

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 832

S. P. 256

In Senate, February 28, 1975

On motion of Senator Greeley of Waldo, referred to the Committee on Transportation. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Greeley of Waldo.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT Relating to the Application of the State Valuation to Certain State
and Town Cost-Sharing Activities.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment of the Legislature unless enacted as emergencies; and

Whereas, the 1975 state valuation is increased from 50% of the just value to 100%; and

Whereas, the cost-sharing for construction and reconstruction of state aid highways and bridges and for the winter maintenance of accepted ways is based on state valuation; and

Whereas, several towns hold their annual town meetings in March to raise and appropriate money for the care of highways and bridges; and

Whereas, legislation is necessary to maintain the current level of state participation in these activities; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 23 MRSA § 452, first ¶, as last amended by PL 1973, c. 595, § 1, is further amended to read:

The cost of construction of a bridge built or rebuilt under this subchapter and subchapter 1 shall be divided as follows: When the cost of said construction makes a tax rate of ~~2~~¹/₂ ~~1~~¹/₄ mills or less on the valuation of the town last made by the State ~~Tax Assessor~~ Director of Property Taxation, 45% by the town, 20% by the county in which said town is located and 35% by the State; when the tax rate determined as above is ~~3~~²/₂ mills, the cost shall be borne as follows: 40% by the town, 20% by the county 40% by the State; when the tax rate determined as above is ~~4~~³/₂ ~~3~~³/₄ mills, the cost shall be borne as follows: 35% by the town, 20% by the county and 45% by the State; when the tax rate determined as above is ~~5~~ 5 mills, the cost shall be borne as follows: 30% by the town, 20% by the county and 50% by the State; when the tax rate determined as above is ~~6~~⁷/₂ ~~7~~¹/₂ mills, the cost shall be borne as follows: 25% by the town, 20% by the county and 55% by the State; when the tax rate determined as above is ~~8~~ 10 mills, the cost shall be borne as follows: 20% by the town, 20% by the county and 60% by the State; when the tax rate determined as above is ~~9~~ 15 mills, the cost shall be borne as follows: 15% by the town, 20% by the county and 65% by the State; when the tax rate determined as above is ~~10~~ 20 mills, the cost shall be borne as follows: 12% by the town, 20% by the county and 68% by the State; when the tax rate determined as above is ~~11~~ 25 mills, the cost shall be borne as follows: 10% by the town, 20% by the county and 70% by the State. For intermediate tax rates the percentage of cost to be borne by the town and State shall be proportional, computed to the nearest tenth of 1%. When the tax rate determined as above is over ~~12~~ 25 mills, the town shall pay a fixed sum, equivalent to ~~1~~¹/₂ ~~1~~/₄ of 1% of its state valuation, the county 20% of the cost of construction and the State the balance. The cost of reconstruction of a bridge owned and maintained wholly by the county, but located in a town or organized plantation, shall be borne as follows: 50% by the county and 50% by the State.

Sec. 2. 23 MRSA § 1005, sub-§ 1, ¶¶ A, B and C, as last amended by PL 1973, c. 583, § 1, and ¶ D, as enacted by PL 1973, c. 583, § 2, are amended to read:

A. If the state valuation exceeds ~~\$1,500,000~~ \$3,000,000, reimbursements will be made to the extent of \$100 per mile in accordance with approved certification of costs.

B. If the state valuation is ~~\$1,000,000~~ \$2,000,000 or less, such municipalities shall bear the first \$70 of cost per mile, and reimbursements shall be made to said municipalities in accordance with payrolls as submitted and approved; except that such reimbursement shall not exceed \$400 per mile.

C. If the state valuation is more than ~~\$1,000,000~~ \$2,000,000 but does not exceed ~~\$1,250,000~~ \$2,500,000, the municipalities shall bear the first \$70 of cost per mile, and reimbursements shall be made to said municipalities in accordance with payrolls as submitted and approved; except that such reimbursement shall not exceed \$300 per mile.

D. If the state valuation is more than ~~\$1,250,000~~ \$2,500,000 but does not exceed ~~\$1,500,000~~ \$3,000,000, the municipalities shall bear the first \$70 of

cost per mile and reimbursements shall be made to said municipalities in accordance with payrolls as submitted and approved; except that such reimbursements shall not exceed \$200 per mile.

Sec. 3. 23 MRSA § 1101, 2nd ¶, as last amended by PL 1967, c. 544, § 114, is further amended to read:

Towns having a valuation of ~~\$500,000~~ \$1,000,000 or less may appropriate any amount not exceeding \$300; towns having a valuation of over ~~\$500,000~~ \$1,000,000 and not over ~~\$1,600,000~~ \$3,200,000 may appropriate any amount not exceeding \$533; towns having a valuation of over ~~\$1,600,000~~ \$3,200,000 and not over ~~\$2,000,000~~ \$4,000,000 may appropriate an amount not exceeding \$600; and towns having a valuation of over ~~\$2,000,000~~ \$4,000,000 and not over ~~\$6,000,000~~ \$12,000,000 may appropriate in addition to the sum of \$600 an additional sum of \$66 for each ~~\$400,000~~ \$800,000 or fraction thereof valuation in excess of ~~\$2,000,000~~ \$4,000,000; towns having a valuation of over ~~\$6,000,000~~ \$12,000,000 and not over ~~\$8,000,000~~ \$16,000,000 may appropriate not exceeding \$1,333; and towns having a valuation of over ~~\$8,000,000~~ \$16,000,000 may appropriate in addition to the sum of \$1,333 an additional sum not exceeding \$133 for each additional ~~\$2,000,000~~ \$4,000,000 or fraction thereof of additional valuation.

Sec. 4. 23 MRSA § 1102, first sentence, as last amended by PL 1971, c. 593, § 22, is further amended to read:

The ~~department~~ Department of Transportation, from the fund provided for the improvement of state aid roads, shall to each town which has conformed to sections 1101 and 1109, for each dollar so appropriated, apportion the following amounts: To each town having a valuation of ~~\$500,000~~ \$1,000,000, or less, \$3.50 for each dollar appropriated by said town; to each town having a valuation of over ~~\$500,000~~ \$1,000,000 and not over ~~\$1,600,000~~ \$3,200,000, \$2 for each dollar appropriated by said town; to each town having a valuation of over ~~\$1,600,000~~ \$3,200,000 and not over ~~\$2,000,000~~ \$4,000,000, \$1.75 for each dollar appropriated by said town; to each town having a valuation of over ~~\$2,000,000~~ \$4,000,000 and not over ~~\$2,400,000~~ \$4,800,000, \$1.55 for each dollar appropriated by said town; to each town having a valuation of over ~~\$2,400,000~~ \$4,800,000 and not over ~~\$2,800,000~~ \$5,600,000, \$1.35 for each dollar appropriated by said town; to each town having a valuation of over ~~\$2,800,000~~ \$5,600,000 and not over ~~\$3,200,000~~ \$6,400,000, \$1.20 for each dollar appropriated by said town; to each town having a valuation of over ~~\$3,200,000~~ \$6,400,000 and not over ~~\$3,600,000~~ \$7,200,000, \$1.10 for each dollar so appropriated by said town; and to each town having a valuation of over ~~\$3,600,000~~ \$7,200,000, \$1 for each dollar so appropriated by said town.

Sec. 5. Application. The valuation changes in sections 3 and 4 of this Act shall apply to appropriations and apportionments made after the filing of the 1975 state valuation.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved, except section 2 of this Act shall become effective when reimbursements are made for the 1976-77 winter season.

FISCAL NOTE

This legislation does not affect the income or expenditures of the General Highway Fund.

STATEMENT OF FACT

This purpose of this bill is stated in the emergency preamble.