

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 930

H. P. 785

House of Representatives, February 19, 1981

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

EDWIN H. PERT, Clerk

Presented by Representative Day of Westbrook.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Provide a Property Tax Exemption for Persons 70 Years of Age or Older.

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

36 MRSA § 654, sub-§ 2 is enacted to read:

2. **Estates of elderly residents. The estates of elderly residents, according to the following provisions:**

A. The estates, up to the just value of \$5,000 having a taxable situs in the place of residence of persons 70 years of age or older. This exemption applies to the property of that individual, including property held in joint tenancy with that individual's spouse. The exemption applies to an individual 65 years of age or older, if the individual survives a spouse who was 70 years of age or older at the time of death and qualified for an exemption under this subsection;

B. The individual is a legal resident of the State and has been a legal resident for at least 10 years prior to claiming the exemption;

C. The individual has notified the assessor in the municipality where the estate is located of the claim for exemption on or before April 1st. The notification does not have to be repeated in succeeding years;

D. The individual is not claiming an exemption under section 653 nor is he receiving any form of property tax relief under any federal program; and

E. Any municipality granting exemptions under this subsection shall have a valid claim against the State to recover 90% of the taxes lost by reason of such exemptions as exceeds 3% of the total local tax levy, upon proof of the facts in form satisfactory to the Commissioner of Finance and Administration. These claims shall be presented to the Legislature next convening.

STATEMENT OF FACT

The purpose of this bill is to provide a \$5,000 tax exemption for the estates of persons 70 years of age or older. The municipality granting the exemption would be entitled to a reimbursement from the State in the same manner as the reimbursement for veterans' exemptions.