its report along with any recommendations to the joint standing committee of
14 the Legislature having jurisdiction over taxation matters no later than December 15, 2008.
15 The joint standing committee may submit legislation related to the report to the First
16 Regular Session of the 124th Legislature.'

17 **SUMMARY**

18 This amendment replaces the bill with a resolve and requires the State Tax Assessor
19 to convene a study group of interested parties to review Maine law related to municipal
20 service charges to tax-exempt property. The study group must issue its report and
21 recommendations to the joint standing committee of the Legislature having jurisdiction
22 over taxation matters by December 15, 2008.

23 **FISCAL NOTE REQUIRED**

24 (See attached)



123rd MAINE LEGISLATURE

LD 1413

LR 1530(02)

An Act To Set Fees for Services for Tax-exempt Property in Municipalities

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Taxation

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund