

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

FIRST SPECIAL SESSION

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 2073

H. P. 1680

House of Representatives, January 2, 1974

Referred to the Committee on Taxation. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mr. McTeague of Brunswick.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FOUR

AN ACT to Provide a Maine Homestead Property Tax Exemption Law.

Be it enacted by the People of the State of Maine as follows:

R. S., T. 36, c. 903, additional. Title 36 of the Revised Statutes is amended by adding a new chapter 903 to read as follows:

CHAPTER 903

MAINE HOMESTEAD PROPERTY TAX EXEMPTION LAW

§ 6171. Title

This chapter shall be known as the "Maine Homestead Property Tax Exemption Law."

§ 6172. Purposes

The purposes of this chapter are to:

1. Relieve and reduce the heavy and inequitable burden of real estate tax on homeowners;
2. Encourage home ownership;
4. Equalize the burdens of real estate taxation between residents of different municipalities and
4. Improve the equity of assessing practices.

§ 6173. Definitions

As used in this chapter, the following terms have the following meanings unless a different meaning clearly appears from the context.

1. Homestead. "Homestead" means the principal dwelling of a family or person owned by the member of that nuclear family or that person and which the owner, his spouse, or his minor children maintain their principal place of abode and have made their principal place of abode for at least 6 months in the preceding tax year, April 1st to April 1st, and consisting of one parcel of real estate with the structure thereon or adjoining parcels of real estate with structure thereon and includes a house trailer or mobile home as defined in section 551.

§ 6174. One homestead exemption per family

No nuclear family or individuals residing together at the same property during any one year shall be entitled to more than one homestead exemption and in the event of claim of entitlement to more than one homestead exemption, the homestead exemption shall be awarded regarding the property which was occupied as a dwelling on April 1st.

§ 6175. Administration

This chapter shall be administered by the State Tax Assessor who is hereby empowered to make and promulgate reasonable rules and regulations consistent with the purposes of this chapter to encourage the equitable, speedy and efficient administration of this chapter.

Assessing officers of towns, municipalities and plantations shall carry out such functions as may be assigned to them by the State Tax Assessor in regard to the administration of this chapter and the rules and regulations promulgated under it.

§ 6176. Recoupment of revenue losses to municipalities and plantations

Any municipality granting exemption under this section shall have a valid claim against the State to recover the taxes lost by reason of this exemption upon proof of facts in form satisfactory to the State Tax Assessor. Such refund request must be filed with the State Tax Assessor by the assessors of the municipality on or before August 1st annually. The State Tax Assessor will certify such claims to the Treasurer of State on or before October 1st and payment to the municipalities will be made by the Treasurer of State on or before November 1st.

§ 6177. Effective date

This chapter shall be effective for the purposes of promulgating regulations by the State Tax Assessor on January 1, 1975, and shall be effective regarding the existence of the exemption herein created on April 1, 1975.

§ 6178. Homesteads exempt

Each homestead as defined in this chapter shall be exempt from property taxation for valuation equal to 40% of the real property taxes due the municipality on such property to an amount not to exceed \$200 in any one year.

§ 6179. Multiple housing

In the case of a homestead containing separate dwelling units rented, leased or otherwise occupied by persons not members of the owner's nuclear

family, that portion of the homestead subject to limitation in section 6178 occupied by members of the owner's family shall be entitled to exemption.

FISCAL NOTE

It is estimated the first year will result in a loss of several millions of dollars in tax revenues to the State.

STATEMENT OF FACT

The purpose of this bill is to provide a homestead tax exemption under the property tax law.