

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 16

H. P. 6

Office of the Clerk of the House

Filed December 7, 1976, under Joint Rule No. 6 by Mr. Jalbert of Lewiston.
To be printed and delivered to the House of Representatives of the 108th
Legislature.

EDWIN H. PERT, Clerk

Presented by Mr. Jalbert of Lewiston.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

**AN ACT to Provide that the Uniform Property Tax Rate shall be Established
in Conformity with Statutory Limits on Educational Funding.**

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

Whereas, there has been a recent increase in the state valuation; and

Whereas, the current 12½ mill tax rate is expected to produce more than ½ of the total cost of education, and therefore would be in violation of the Revised Statutes, Title 20, section 3747 which states that not more than 50% of the funding for education shall come from the uniform property tax; and

Whereas, the Legislature must act immediately to avoid this unintended conflict of the mill tax rate with Title 20, section 3747; 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 § 451, sub-§ 2, as enacted by PL 1975, c. 660, § 5, is amended to read:

2. **Uniform property tax.** Pursuant to the Maine Constitution, Article VIII, Part First, and in addition to subsection 1, a uniform property tax is assessed which shall be determined as follows: The Legislature shall annually,

prior to April 1st, enact legislation establishing the uniform property tax rate. The uniform property tax rate shall be 13 mills for the period beginning July 1, 1976, and ending June 30, 1977 ~~and 12.5 mills thereafter~~. **Thereafter, the uniform property tax rate shall be established each year by the Legislature in accordance with Title 20, section 3747.** The rate shall be applied to the state valuation of each municipality and property in the unorganized territory.

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 bill is reflected in the emergency preamble.