

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2005

Legislative Document

No. 1584

H.P. 1120

House of Representatives, April 26, 2005

**Resolve, Directing the State Tax Assessor To Adjust the State
Valuation for the Town of Wiscasset**

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Taxation suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative RINES of Wiscasset.
Cosponsored by Senator DOW of Lincoln and
Representatives: BOWLES of Sanford, CUMMINGS of Portland, Speaker RICHARDSON of
Brunswick, Senators: President EDMONDS of Cumberland, MAYO of Sagadahoc.

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

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6 **Whereas,** the Town of Wiscasset is the host community to the
Maine Yankee Atomic Power Company, which owned and operated a
nuclear electricity generating station that is currently being
decommissioned and which currently owns and operates an
independent storage facility for the interim storage of
high-level nuclear waste and spent nuclear fuel generated during
the operating lifetime of the Maine Yankee Nuclear Power Station;
and

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14 **Whereas,** there are fewer than 25 decommissioned or
decommissioning commercial nuclear power reactors nationwide and
fewer than 25 independent spent fuel storage facilities
nationwide, most of which are located on the site of operating
nuclear power plants, causing the valuation of those facilities
and the real estate on which they are located to pose
unprecedented assessment challenges; and

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22 **Whereas,** as a result of the amicable settlement of a
property tax dispute regarding the just value of the Maine Yankee
Atomic Power Company's real and personal property, the Town of
Wiscasset has experienced a loss of its municipal valuation
related to the year 2003 municipal valuation relied upon by the
State for purposes of establishing the 2005 state valuation, as
determined by the Department of Administrative and Financial
Services, Maine Revenue Services, Property Tax Division in
September 2004; and

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28 **Whereas,** Maine Revenue Services, Property Tax Division has
completed its state valuations and the appeal period for the same
has passed; and

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34 **Whereas,** absent this special legislation, there is no
provision for Maine Revenue Services, Property Tax Division to
calculate an adjusted state valuation for the Town of Wiscasset
for the 2005 state valuation; and

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40 **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

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46 **Sec. 1. State valuation for Town of Wiscasset for year 2005.**
48 **Resolved:** That, due to the loss of valuation caused by the
settlement of a property tax dispute regarding the just value of
the
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2 independent spent fuel storage facility and the real estate on
which it is located, notwithstanding the Maine Revised Statutes,
4 Title 36, sections 208 and 208-A, the State Tax Assessor shall
reduce the state valuation for the Town of Wiscasset for the year
6 2005 state valuation to \$338,600,000.

8 **Emergency clause.** In view of the emergency cited in the
preamble, this resolve takes effect when approved.

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12 **SUMMARY**

14 This resolve directs the State Tax Assessor to reduce the
2005 state valuation for the Town of Wiscasset by approximately
31% to \$338,600,000.