

MAINE STATE LEGISLATURE

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10/18

L.D. 44

DATE: 5/24/15

(Filing No. H-494)

STATE AND LOCAL GOVERNMENT

Majority

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 40, L.D. 44, Bill, "An Act To Reform County Government"

Amend the bill by striking out everything after the enacting clause and inserting in its place the following:

'Sec. 1. 30-A MRSA §§109 and 110 are enacted to read:

§109. New county fees

1. Authorization. County commissioners may by majority vote establish a fee for their county when a similar fee does not exist at the time that the vote is taken.

2. Limitation. Unless otherwise provided by law, any fee established by a county under this section must reasonably reflect the cost to the county associated with the fee procedure and enforcement.

3. Adjustment to property tax. All revenue raised pursuant to subsection 1 must be used by the county to lower the county tax assessment in the following year in an amount equal to the new revenue.

4. Repeal. This section is repealed January 1, 2008.

§110. Increasing fees

COMMITTEE AMENDMENT

H. of S.

COMMITTEE AMENDMENT "A" to H.P. 40, L.D. 44

1 1. County commissioner vote. Beginning January 1, 2006 and
2 no more than once every 5 years thereafter, the county
3 commissioners may vote to increase a fee charged by the county by
4 up to 25% without approval of the Legislature.

6 2. Register of deeds. Notwithstanding subsection 1, the
7 recording fees and surcharges paid to the register of deeds in
8 Title 33, sections 751 and 752 must be consistent in all counties.

10 3. Register of probate. Notwithstanding subsection 1, the
11 recording fees and surcharges paid to the register of probate in
12 Title 18-A must be consistent in all counties.

14 4. Uniformity. If the county commissioners in at least 11
15 counties vote to raise the fees paid to the registers of deeds or
16 registers of probate to a uniform amount, then those fees are
17 deemed to have been raised in all counties to those amounts and
18 the county officials responsible for the collection of those fees
19 shall adjust their fees accordingly.

20 5. Recording. For fees raised pursuant to this section,
21 the votes under subsection 4 must be recorded with the Secretary
22 of State and notice made to the joint standing committee of the
23 Legislature having jurisdiction over state and local government
24 matters.

26 6. Adjustment to property tax. All revenue raised by
27 increasing fees pursuant to this section must be used by the
28 county to lower the county tax assessment in the following year
29 in an amount equal to the increase in revenue.

32 7. Repeal. This section is repealed January 1, 2008.'

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SUMMARY

This amendment replaces the concept draft. The amendment
38 gives the county commissioners the authority to establish a fee
39 in their county when a similar fee does not currently exist in
40 statute. The amendment allows county commissioners to increase
41 any county fee by up to 25% without the approval of the
42 Legislature provided that the fee is raised no more frequently
43 than every 5 years. Fees for recording and surcharges paid to
44 the registers of deeds and registers of probate may be raised
45 only if 11 or more counties vote to raise those fees to a uniform
46 amount. This Act is repealed January 1, 2008.

COMMITTEE AMENDMENT



122nd MAINE LEGISLATURE

LD 44

LR 0144(02)

An Act To Reform County Government

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

Committee: State and Local Government

Fiscal Note Required: No

Fiscal Note

No fiscal impact.