

MAINE STATE LEGISLATURE

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(EMERGENCY)

2

(New Draft of H.P. 1624, L.D. 2148)

3

(New Title)

4

SECOND REGULAR SESSION

5

6

ONE HUNDRED AND ELEVENTH LEGISLATURE

7

8

Legislative Document

No. 2458

9

10

H.P. 1857

House of Representatives, April 10, 1984

11

Reported by Representative Higgins from the Committee on Taxation
and printed under Joint Rule 2.

12

Original bill presented by Representative Kilcoyne of Gardiner.

13

Cosponsored by Senator Twitchell of Oxford and Representative Masterman
of Milo.

EDWIN H. PERT, Clerk

14

15

STATE OF MAINE

16

17

IN THE YEAR OF OUR LORD

18

NINETEEN HUNDRED AND EIGHTY-FOUR

19

20

AN ACT Relating to Municipal Cost

21

Components for Fiscal Year 1984-85 and

22

Providing for a Study of the Unorganized

23

Territory.

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

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Whereas, prompt determination and certification
of the municipal cost components in the unorganized
territory tax district is necessary to the establish-
ment of a mill rate and the levy of the unorganized
territory educational and services tax; and

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Whereas, in the judgment of the Legislature,
these facts create an emergency within the meaning of

34

1 the Constitution of Maine and require the following
2 legislation as immediately necessary for the preser-
3 vation of the public peace, health and safety; now,
4 therefore,

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

7 Sec. 1. 12 MRSA §685-D, as enacted by PL 1983,
8 c. 561, §1, is amended by adding after the first par-
9 agraph a new paragraph to read:

10 Charges to plantations, towns or cities, under
11 this section, shall be made for fiscal years begin-
12 ning with fiscal year 1983-84. Deductions from
13 amounts due those plantations, towns or cities and
14 direct charges by the commission, for fiscal years
15 1983-84 and 1984-85, shall be delayed until July 1,
16 1985.

17 Sec. 2. 30 MRSA §5902, sub-§2, as enacted by PL
18 1983, c. 471, §14, is amended to read:

19 2. Prior receipts and surpluses. All moneys re-
20 ceived by the county for municipal services for the
21 unorganized territory prior to the effective date of
22 this chapter and remaining unspent shall be deposited
23 into the fund. Any surplus in revenue ~~received by~~
24 ~~the fund for~~ remaining in the fund at the end of the
25 year, not including amounts allocated to the contin-
26 gent account or set aside in capital reserve accounts
27 established after November 1, 1983, which is in ex-
28 cess of 10% of the amount of expenditures for that
29 year, shall be used to reduce the amount to be col-
30 lected in taxes during the next year.

31 Sec. 3. 36 MRSA §1604, sub-§1, as amended by PL
32 1981, c. 702, Pt. J, is further amended to read:

33 1. Governor's recommendations to the Legisla-
34 ture. The Governor shall submit to the Legislature,
35 not later than February 1st of each year, a bill
36 listing his itemized recommendations of all items,
37 including services and reimbursements, for which a
38 municipal cost component exists. The bill shall be
39 submitted in the same format as enacted in the pre-

1 ceding year and shall be accompanied by a report
2 identifying the justification for each component and
3 the formula, if applicable, by which it was calcu-
4 lated.

5 **Sec. 4. Municipal cost component for county ser-**
6 **VICES rendered.** In accordance with the Revised Stat-
7 utes, Title 36, chapter 115, the Legislature deter-
8 mines that the amounts of the municipal cost compo-
9 nent for services provided by counties for fiscal
10 year 1984-85 are as follows.

11	County reimbursement for services:	<u>1984-85</u>
12	Aroostook	\$200,000
13	Franklin	104,126
14	Lincoln	1,557
15	Oxford	102,596
16	Piscataquis	123,425
17	Somerset	175,232

18 **Sec. 5. Municipal cost component for state ser-**
19 **VICES rendered.** In accordance with the Revised Stat-
20 utes, Title 36, chapter 115, the Legislature deter-
21 mines that the next municipal cost component for
22 state services in fiscal year 1984-85 is \$4,289,767
23 as reflected in the following list:

24		<u>1984-85</u>
25	Audit	\$3,000
26	Maine Land Use Regulation Commission	375,132
27	Secretary of State	1,200
28	Property Tax Assessment	366,150
29	Education	3,512,022
30	Human Services - General Assistance	308,850

1	Bureau of the Budget	2,000
2	Adjustments	
3	Unorganized Territory School	
4	Fund - income	(133,523)
5	Rounding of mill rates for 1983,	
6	supplemental assessments, abatements	
7	and uncollectibles	(145,064)
8	Net Requirement	\$4,289,767

9 Sec. 6. Edmunds School. Of the \$3,512,022 de-
10 termined as the municipal cost component for educa-
11 tion, \$520,000 shall be used for improvements to the
12 Edmunds School. This money shall not lapse, but
13 shall remain available for this purpose if the com-
14 pletion of this project is not possible before June
15 30, 1984.

16 Sec. 7. Study. There is created a Joint Select
17 Committee on the Unorganized Territory. The commit-
18 tee shall be composed of 9 members as follows: Two
19 members of the joint standing committee of the Legis-
20 lature having jurisdiction over energy and natural
21 resources; 2 members of the joint standing committee
22 of the Legislature having jurisdiction over local and
23 county government; 2 members of the joint standing
24 committee of the Legislature having jurisdiction over
25 taxation; and 3 other members of the Legislature.
26 Three of the members shall be appointed by the Presi-
27 dent of the Senate. Six of the members shall be ap-
28 pointed by the Speaker of the House of Representa-
29 tives.

30 The committee shall review the organization, ad-
31 ministration, funding and delivery of services to the
32 unorganized territory. The committee shall review
33 the methods used for estimating the cost of each com-
34 ponent and shall identify alternative methods of pro-
35 viding and funding municipal services in the unorga-
36 nized territory, including the advisability of orga-
37 nizing the unorganized territory.

1 The committee shall submit its report and any
2 legislation necessary to accomplish its recommenda-
3 tion to the First Regular Session of the 112th Legis-
4 lature by January 1, 1985.

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

8 STATEMENT OF FACT

9 This new draft determines the amounts of the mu-
10 nicipal cost components for fiscal year 1984-85.
11 Section 1 delays the charges to plantations, towns
12 and cities for costs of the Maine Land Use Regulation
13 Commission. Section 2 corrects an oversight in the
14 Revised Statutes, Title 36, section 5902, enacted
15 last year. Section 7 requests a Joint Select Commit-
16 tee to study the unorganized territory and make rec-
17 ommendations to the 112th Legislature.

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