

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

SECOND REGULAR SESSION
January 7, 1998 to March 31, 1998

SECOND SPECIAL SESSION
April 1, 1998 to April 9, 1998

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 1998

SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 9, 1998

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
1997

CHAPTER 688

H.P. 1561 - L.D. 2192

An Act to Create a Nonlegislative System to Adjust Municipal Valuations in the Circumstance of Sudden and Severe Valuation Disruption

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

Sec. 1. 36 MRSA §208-A is enacted to read:

§208-A. Adjustment for sudden and severe disruption of valuation

1. Request for adjustment. A municipality that has experienced a sudden and severe disruption in its municipal valuation may request an adjustment to the equalized valuation determined by the State Tax Assessor under section 208. A municipality requesting an adjustment under this section must file a petition, with supporting documentation, with the State Tax Assessor by the August 1st preceding the October 1st when municipalities are notified of proposed valuations under section 208.

2. Sudden and severe disruption. A municipality experiences a sudden and severe disruption in its municipal valuation if:

A. The municipality experiences an equalized net reduction in valuation from the equalized valuation that would apply without adjustment under this section. The net reduction must be at least 2% for valuations based on the status of property on April 1, 1998 and 5% for valuations in subsequent years;

B. The equalized net reduction is attributable to the closure, removal, replacement, retrofit, obsolescence, disaster or abatement attributable to a single taxpayer; and

C. The municipality's equalized tax rate of residential property exceeds the state average.

3. Procedure. On receipt of a request by a municipality for adjustment under this section, the State Tax Assessor shall examine the documentation provided by the municipality and determine if the municipality qualifies for an adjustment under this section. If the State Tax Assessor determines that a municipality qualifies for an adjustment under this section, the State Tax Assessor shall calculate an adjusted state valuation for the municipality by reducing the amount that is determined under section 208 by the amount of the net sudden and severe disruption of equalized valuation.

4. Notifications. The State Tax Assessor shall notify the Commissioner of Education and the Treasurer of State of any adjusted state valuation determined under this section by February 1st of the year following the request for an adjustment.

5. Effect of modified state valuation. The determination of an adjusted state valuation has the following effect.

A. The Commissioner of Education shall use the adjusted state valuation for the municipality instead of the valuation certified under section 305 in calculating the distribution of state funds to support education.

B. The Treasurer of State shall use the adjusted state valuation instead of the valuation certified under section 305 in calculating the distribution of state municipal revenue sharing.

See title page for effective date.

CHAPTER 689

H.P. 1633 - L.D. 2261

An Act to Implement the Recommendations of the Commission to Study the Certificate of Need Laws

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

PART A

Sec. A-1. 5 MRSA §12004-I, sub-§38, as enacted by PL 1987, c. 786, §5, is amended to read:

38.	Certificate of Need Services: Health Facilities	\$25/DAY	22 MRSA §307 §306-B
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Sec. A-2. 22 MRSA §253, sub-§3, as enacted by PL 1995, c. 653, Pt. C, §1 and affected by §3, is amended to read:

3. Public hearings; consultation with Certificate of Need Advisory Committee. Prior to adopting the state health plan and in reviewing the state health plan, the department shall conduct public hearings in different regions of the State on the proposed state health plan. Interested persons must be given the opportunity to submit oral and written testimony. Not less than 30 days before each hearing, the department shall publish in a newspaper of general circulation in the region the time and place of the hearing, the place