

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

SECOND SPECIAL SESSION

November 18, 1983

AND AT THE

SECOND REGULAR SESSION

January 4, 1984 to April 25, 1984

AND AT THE

THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH
IN ACCORDANCE WITH MAINE REVISED STATUTES
ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
THIRD SPECIAL SESSION
of the
ONE HUNDRED AND ELEVENTH LEGISLATURE
1983

CHAPTER 857

S.P. 835 - L.D. 2236

**AN ACT to Increase the Minimum Wage
over a 3-year period to \$3.65.**

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

26 MRSA §664, first ¶, as amended by PL 1979, c. 516, §3, is further amended to read:

By reason of the declaration of policy set forth in section 661 and in the protection of the industry or business and in the enhancement of public interest, health, safety and welfare, it is declared unlawful for any employer to employ any employee, except as otherwise provided in this subchapter, at the rate of less than ~~\$2.90~~ \$3.45 per hour starting on January 1, 1985, and \$3.55 per hour starting on January 1, 1986, and \$3.65 per hour starting on January 1, 1987; or to require any employee to work more than 40 hours in one week, unless 1 1/2 times the regular hourly rate is paid for all work done over 40 hours in any one week; and whenever the highest federal minimum wage is increased in excess of ~~\$2.90~~ \$3.55 per hour, the minimum wage established under this section shall be increased to the same amount, effective on the same date as the increase in the highest federal minimum wage, but in no case shall the minimum wage exceed \$4 per hour. The overtime provision of this section shall not apply to seamen, the canning, processing, preserving, freezing, drying, marketing, storing, packing for shipment or distribution of herring as sardines, of perishable foods, of agricultural produce and meat and fish products, nor to the canning of perishable goods, nor to hotels, motels, restaurants and other eating establishments, nor to public employees.

Effective December 11, 1984.

CHAPTER 858

H.P. 1039 - L.D. 1364

**AN ACT to Amend the Law Relating to
Tax Increment Financing.**

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

Sec. 1. 30 MRSA §4863, sub-§1, as repealed and replaced by PL 1981, c. 676, §7, is amended to read:

1. Districts. The governing body of a municipality may designate development districts within the boundaries of the municipality. Prior to designating a district, the governing body shall consult with the municipal planning agency or department and with an advisory board, if established under section 4870, and shall also hold at least one public hearing, notice of which shall be published at least 10 days prior to the hearing in a newspaper of general circulation within the municipality. Not less than 25%, by area, of the real property within such district shall meet at least one of the following criteria:

- A. Is a blighted area;
- B. Is in need of rehabilitation or conservation work; or
- C. Is suitable for industrial sites.

The total area of a single development district shall not exceed 2% of the total acreage of the municipality and all development districts shall not exceed 5% of the total acreage of the municipality. The aggregate value of equalized taxable property of the district plus all existing districts does not exceed 5% of the total value of equalized taxable property within the municipality. The boundaries of a district may be altered only after meeting the requirements for adoption under this subsection.

Before final designation of a district, the Director of the State Development Office shall review the proposal to ensure that it is in compliance with statutory requirements and shall identify tax shifts within the county where the district will exist. A designation under this subsection shall be effective upon approval by the governing body of the municipality and the Director of the State Development Office. If the municipality has a charter, the designation shall be done in accordance with the provisions of the charter.

Sec. 2. 30 MRSA §5055, sub-§4, ¶B, as enacted by PL 1971, c. 478, §1, is amended to read:

- B. Property tax burden. "Property tax burden" shall mean the total real and personal property

taxes assessed in the most recently completed municipal fiscal year, except the taxes assessed from captured value within a tax increment financing district, divided by the latest state valuation certified to the Secretary of State.

Sec. 3. 36 MRSA §305, sub-§1, as amended by PL 1975, c. 272, §34, is further amended to read:

1. Just value. Certify to the Secretary of State before the first day of February in the year of the regular session of the Legislature the equalized just value of all real and personal property in each municipality and unorganized place which is subject to taxation under the laws of this State. Such equalized just value shall be uniformly assessed in each municipality and unorganized place and shall be based on 100% of the current market value. It shall separately show for each municipality and unorganized place the actual or estimated value of all real estate which is exempt from property taxation by law, or is the captured value within a tax increment financing district. The valuation as filed shall remain in effect until the next valuation is filed and shall be the basis for the computation and apportionment of the state and county taxes;

Sec. 4. 36 MRSA §381, as amended by PL 1981, c. 698, §178, is further amended to read:

§381. State valuation; definition; to be filed with Bureau of Taxation annually; abatement

The term "state valuation" as used in reference to the unorganized territory in this Title, except in this chapter, means an annual valuation of all property subject to a Maine property tax but not taxable by a municipality. The annual valuation is to be completed by and on file in the office of the Bureau of Taxation prior to the assessment of the annual property tax in the unorganized territory. The annual valuation is to be based on the status of property on April 1st. In this chapter and outside of this Title, the term "state valuation" means the valuation filed with the Secretary of State pursuant to section 305, subsection 1, except captured value located within a tax increment financing district.

Effective December 11, 1984.