

MAINE STATE LEGISLATURE

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(Governor's Bill)
FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1589

H. P. 1449

House of Representatives, May 8, 1981

Out of Order, Referred to the Committee on Taxation. Sent up for concurrence and Ordered Sent Forthwith.

EDWIN H. PERT, Clerk

Presented by Representative Post of Owls Head.

Cosponsors: Representative Mitchell of Vassalboro, Representative Masterman of Milo and Senator Violette of Aroostook.

STATE OF MAINE

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Amend the Provisions Requiring the State to Reimburse Municipalities and Counties for Losses Caused by Property Tax Revenues and Credits Enacted after April 1, 1978.

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

Constitution, Art. IV, Pt. 3, § 23, as enacted by CR 1977, c. 5, is repealed and the following enacted in its place:

Section 23. Municipalities and counties reimbursed annually. The Legislature shall annually reimburse each municipality and each county from state tax sources for fifty percent of the property tax revenue loss suffered by that municipality or county during the previous calendar year because of statutory property tax exemptions or credits enacted after April 1, 1978, provided that the Legislature may, by two-thirds of each Branch concurring, provide for reimbursement of greater than fifty percent of the property tax revenue loss, but in no case greater than eighty-five percent.

The Legislature shall not reimburse any municipality or county for property tax

revenue loss resulting from the exemption from taxation of mineral ore deposits in a mine site.

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 a 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 of Maine be amended as proposed by a resolution of the Legislature to require the State to reimburse municipalities and counties from state tax sources for between fifty percent and eighty-five percent of the losses caused by property tax exemptions and credits after April 1, 1978, except those relating to unextracted minerals on mine sites?”

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 word “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 the date of the proclamation.

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 purposes of this referendum.

STATEMENT OF FACT

The purpose of this Constitutional Resolution is to amend the provisions requiring the State to reimburse municipalities and counties for losses caused by property tax revenues and credits enacted after April 1, 1978.