

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 1, 2004 to March 30, 2005

FIRST SPECIAL SESSION
April 4, 2005 to June 18, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 17, 2005

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

Penmor Lithographers
Lewiston, Maine
2005

Whereas, as a result of the amicable settlement of a property tax dispute regarding the just value of the Maine Yankee Atomic Power Company's real and personal property, the Town of Wiscasset has experienced a loss of its municipal valuation related to the year 2003 municipal valuation relied upon by the State for purposes of establishing the 2005 state valuation, as determined by the Department of Administrative and Financial Services, Maine Revenue Services, Property Tax Division in September 2004; and

Whereas, Maine Revenue Services, Property Tax Division has completed its state valuations and the appeal period for the same has passed; and

Whereas, absent this special legislation, there is no provision for Maine Revenue Services, Property Tax Division to calculate an adjusted state valuation for the Town of Wiscasset for the 2005 state valuation; 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. State valuation for Town of Wiscasset for year 2005. Resolved: That, due to the loss of valuation caused by the settlement of a property tax dispute regarding the just value of the independent spent fuel storage facility and the real estate on which it is located, notwithstanding the Maine Revised Statutes, Title 36, sections 208 and 208-A, the State Tax Assessor shall reduce the state valuation for the Town of Wiscasset for the year 2005 state valuation to \$338,600,000; and be it further

Sec. 2. Apportionment for 2005. Resolved: That, notwithstanding the Maine Revised Statutes, Title 30-A, section 706, the county commissioners of Lincoln County must use the sum of \$488,450,000 instead of the 2005 state valuation for the Town of Wiscasset for the purpose of apportioning county taxes for the 2005 tax year.

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

Effective May 31, 2005.

CHAPTER 68

H.P. 1143 - L.D. 1620

Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97 - Private Non-Medical Institution Services, a Major Substantive Rule of the Department of Health and Human Services

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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. Adoption. Resolved: That final adoption of portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97 - Private Non-Medical Institution Services, a provisionally adopted major substantive rule of the Department of Health and Human Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective May 31, 2005.
