

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1227

S. P. 366

Referred to Committee on State Government and ordered printed.

In Senate, March 28, 1977

Sent down for concurrence

MAY M. ROSS, Secretary

Presented by Senator Merrill of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

RESOLUTION, Proposing an Amendment to the Constitution to Require the State to Reimburse Municipalities for at least 50% of Property Tax Exemption Losses.

Constitutional amendment. RESOLVED: Two-thirds of each branch of the Legislature concurring, that the following amendment to the Constitution of this State be proposed:

Constitution, Art. IV, Pt. 3, § 23 is enacted to read:

Sec. 23. Municipalities reimbursed annually. The Legislature shall annually reimburse each municipality for at least 50% of the property tax revenue loss suffered by that municipality during the previous calendar year because of statutory property tax exemptions. The Legislature shall enact appropriate legislation to carry out the intent of this section.

Constitutional referendum procedure; form of question; effective date. Resolved: That the city aldermen, town selectmen and plantation assessors of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, at the next general election in the month of November or special statewide election on the Tuesday following the first Monday of November following the passage of this resolution, to vote upon the ratification of the amendment proposed in this resolution by voting upon the following question:

“Shall the Constitution be amended as proposed by a resolution of the Legislature to require the State to reimburse municipalities for at least 50% of property tax exemption losses?”

The legal voters of each city, town and plantation shall vote by ballot on this question, and shall designate their choice by a cross or check mark placed within the corresponding square below the words "Yes" or "No." The ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns, and, if it appears that a majority of the legal votes are in favor of the amendment the Governor shall proclaim that fact without delay and the amendment shall become part of the Constitution on January 1, 1978.

Secretary of State shall prepare ballots. Resolved: That the Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this resolution necessary to carry out the purpose of this referendum.

STATEMENT OF FACT

This constitutional resolution, by requiring the Legislature to reimburse municipalities for at least 50% of tax losses suffered by property tax exemptions, would force the Legislature to carefully review existing property tax exemptions and to carefully weigh the effect on municipalities of any new property tax exemptions.