

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

(EMERGENCY)
SECOND REGULAR SESSION

Corrected Copy
1/26/78

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 2034

S. P. 657

In Senate, January 6, 1978

The Committee on Transportation suggested. Approved for introduction by the Legislative Council pursuant to Joint Rule 24. Sent down for Concurrence.

MAY M. ROSS, Secretary

Presented by Senator Greeley of Waldo

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-EIGHT

AN ACT Relating to the Application of the State Valuation to State and Town Cost-Sharing Activities, Including Highway, Bridges and Winter Maintenance.

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

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

Whereas, the Legislature meets in regular sessions annually which requires annual filing of the state valuation; and

Whereas, annual changes in the state valuation would not allow municipalities to plan their activities for more than one year at a time; 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, 2nd ¶, as enacted by PL 1975, c. 620, § 1, is amended to read:

Notwithstanding any other provisions of law, "valuation," as used in this section, shall mean valuation based upon 100% of the current market value as certified and filed biennially, **in odd numbered years**, by the Director of Property Taxation.

Sec. 2. 23 MRSA § 1005, last ¶, as repealed and replaced by PL 1975, c. 620, § 2-A, is amended to read:

Notwithstanding any other provisions of law, "valuation," as used in this section, shall mean valuation based upon 100% on the current market value as certified and filed biennially, **in odd-numbered years**, by the Director of Property Taxation and for the purpose of reimbursement, such valuation ~~filed before the first day of February of the year of the regular session of the Legislature~~ shall not prevail until after one winter season commencing after the ~~fall session of said legislative year~~ valuation has been filed.

Sec. 3. 23 MRSA § 1101, last ¶, as enacted by PL 1975, c. 620, § 3, is amended to read:

Notwithstanding any other provisions of law, "valuation," as used in this section, shall mean valuation based upon 100% of the current market value as certified and filed biennially, **in odd-numbered years**, by the Director of Property Taxation.

Sec. 4. 23 MRSA § 1102, last ¶, as enacted by PL 1975, c. 620, § 4-A, is amended to read:

Notwithstanding any other provisions of law, "valuation," as used in this section, shall mean valuation based upon 100% of the current market value as certified and filed biennially, **in odd-numbered years**, by the Director of Property Taxation.

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

STATEMENT OF FACT

Title 36, section 381, requires state valuations to be filed before the first day of February of the regular sessions of the Legislature. Due to the Legislature holding annual regular sessions, state valuations must be filed annually rather than biennially.

The purpose of this legislation is to maintain the traditional method of determining the cost-sharing ratio for Bridge Act bridge projects, highway snow removal reimbursements and state-aid highway construction projects.