

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE**

**SECOND SPECIAL SESSION**

**July 29, 2005**

**SECOND REGULAR SESSION**

**January 4, 2006 to May 24, 2006**

**THE GENERAL EFFECTIVE DATE FOR**

**SECOND SPECIAL SESSION**

**NON-EMERGENCY LAWS IS**

**OCTOBER 28, 2005**

**THE GENERAL EFFECTIVE DATE FOR**

**SECOND REGULAR SESSION**

**NON-EMERGENCY LAWS IS**

**AUGUST 23, 2006**

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

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**Penmor Lithographers**

**Lewiston, Maine**

**2006**

elements including sales of such projects, government subsidies, tax credits, permits and licenses and any other factors considered relevant by the bureau; and be it further

**Sec. 2. Informational program and materials. Resolved:** That the bureau shall prepare an informational program and materials for municipal assessors that describe the factors that should be considered by municipal assessors when determining the just value of property acquired, rehabilitated or constructed pursuant to federal laws related to affordable housing for low-income persons. The informational program must be presented as part of the bureau's annual Property Tax School; and be it further

**Sec. 3. Report. Resolved:** That the bureau shall present a report to the joint standing committee of the Legislature having jurisdiction over taxation matters by January 10, 2007 describing the results of its review conducted pursuant to section 1. The report must include a description of how other states treat valuation issues for affordable housing projects both with and without federal tax credits and the impact of those credits on valuation. The report must describe practices used in Maine to assess affordable housing projects and identify any inconsistencies. The report must evaluate the application of the Constitution of Maine to assessment practices for affordable housing projects. The report must include any recommendations for statutory changes the bureau considers necessary. The bureau may submit legislation to implement its recommendations. After receipt and review of the report the joint standing committee may report out to the First Regular Session of the 123rd Legislature legislation to implement the recommendations related to the report; and be it further

**Sec. 4. Advisory group. Resolved:** That the bureau shall consult with the Maine State Housing Authority; representatives of affordable housing project developers, financiers and owners; organizations representing municipal officials, including municipal assessors; and other experts in the field of appraisal and affordable housing project financing when preparing the informational program and materials and the report required by this resolve.

See title page for effective date.

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## CHAPTER 171

### H.P. 1464 - L.D. 2069

#### **Resolve, Regarding Legislative Review of the Final Repeal of Portions of Chapter 130: Rules for Equivalent Instruction Programs, a Major Substantive Rule That Has Been Provisionally Repealed by the Department of Education**

**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, amended, suspended or repealed by the agency; and

**Whereas,** the final repeal of 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 repeal 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. Repeal. Resolved:** That final repeal of Chapter 130: Rules for Equivalent Instruction Programs, a provisionally repealed major substantive rule of the Department of Education 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 April 7, 2006.

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