

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

THIRD SPECIAL SESSION

October 1, 1992 to October 6, 1992

FOURTH SPECIAL SESSION

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 13, 1993

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1993

RESOLVES
OF THE
STATE OF MAINE
AS PASSED AT THE
FIRST REGULAR SESSION
of the
ONE HUNDRED AND SIXTEENTH LEGISLATURE
1993

Sec. 4. Report. Resolved: That the commission shall present its findings and recommendations to the board of commissioners for Kennebec County and the Kennebec County Advisory Budget Committee by October 1, 1993.

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

Effective July 13, 1993.

CHAPTER 40

H.P. 450 - L.D. 576

Resolve, to Maximize the Availability of Federal Financing of Services for Families and Children

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

Whereas, a committee must begin its work as soon as the Legislature has adjourned; and

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

Sec. 1. Federal Funds Task Force established. Resolved: That the Federal Funds Task Force is established to review federal grants and funding streams potentially available to help finance state services for families with children and other services provided to state citizens; and be it further

Sec. 2. Duties. Resolved: That the Federal Funds Task Force shall review and make recommendations as needed on the following issues:

1. A review of available federal resources for families with children;
2. The mechanism for state agencies to access these funds;
3. An analysis of the present utilization of federal funds for families with children; and
4. Any potential means to increase the utilization of these funds; and be it further

Sec. 3. Membership. Resolved: That the Federal Funds Task Force consists of the following members:

1. Four members of the Senate, with one member from the Joint Standing Committee on Human Resources, one member from the Joint Standing Committee on Appropriations and Financial Affairs, one member from the Joint Standing Committee on Education and one member from the Joint Select Committee on Corrections. Members from the Senate are appointed by the President of the Senate. At least one member appointed under this subsection must be a member of the minority party; and

2. Five members of the House of Representatives, with 2 members from the Joint Standing Committee on Human Resources, one member from the Joint Standing Committee on Appropriations and Financial Affairs, one member from the Joint Standing Committee on Education and one member from the Joint Select Committee on Corrections. Members from the House of Representatives are appointed by the Speaker of the House of Representatives. At least 2 members appointed under this subsection must be members of the minority party; and be it further

Sec. 4. Appointment deadline; first meeting. Resolved: That appointments must be made within 30 days of the effective date of this resolve. The Federal Funds Task Force shall hold its first meeting, called by the Executive Director of the Legislative Council, before August 1st; and be it further

Sec. 5. Report. Resolved: That the Federal Funds Task Force shall report its findings to the Joint Standing Committee on Human Resources and the Joint Standing Committee on Appropriations and Financial Affairs and the Governor no later than November 5, 1993. Recommendations must include steps to increase federal financing opportunities, with a delineation of potential dollars saved, costs avoided and interagency collaboration necessary. The task force shall also recommend methods to evaluate the State's ongoing utilization of federal funds. Upon submission of its report, the task force is dissolved; and be it further

Sec. 6. Staff. Resolved: That the Legislative Council shall provide staff upon request of the Federal Funds Task Force; and be it further

Sec. 7. Expenses. Resolved: That the members of the Federal Funds Task Force receive expenses and legislative per diem for all meetings attended. The Legislative Council shall absorb the costs of the task force within existing resources; and be it further

Sec. 8. Chair. Resolved: That the Federal Funds Task Force shall elect a chair from its membership at its first meeting.

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

Effective July 13, 1993.

CHAPTER 41

H.P. 513 - L.D. 671

Resolve, to Establish a Commission to Study the Statutory Procedures for Local Property Tax Abatement Appeals

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

Whereas, there is an urgent need to reform the current statutory procedures for local property tax abatement appeals; and

Whereas, the number and complexity of local property tax abatement appeals are likely to increase due to recent economic conditions; and

Whereas, the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted to the next legislative session; and

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

Sec. 1. Commission established. Resolved: That the Commission to Study the Statutory Procedures for Local Property Tax Abatement Appeals is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of 9 members appointed jointly by the President of the Senate and the Speaker of the House of Representatives, at least 3 of whom must be Legislators and the balance of whom must be knowledgeable persons representing a broad spectrum of related interests, including, but not limited to, relevant state, county and municipal agencies and officials, the judiciary and the bar, and large and small property taxpayers; and be it further

Sec. 3. Appointments; meetings. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The Executive Director of the Legislative Council must be

notified by the appointing authorities once the selections have been made. The Chair of the Legislative Council shall call and convene the first meeting of the commission no later than 30 days after the appointment of all members has been completed. The commission shall select a chair from among its legislative members; and be it further

Sec. 4. Duties. Resolved: That the commission shall study and make recommendations to the Legislature concerning revision of the current statutory procedures for local property tax abatement appeals. The objective of this study is to develop a process for hearing and deciding appeals that is clear, comprehensive and efficient and that results in consistent, equitable and timely decisions. The commission shall consider and may propose reforms to, among other things, appeals procedures and the hierarchy of appellate forums.

In conducting the study, the commission may:

1. Hold public hearings;
2. Meet at such times and places as the commission determines necessary and hold informational sessions for discussions with knowledgeable persons;
3. Establish subcommittees or advisory committees;
4. Conduct, summarize and analyze the results of a literature search;
5. Conduct, tabulate and analyze the results of a survey of the public or affected persons and groups;
6. Procure and analyze relevant data;
7. Conduct legal research and prepare opinions on legal questions within the scope of the study; and
8. Determine and summarize the legislative actions or governmental programs undertaken in other jurisdictions related to issues within the scope of the study; and be it further

Sec. 5. Staff assistance. Resolved: That the Bureau of Taxation may provide staff assistance to the commission. Additional staff assistance, including assistance in preparing any recommended legislation, may be requested from the Legislative Council; and be it further

Sec. 6. Reimbursement. Resolved: That the members of the commission who are Legislators are entitled to the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, for each day's attendance at commission hearings. All other members are entitled to expenses, as defined in the Maine Revised Statutes, Title 5, chapter 379, upon application to the Executive Director of the Legislative Council; and be it further