

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 1064

S.P. 398

In Senate, March 17, 2009

An Act To Increase Efficiency through Regionalization

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in black ink, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BARTLETT of Cumberland.
Cosponsored by Senators: DAMON of Hancock, MILLS of Somerset, Representatives:
COHEN of Portland, MORRISON of South Portland, PLUMMER of Windham, SANBORN
of Gorham, STRANG BURGESS of Cumberland.

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

2 **Sec. 1. 30-A MRSA §706-A, sub-§1, ¶B,** as amended by PL 2007, c. 653, Pt. A,
3 §10, is further amended to read:

4 B. "County assessment" means:

5 (1) For the tax year of any county that began prior to January 1, 2009, total
6 annual county appropriations reduced by all resources available to fund those
7 appropriations other than the county tax; or

8 (2) For the tax year of any county that begins on or after January 1, 2009, total
9 annual county appropriations for noncorrectional-related services as established
10 in section 701, reduced by all resources available to fund those appropriations
11 other than the county tax and by an appropriation subject to a waiver under
12 subsection 8-A.

13 **Sec. 2. 30-A MRSA §706-A, sub-§8-A** is enacted to read:

14 **8-A. Exempt funds.** An appropriation in a county budget with the purpose of
15 facilitating an agreement with one or more municipalities or counties to study, initiate or
16 consolidate a regional service is exempt from the calculation of the county assessment
17 limit under subsection 2 if a waiver from the county assessment limit is granted by the
18 Department of Administrative and Financial Services. A waiver from the county
19 assessment limit under this subsection may be granted for up to 10 years if the following
20 requirements are met:

21 A. The county demonstrates the regional need for the agreement under this
22 subsection, substantiates the potential savings of the regional service and documents
23 the basis for the number of years for which the waiver is requested;

24 B. The Department of Administrative and Financial Services determines that the
25 regional service demonstrates an efficient delivery of local and regional
26 governmental services and is a qualifying project under section 6201, subsection 8
27 and the appropriation is an eligible cost under section 6201, subsection 5; and

28 C. The Department of Administrative and Financial Services determines that the
29 regional service will be funded through savings achieved or fees collected for the
30 service and, if the service is a consolidation of existing services provided by 2 or
31 more governmental entities, provides for a more efficient delivery than the present
32 delivery of those services.

33 **Sec. 3. 30-A MRSA §5721-A, sub-§1, ¶D,** as affected by PL 2005, c. 2, Pt. C;
34 §5 and amended by c. 12, Pt. WW, §11 and affected by §§15 and 16, is further amended
35 to read:

36 D. "Property tax levy" means the total annual municipal appropriations, excluding
37 assessments properly issued by a county of which the municipality is a member and
38 amounts governed by and appropriated in accordance with Title 20-A, chapter 606-B,
39 and amounts appropriated to pay assessments properly issued by a school
40 administrative unit or tuition for students or amounts attributable to a tax increment

1 financing district agreement or similar special tax district, reduced by all resources
2 available to fund those appropriations other than the property tax and by an
3 appropriation subject to a waiver of the property tax levy under subsection 9-A.

4 **Sec. 4. 30-A MRSA §5721-A, sub-§9-A** is enacted to read:

5 **9-A. Exempt funds.** An appropriation in a municipal budget with the purpose of
6 facilitating an agreement with one or more municipalities or counties to study, initiate or
7 consolidate a regional service is exempt from the calculation of the property tax levy
8 under subsection 2 if a waiver from the property tax levy is granted by the Department of
9 Administrative and Financial Services. A waiver from the property tax levy under this
10 subsection may be granted for up to 10 years if the following requirements are met:

11 A. The municipality demonstrates the regional need for the agreement under this
12 subsection, substantiates the potential savings of the regional service and documents
13 the basis for the number of years for which the waiver is requested;

14 B. The Department of Administrative and Financial Services determines that the
15 regional service demonstrates an efficient delivery of local and regional
16 governmental services and is a qualifying project under section 6201, subsection 8
17 and the appropriation is an eligible cost under section 6201, subsection 5; and

18 C. The Department of Administrative and Financial Services determines that the
19 regional service will be funded through savings achieved from or fees collected for
20 the service and, if the service is a consolidation of existing services provided by 2 or
21 more governmental entities, provides for a more efficient delivery than the present
22 delivery of those services.

23 **SUMMARY**

24 This bill allows appropriations of municipalities to be exempt from the property tax
25 levy and appropriations of counties to be exempt from the county assessment limit if the
26 appropriations are to study, initiate or consolidate a regional service for up to 10 years if
27 the Department of Administrative and Financial Services determines that the services are
28 needed and will be more efficient than present services, will save taxpayers money and
29 will be paid for through the savings of consolidation or fees for the service.