

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

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**Legislative Document**

**No. 1454**

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S. P. 438

In Senate, April 4, 1975

Referred to Committee on Taxation. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Greeley of Waldo.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FIVE

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**AN ACT to Require Legislative Approval of State Property Assessment  
Districts, Assessment Standards and their Implementation Schedules.**

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

Whereas, the State rules and regulations concerning property assessment districts, standards and their implementation schedules have been promulgated without proper consideration of the views of Maine's smaller municipalities; and

Whereas, said rules and regulations are not now subject to legislative approval and therefore they represent too great a legislative delegation of power in view of their extreme political sensitivity; 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:

36 MRSA § 305, sub-§ 5, as enacted by PL 1973, c. 620, § 10, is amended to read:

5. Rules and regulations. ~~Promulgate~~ Formulate, after appropriate notice and hearing, all rules and regulations necessary to carry into effect any of its duties and responsibilities. All rules and regulations, and any revisions thereof, shall be submitted to the Legislature while it is in session for approval by resolve. If the Legislature does not act within 60 days of submission, a

rule shall be adopted provided all other requirements of Title 5, chapter 303 are satisfied.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

#### STATEMENT OF FACT

The purpose of this Act is to require, as soon as possible, Legislative approval by resolve of state assessment districts and assessment standards and their schedules of implementation. Without such approval, said rules and regulations cannot be adopted.