

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1134

H.P. 843 House of Representatives, April 7, 1987
Reference to the Committee on State and Local Government
suggested and ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative JACKSON of Harrison.
Cosponsored by Representatives ZIRNKILTON of Mount Desert
and HANLEY of Paris.

STATE OF MAINE

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

1 RESOLUTION, Proposing an Amendment
2 to the Constitution of Maine
3 to Establish a Limit on Increases in the Local
4 Property Tax.
5

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

10 Constitution, Article IX, Section 8-A is enacted
11 to read:

12 Section 8-A. Tax limitation. Notwithstanding
13 section 8, beginning January 1, 1988, all increases
14 in property taxes shall be limited in the following
15 manner.

1 1. No increase in the valuation of real or per-
2 sonal property may exceed the inflationary increase
3 over the previous year.

4 2. No increase in the rate of taxes on real or
5 personal property may exceed the inflationary in-
6 crease over the previous year.

7 3. An increase in the valuation of real and per-
8 sonal property or an increase in the rate of taxes on
9 real and personal property may exceed the inflation-
10 ary increase if the legislative body of the municipi-
11 ality imposing the tax declares, by a 3/5 majority,
12 that an emergency exists. The proposed declaration
13 must receive a public hearing and it shall specifi-
14 cally state the nature of the emergency and the meth-
15 od by which the emergency will be funded. The emer-
16 gency shall be declared prior to incurring any of the
17 expenses which constitute the specific emergency re-
18 quest. The tax limitation may be exceeded only for
19 the fiscal year in which the emergency is declared.
20 In the next and subsequent years, the tax limitation
21 of this section shall again take effect.

22 4. "Inflationary increase" means the lower of
23 the increase on January 1st over the previous year of
24 the percentage increase in the federal Consumer Price
25 Index or the percentage increase in the real personal
26 wages for the State.

27 Constitutional referendum procedure; form of
28 question; effective date. Resolved: That the city
29 aldermen, town selectmen and plantation assessors of
30 this State shall notify the inhabitants of their re-
31 spective cities, towns and plantations to meet, in
32 the manner prescribed by law for holding a statewide
33 election, at a statewide election, on the Tuesday
34 following the first Monday of November following the
35 passage of this resolution, to vote upon the ratifi-
36 cation of the amendment proposed in this resolution
37 by voting upon the following question:

38 "Shall the Constitution of Maine be amended to
39 limit increases in property taxes to the amount
40 of the increase in inflation?"

1 The legal voters of each city, town and planta-
2 tion shall vote by ballot on this question, and shall
3 designate their choice by a cross or check mark
4 placed within the corresponding square below the word
5 "Yes" or "No." The ballots shall be received,
6 sorted, counted and declared in open ward, town and
7 plantation meetings and returns made to the Secretary
8 of State in the same manner as votes for members of
9 the Legislature. The Governor shall review the re-
10 turns and, if it appears that a majority of the legal
11 voters are in favor of the amendment, the Governor
12 shall proclaim that fact without delay and the amend-
13 ment shall become part of the Constitution on the
14 date of the proclamation.

15 Secretary of State shall prepare ballots. Re-
16 solved: That the Secretary of State shall prepare
17 and furnish to each city, town and plantation all
18 ballots, returns and copies of this resolution neces-
19 sary to carry out the purposes of this referendum.

20

STATEMENT OF FACT

21 This bill amends the Constitution of Maine to
22 place a limit upon any increases in either the valua-
23 tion of property or the local property tax rate. The
24 limit is the lower of the increase in the federal
25 Consumer Price Index or the increase in real personal
26 wages in the State.

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