

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. H-590)

CONFERENCE COMMITTEE AMENDMENT "A " to H.P. 1216, L.D. 1482,
Bill, "AN ACT Authorizing Municipalities to Create Development
Districts."

Amend the Bill in that part designated "§4862." by striking
out all of subsection 11 and inserting in its place the following:

'11. Tax increment. "Tax increment" means that portion
of all real property taxes assessed by a municipality, in excess
of any state, county or special district tax, upon the captured
assessed value of property in the development district.'

Further amend the Bill in that part designated "§4863."

in subsection 1 by inserting at the end the following underlined
paragraph:

'A designation shall not be effective unless approved by a majority
of the voters of the municipality voting at a municipal election
called under ~~chapter~~ chapter 207, or other applicable law for
calling an election in that municipality. The municipal officers
shall cause the required ballots to be prepared, on which they
shall put the following question:

"Shall the designation of the municipal development district
(here, describe the boundaries of the district) by the municipal
officers of (here, insert the name of the municipality) become
effective?"

The voters shall indicate by a cross or check mark placed
against the words "Yes" or "No" their opinion of the question.

Upon its acceptance by a majority of the voters voting on the question, the municipal designation shall take effect, provided that the total number of votes cast for and against the acceptance of the designation equals or exceeds 10% of the total number of votes cast in the municipality at the last gubernatorial election.

The results of the vote shall be declared by the municipal officers and due certificate of those results shall be maintained for public inspection at the municipal offices.'

Further amend the Bill in that part designated "\$4863." by striking out all of subsections 2 and 3 and inserting in their place the following:

'2. Program. The governing body of a municipality shall adopt a development program for each development district. The program shall be adopted at the same time as the district, as part of the district adoption proceedings, or if at a different time, in the same manner as adoption of the district, with the same notice, hearing and consultation requirements of subsection 1. Once approved, the program may be altered or amended only after meeting the requirements for adoption under this subsection.'

Further amend the Bill in that part designated "\$4863." by renumbering subsection 4 to be subsection 3.

Further amend the Bill in that part designated "\$4864." by striking out all of the last sentence of subsection 1 and inserting in its place the following:

'The municipal assessor shall certify the amount of the captured assessed value to the municipality each year.'

Further amend the Bill in that part designated "\$4864." by striking out all of subsection 3 and inserting in its place the following:

'3. Tax increment revenues. If a municipality has elected to retain all or a percentage of the captured retained value under subsection 1, then the following disposition of tax increment revenues attributable to that value shall apply. All tax increment revenues on retained captured assessed values payable to the municipality for public purposes shall be set aside annually and deposited to the credit of the development sinking fund.'

Further amend the Bill in that part designated "\$4865." by inserting at the end of subsection 3 the following:

'E. A proposed list of properties to be assessed and the estimated assessments against those properties.'

Statement of Fact

This amendment incorporates House Amendment "A" to clarify the tax impact of the bill. Pursuant to this amendment, tax increment revenues will be derived only from local municipal taxes and not from any state, county or special district tax. The amendment also removes restrictions on the size of the development district.

The amendment will also require approval of a district

designation by municipal referendum before the designation can become effective.

Reported by the Committee of Conference.

Reproduced and distributed under the direction of the Clerk of the House.

6/10/77

(Filing No. H-590)