

ORDER
STANDISH TOWN COUNCIL

DATE: September 11, 2018
ORDER NUMBER: 124-18

Submitted by: Libby

TITLE: EMERGENCY AMENDMENTS TO THE STANDISH TOWN CODE TO ADD CHAPTER 130
REGARDING VEHICLE EXCISE TAX EXEMPTION FOR ACTIVE DUTY MILITARY PERSONNEL

WHEREAS, residents of our great town proudly wear the uniform of the United States Armed Forces;

WHEREAS, State laws allows for members of the United States Armed Forces to be exempt from the payment of excise tax on vehicles owned by them, if an ordinance had been adopted by the municipality;

WHEREAS, a delay in enactment may cause undue financial hardship for our residents; and

WHEREAS, the above-described circumstances constitute an emergency;

NOW, THEREFORE, the Town of Standish hereby ordains as follows (additions are underlined and deletions are ~~struck-out~~), with the emergency amendments to become effective immediately upon adoption and to stand repealed as of the 91st day following adoption:

CHAPTER 130

**EMERGENCY VEHICLE EXCISE TAX EXEMPTION FOR ACTIVE DUTY MILITARY PERSONNEL
ORDINANCE**

§ 130-1. Title.

The name of this chapter shall be the "Vehicle Excise Tax Exemption for Active Duty Military Personnel Ordinance" (hereinafter "this Chapter").

§ 130-2. Authority.

This Chapter is enacted pursuant to 36 M.R.S.A. § 1483-A, as may be amended from time to time, which expressly authorizes such ordinances.

§ 130-3. Purpose.

The purpose of this Chapter is to provide an excise tax exemption on vehicles owned by a resident of the Town of Standish who is on active duty serving in the United States Armed Forces and consistent with the requirements of 36 M.R.S.A. § 1483-A, as may be amended from time to time.

§ 130-4. Definitions.

As used in this Chapter, the following terms shall have the meanings indicated:

DEPLOYED FOR MILITARY SERVICE shall mean "deployed for military service" as that term is defined in 26 M.R.S.A. § 814(1)(A), as may be amended from time to time.

VEHICLE shall mean "vehicle" as that term is defined in 36 M.R.S.A. § 1481(5), as may be amended from time to time, and does not include any snowmobiles as defined in 12 M.R.S.A. § 13001(25), as may be amended from time to time.

UNITED STATES ARMED FORCES shall include the National Guard and the Reserves of the United States Armed Forces.

§ 130-5. Excise tax exemption; qualifications.

Vehicles owned by a resident of the Town of Standish who is on active duty serving in the United States Armed Forces and who is either permanently stationed at a military or naval post, station or base outside the State of Maine or deployed for military service for a period of more than 180 days and who desires to register that resident's vehicle(s) in this State are hereby exempted from the annual excise tax imposed pursuant to 36 M.R.S.A. § 1482, as may be amended from time to time.

To apply for this exemption, (a) the resident seeking the exemption must be the owner of the vehicle for which the exemption is sought, and (b) the resident must present to the Town Clerk certification from the commander of the resident's post, station or base, or from the commander's designated agent, that the resident is permanently stationed at that post, station or base or is deployed for military service for a period of more than 180 days.

§ 130-6. Effective date; duration.

This Chapter shall take effect immediately upon adoption by the Town Council and shall stand repealed as of the 91st day following adoption.

APPROVED _____ DISAPPROVED _____

ROLL CALL YEA NAY ABSTAIN

DELCOURT _____
LIBBY _____
NESBITT _____
POMERLEAU _____
SIRPIS _____
STAROSTECKI _____

COUNCIL CHAIR _____
CLERK/SECRETARY _____