

126th MAINE LEGISLATURE

SECOND REGULAR SESSION-2014

Legislative Document

No. 1607

H.P. 1179

House of Representatives, December 30, 2013

An Act To Reinstate Statutory Authority for Local Property Tax Assistance Programs

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 23, 2013. Referred to the Committee on Taxation pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. Mac Jarland

MILLICENT M. MacFARLAND Clerk

Presented by Representative CAREY of Lewiston. Cosponsored by Senator SAVIELLO of Franklin and Representatives: BEAVERS of South Berwick, Speaker EVES of North Berwick, FREY of Bangor, MORIARTY of Cumberland, ROTUNDO of Lewiston.

- 1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and
- Whereas, Public Law 2013, chapter 368 discontinued the Circuitbreaker Program
 and the legislative authorization of municipal property tax assistance programs, effective
 August 1, 2013; and
- 6 **Whereas,** although municipal property tax assistance programs may be linked to the 7 Circuitbreaker Program, it was not the intent of the Legislature to discontinue the 8 authorization of municipalities to offer property tax assistance programs; and
- 9 Whereas, this legislation needs to take effect as soon as possible to restore the 10 ability of municipalities to offer property tax assistance programs; and
- 11 **Whereas,** in the judgment of the Legislature, these facts create an emergency within 12 the meaning of the Constitution of Maine and require the following legislation as 13 immediately necessary for the preservation of the public peace, health and safety; now, 14 therefore,
- 15 Be it enacted by the People of the State of Maine as follows:

23

- 16 Sec. 1. 36 MRSA §6231, as enacted by PL 2005, c. 395, §4, is repealed.
- 17 Sec. 2. 36 MRSA §6232, sub-§2, as enacted by PL 2005, c. 395, §4, is repealed.
- 18 Sec. 3. 36 MRSA §6233, as corrected by RR 2013, c. 1, §56, is repealed.
- Sec. 4. Retroactivity. That section of this Act that repeals the Maine Revised
 Statutes, Title 36, section 6233 applies retroactively to June 26, 2013.
- Emergency clause. In view of the emergency cited in the preamble, this
 legislation takes effect when approved.
 - SUMMARY
- Public Law 2013, chapter 368, the unified budget bill, discontinued the Maine Residents Property Tax Program, also known as the Circuitbreaker Program, effective for applications filed on or after August 1, 2013. Public Law 2013, chapter 368 also discontinued the statutory authority for municipal property tax relief programs since some of those programs were dependent on the definitions used in the Circuitbreaker Program, including a determination of income, and provided relief as a percentage of what was given under the Circuitbreaker Program.
- This bill restores statutory authority for municipal property tax relief programs retroactive to the effective date of Public Law 2013, chapter 368, June 26, 2013, and provides more flexibility to a municipality in determining eligibility and benefit levels by repealing language linking the municipal program to the Circuitbreaker Program.