

MAINE STATE LEGISLATURE

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 548, L.D. 785, Bill, "An Act to Clarify the Laws Relating to the Election or Appointment of Assessors"

Amend the bill by inserting after the title and before the enacting clause the following:

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

Whereas, municipalities are currently facing extreme hardships because of the present process of replacing assessors; and

Whereas, municipalities in these financially difficult times incur extra expense as a result of the present process of replacing assessors; 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,'

Further amend the bill by inserting after the enacting clause the following:

'Sec. 1. 30-A MRSA §2526, sub-§5, ¶C, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

C. When a town has not elected a full board of assessors, the selectmen shall serve as assessors as provided in Title 36, section 703. A selectman who is an assessor pursuant to

2 this paragraph and Title 36, section 703 may resign the
3 position of assessor without resigning the office of
4 selectman. The position of assessor must then be filled by
5 appointment pursuant to section 2602, subsection 2.'

6 Further amend the bill by inserting before the statement of
7 fact the following:

8 'Sec. 3. 36 MRSA §703, as amended by PL 1973, c. 620, §14, is
9 further amended to read:

12 **§703. Selectmen to act as assessors**

14 If any municipality does not choose assessors and is not a
15 part of a primary assessing area, the selectmen shall ~~be~~ are the
16 assessors, and each of them shall ~~shall~~ must be sworn as an assessor.
17 A selectman who is an assessor pursuant to this paragraph may
18 resign the position of assessor without resigning the office of
19 selectman. The position of assessor must then be filled by
20 appointment pursuant to Title 30-A, section 2602, subsection 2.

22 **Emergency clause.** In view of the emergency cited in the
23 preamble, this Act takes effect when approved.'

24 Further amend the bill by renumbering the sections to read
25 consecutively.

28 **STATEMENT OF FACT**

30 This amendment adds an emergency preamble and an emergency
31 clause to the bill, making it effective when approved. It also
32 adds language to the Maine Revised Statutes, Title 30-A and Title
33 36 that permits a selectman who is an assessor because the
34 municipality does not elect assessors to resign that position
35 without resigning the office of selectman. The vacancy in the
36 assessor position is then filled by appointment.

38

Reported by the Committee on State and Local Government
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