

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2008-09 and To Require Notation of Tax Enhancement Programs Approved by the County Commissioners

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

Whereas, prompt determination and certification of the municipal cost components in the Unorganized Territory Tax District are necessary to the establishment of a mill rate and the levy of the Unorganized Territory Educational and Services Tax; 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 enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §246, sub-§2, ¶B, as enacted by PL 1985, c. 459, Pt. C, §1, is amended to read:

B. To prepare and submit, by March 1st, annually, a report of ~~his~~the fiscal administrator's review, analysis and investigation to the joint standing committee of the Legislature having jurisdiction over taxation, each Legislator representing a county containing unorganized territory and the office of the county commissioners of each county having unorganized territory. The report ~~shall~~must contain sufficient detail to explain fully each agency or county request and may contain recommendations by the administrator regarding legislative or administrative action. This report must also include a notation as to any tax enhancement programs that have been approved by the county commissioners;

Sec. 2. 5 MRSA §246, sub-§3, as enacted by PL 1985, c. 459, Pt. C, §1, is amended to read:

3. Legislation. The fiscal administrator shall prepare and submit legislation to the Legislature by March 1st, annually, providing for the requests made by counties and state agencies for services provided in the unorganized territory ~~which~~that are entitled to funding under Title 36, chapter 115. Legislation submitted pursuant to this subsection must also include a notation as to any tax enhancement programs that have been approved by the county commissioners. The administrator ~~shall~~may not reject or change a budget submitted by a county or state agency without the approval of the county or agency making the request.

Sec. 3. Municipal cost components for services rendered. In accordance with the Maine Revised Statutes, Title 36, chapter 115, the Legislature determines that the net municipal cost component for services and reimbursements to be rendered in fiscal year 2008-09 is as follows:

| | |
|-------------------------------|------------|
| Audit - Fiscal Administration | \$198,294 |
| Education | 11,883,253 |

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|--|---------|
| Forest Fire Protection | 160,000 |
| Human Services - General Assistance | 62,000 |
| Property Tax Assessment - Operations | 799,852 |
| Maine Land Use Regulation Commission - Operations | 404,589 |

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|----------------------|--------------|
| TOTAL STATE AGENCIES | \$13,507,988 |
|----------------------|--------------|

County Reimbursements for Services:

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|-------------|-----------|
| Aroostook | \$822,656 |
| Franklin | 653,984 |
| Hancock | 164,925 |
| Kennebec | 881 |
| Oxford | 459,128 |
| Penobscot | 857,695 |
| Piscataquis | 1,145,517 |
| Somerset | 864,474 |
| Washington | 686,371 |

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|-----------------------|-------------|
| TOTAL COUNTY SERVICES | \$5,655,631 |
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|--------------------|--------------|
| TOTAL REQUIREMENTS | \$19,163,619 |
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COMPUTATION OF ASSESSMENT

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| Requirements | \$19,163,619 |
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Less Deductions:

General -

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| State Revenue Sharing | \$290,000 |
| Homestead Reimbursement | 100,000 |
| Miscellaneous Revenues | 50,000 |
| Transfer from Undesignated Fund Balance | 3,000,000 |

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| TOTAL | \$3,440,000 |
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Educational -

HP1613, LD 2251, item 1, 123rd Maine State Legislature
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|------------------------------|---------------|
| Land Reserved Trust | \$100,000 |
| Tuition/Travel | 250,000 |
| Miscellaneous | 5,000 |
| Special - Teacher Retirement | 200,000 |
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| TOTAL | \$555,000 |
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| TOTAL DEDUCTIONS | (\$3,995,000) |
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| TAX ASSESSMENT | \$15,168,619 |

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

SUMMARY

This bill establishes municipal cost components for state and county services provided to the unorganized territory that would be paid for by a municipality. The municipal cost components constitute the property tax for the unorganized territory.

In addition, this bill requires that the fiscal administrator of the unorganized territory include in both the report and proposed legislation submitted annually to the Legislature a notation as to any tax enhancement programs that have been approved by the county commissioners.