

MAINE STATE LEGISLATURE

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L.D. 885

Date: 3/10/8

MAJORITY

(Filing No. H-729)

TAXATION

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 670, L.D. 885, Bill, "An Act To Implement the Recommendations of the Commission To Study the Costs of Providing Certain Services in the Unorganized Territories"

Amend the bill in Part B by striking out all of sections 4 and 5 and inserting the following:

Sec. B-4. 12 MRSA §685-G is enacted to read:

§685-G. Funding

1. Unorganized territories. Beginning with fiscal year 2009-10, funding for services and activities of the commission for planning, permitting and ensuring compliance in the unorganized territories must be assessed and allocated to the unorganized territories through a fee equal to .013% of the most recent equalized state valuation established by the State Tax Assessor. This fee must be collected through the municipal cost component under Title 36, chapter 115.

2. Towns and plantations. Beginning with fiscal year 2009-10, a town or a plantation in the commission's jurisdiction that elects not to administer land use controls at the local level but receives commission services or a town or plantation with a portion of its land under the commission's jurisdiction and receiving commission services, including planning, permitting and ensuring compliance, must be assessed a fee equal to .01% of the most recent equalized state valuation established by the State Tax Assessor for that town or plantation or that portion of a town or plantation under the commission's jurisdiction. The State Tax Assessor shall issue a warrant to each such town or plantation no later than March 1st of each year. The warrant is payable on demand. Interest charges on unpaid fees begin on June 30th of each year and are compounded monthly at the interest rate for unpaid property tax as established by the State Tax Assessor for the unorganized territory. For any assessment that remains unpaid as of September 1st of the year in which it is due, state revenue sharing to that town or plantation must be reduced by an amount equal to any unpaid warrant amount plus any accrued interest, until the amount is paid. These fees must be deposited to the General Fund.

COMMITTEE AMENDMENT

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1 3. Report. By January 15, 2009 and annually thereafter, the commission shall report
2 to the joint standing committees of the Legislature having jurisdiction over conservation
3 matters and taxation matters regarding commission funding and other financial matters.
4 The report must cover the 5 previous fiscal years and must identify General Fund
5 appropriations and other resources, amounts assessed and collected from the assessments
6 required under this section and former section 685-E and amounts assessed and collected
7 from other fees and penalties assessed under this chapter. The joint standing committees
8 of the Legislature having jurisdiction over conservation matters and taxation matters shall
9 jointly review the distribution of funding and other assessments among the General Fund,
10 unorganized territories and towns and plantations under the commission's jurisdiction and
11 may submit legislation considered necessary as a result of the commission's report to the
12 First Regular Session of the 124th Legislature.

13 **Sec. B-5. Report.** By January 15, 2009, the Maine Land Use Regulation
14 Commission shall report to the joint standing committees of the Legislature having
15 jurisdiction over conservation matters and taxation matters making recommendations,
16 including legislation if necessary, to enforce payment of the assessments required under
17 the Maine Revised Statutes, Title 12, section 685-G, subsection 2. The joint standing
18 committees of the Legislature having jurisdiction over conservation matters and taxation
19 matters shall jointly review the recommendations and may submit legislation considered
20 necessary as a result of the commission's report to the First Regular Session of the 124th
21 Legislature.'

22 Amend the bill in Part B in section 6 in the last line (page 3, line 5 in L.D.) by
23 striking out the following: "2008" and inserting the following: '2009'

24 Amend the bill in Part C in section 1 in subsection 5 in the next to the last line (page
25 3, line 13 in L.D.) by striking out the following: "2008-09" and inserting the following:
26 '2009-10'

27 Amend the bill in Part C in section 2 in subsection 4 in the next to the last line (page
28 3, line 21 in L.D.) by striking out the following: "2008-09" and inserting the following:
29 '2009-10'

30 Amend the bill in Part C in section 3 in the 6th line (page 3, line 28 in L.D.) by
31 striking out the following: "2008" and inserting the following: '2009'

32 Amend the bill in Part C in section 3 in the last line (page 3, line 33 in L.D.) by
33 striking out the following: "Second Regular Session of the 123rd Legislature" and
34 inserting the following: 'First Regular Session of the 124th Legislature'

35 Amend the bill in Part F by striking out all of section 4.

36 Amend the bill by inserting after Part F the following:

37 **PART G**

38 **Sec. G-1. 30-A MRSA §7501, sub-§3,** as enacted by PL 1987, c. 737, Pt. A, §2
39 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is
40 further amended to read:



123rd MAINE LEGISLATURE

LD 885

LR 714(03)

An Act To Implement the Recommendations of the Commission To Study the Costs of Providing Certain Services in the Unorganized Territories

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Taxation

Fiscal Note Required: Yes

Fiscal Note

	2007-08	2008-09	Projections 2009-10	Projections 2010-11
Net Cost (Savings)				
General Fund	\$0	\$0	\$4,167	\$4,167
Revenue				
General Fund	\$0	\$0	(\$4,167)	(\$4,167)

Fiscal Detail and Notes

Changing the method of assessing areas under the jurisdiction of the Maine Land Use Regulation Commission for the cost of providing services for the unorganized territory will result in an increase in General Fund revenue of \$15,113 annually beginning in fiscal year 2009-10. This change will increase the amount the unorganized territory pays to the General Fund for Land Use Regulation Commission services. Also, this legislation does not permit reimbursement to parents for student transportation under certain conditions beginning in fiscal year 2009-10. This change will decrease the amount the unorganized territory pays to the General Fund by \$19,280 annually beginning in fiscal year 2009-10. The net effect of these changes will be a decrease in General Fund revenue of \$4,167 annually beginning in fiscal year 2009-10.

Legislative costs associated with the joint review of certain information by the Taxation Committee and the Agriculture, Conservation and Forestry Committee will be absorbed utilizing existing budgeted resources. Additional costs to the Department of Education to conduct the required review and prepare the required report can be absorbed within existing budgeted resources.