

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1093

H. P. 885

House of Representatives, March 16, 1977

On motion of Mr. Curran of South Portland, referred to the Committee on State Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. McPherson of Eliot.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT Providing Approval Authority to the State Tax Assessor Over
Revaluation and Mapping Contracts.

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

36 MRSA § 305-A is enacted to read:

§ 305-A. Revaluation and mapping services

1. Contracts for approval, revaluation or mapping services. The Bureau of Taxation shall furnish assistance to municipalities and primary assessing areas in developing contracts for appraisal, revaluation or mapping services.

2. List of qualified appraisal, revaluation or mapping services. The State Tax Assessor shall maintain and keep a current list of persons or firms qualified to perform expert appraisal, revaluation or mapping services. No municipality or primary assessing area may contract for such services with any person or firm not included on such list. The State Tax Assessor shall promulgate regulations establishing the qualifications necessary for inclusion on the list, and the procedures to be followed in applying for inclusion.

3. Approval of contracts. A municipality or primary assessing area may not enter into a contract for appraisal, revaluation or mapping services without prior approval of the State Tax Assessor. In determining whether to approve or disapprove of a proposed contract the State Tax Assessor shall consider the following:

A. Whether the person or firm offering the revaluation or mapping services is qualified to perform the specific services contracted for; and

B. Whether the terms of the contract adequately protect the interest of the municipality or primary assessing area.

4. Escrow accounts. If the State Tax Assessor approves a contract, the municipality or primary assessing area shall place 20% of the contract price in escrow with the Bureau of Taxation. Payment of this 20% shall be contingent upon the State Tax Assessor's determination that the contract has been satisfactorily fulfilled by the party offering the services. If the State Tax Assessor determines that the contract has not been satisfactorily completed by the party offering the services, the State Tax Assessor shall continue to hold the escrow funds until satisfactory completion occurs. If the State Tax Assessor determines that the party offering the services cannot or will not satisfactorily complete the contract, the State Tax Assessor shall return the escrow funds to the municipality or primary assessing area. If the State Tax Assessor determines that the party offering the services has satisfactorily completed the contract, then the State Tax Assessor shall pay over the escrow funds to that party.

5. Reconsideration of determination; hearing; appraisal. Any person, firm, municipality or primary assessing area which is aggrieved by any determination made by the State Tax Assessor pursuant to this section, may apply for reconsideration within 30 days of the determination. The State Tax Assessor shall schedule a hearing on any application for reconsideration within 30 days of application. The State Tax Assessor shall issue his decision on the application for reconsideration within 30 days of the hearing. Any party aggrieved by the State Tax Assessor's decision may appeal pursuant to Maine Rules of Civil Procedure, Rule 80B.

STATEMENT OF FACT

This bill would provide that the State Tax Assessor have the power to approve and regulate contracts for appraisal, revaluation or mapping services entered into by a municipality or assessing area.