

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 1196

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H.P. 830

House of Representatives, March 20, 1991

Reference to the Committee on Taxation suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative CASHMAN of Old Town.

Cosponsored by Representative STROUT of Corinth, Representative DORE of Auburn and Senator BOST of Penobscot.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

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**An Act to Defer Municipal Duties Related to the Homestead Exemption.**

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(EMERGENCY)



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

4  
Whereas, under existing law, municipalities are currently  
6 required to accept and process applications for the homestead  
exemptions created by the Maine Revised Statutes, Title 36,  
8 chapter 105, subchapter IV-A; and

10  
Whereas, that exemption has not yet been funded by the  
Legislature; and

12  
Whereas, the acceptance and processing of applications is  
14 only necessary and productive if the exemption is funded; and

16  
Whereas, a decision about funding the exemption will  
probably not occur until late in the present legislative session;  
18 and

20  
Whereas, in the judgment of the Legislature, these facts  
create an emergency within the meaning of the Constitution of  
22 Maine and require the following legislation as immediately  
necessary for the preservation of the public peace, health and  
24 safety; now, therefore,

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

28 **36 MRSA §679 is enacted to read:**

30 **§679. Duties deferred**

32 Notwithstanding any other law, a municipality does not have  
34 any obligation or duty that is imposed by chapter 105, subchapter  
IV-A on a municipality, including, but not limited to, the duty  
36 to accept and process applications for the exemption provided by  
subchapter IV-A until such time as that exemption has been funded  
by the State.

38  
40 **Emergency clause.** In view of the emergency cited in the  
preamble, this Act takes effect when approved.

42  
44 **STATEMENT OF FACT**

46 This bill relieves municipalities of the duty to receive and  
process applications for the homestead exemption until the  
exemption is funded by the State.