

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

## FIRST REGULAR SESSION - 1989

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Legislative Document

No. 1087

H.P. 775

House of Representatives, April 10, 1989

Reference to the Committee on Taxation suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative MITCHELL of Freeport.

Cosponsored by Senator EMERSON of Penobscot, Representative SKOGLUND of St. George and Representative DORE of Auburn.

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STATE OF MAINE

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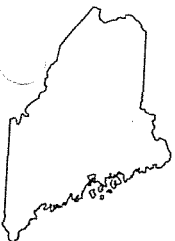
IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-NINE

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**An Act To Make Benefits Under the Household Tax and Rent Refund  
Program More Accessible.**

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(EMERGENCY)



1           **Emergency preamble.** Whereas, Acts of the Legislature do not  
2 become effective until 90 days after adjournment unless enacted  
3 as emergencies; and

5           Whereas, applications for benefits under the household tax  
6 and rent refund program and similar predecessor programs  
7 generally have been made available on August 1st; and

9           Whereas, this legislation requires substantial changes in  
10 the forms and instructions related to that program because of the  
11 difficulty applicants had in reading and understanding those  
12 forms and instructions in the last program year; and

13           Whereas, this legislation also requires that a  
14 comprehensive outreach plan be developed prior to the beginning  
15 of the next application period in August; and

17           Whereas, without prior planning, many needy individuals may  
18 be unaware of this important opportunity to receive property tax  
19 relief; and

21           Whereas, in the judgment of the Legislature, these facts  
22 create an emergency within the meaning of the Constitution of  
23 Maine and require the following legislation as immediately  
24 necessary for the preservation of the public peace, health and  
25 safety; now, therefore,

27  
28 **Be it enacted by the People of the State of Maine as follows:**

29           **Sec. 1. 36 MRSA §6201, sub-§1,** as enacted by PL 1987, c. 516,  
30 §§3 and 6, is amended to read:

33           1. **Benefit base.** "Benefit base" means property taxes  
34 accrued or rent constituting property taxes accrued. In the case  
35 of a claimant paying both rent and property taxes for a  
36 homestead, benefit base means both property taxes accrued and  
37 rent constituting property taxes accrued.

39           **Sec. 2. 36 MRSA §§6218 to 6221** are enacted to read:

41           §6218. Readability; application; instructions

43           The application form and instructions used by applicants for  
44 assistance under the household tax and rent refund program and  
45 its successor, if any, shall:

47           1. Clear language. Be written in simple words used in  
48 their commonly understood senses to convey meaning simply and  
49 directly;

1           2. Sentence structure. Be written in the active voice  
3 using short, affirmative and primarily simple rather than complex  
or compound sentences;

5           3. Readability. Have adequate margins and type size for  
7 purposes of readability and columns of text not exceeding 4  
inches in width;

9           4. Distinctive section headings. Have section headings  
11 printed in contrasting color, typeface or size; and

13           5. Readability level. Have a readability score, as  
15 determined by a recognized instrument for measuring adult  
literacy, equivalent to no higher than a 6th grade reading level.

17 §6219. Outreach plan required

19           The Bureau of Taxation shall develop and implement a plan of  
21 outreach to ensure that all eligible households are made aware of  
23 assistance available under the household tax and rent refund  
program and its successor, if any. The outreach plan shall  
provide for, at a minimum, the following activities:

25           1. Direct mailing. Direct mailing of an application and  
instructions for completing it to:

27           A. All current recipients of federal food stamp and  
29 Medicaid benefits;

31           B. Households receiving benefits under the 1988 household  
tax and rent refund program; and

33           C. Households receiving benefits under the low-income home  
35 energy assistance program in the most recently completed  
program year;

37           2. General distribution. Distribution of applications and  
39 instructions to all agencies and organizations frequently  
utilized by persons potentially eligible for program benefits;

41           3. Public service announcements. Periodic statewide public  
43 service announcements on radio and television concerning the  
availability of program assistance and the application procedure;  
45 and

47           4. Poster distribution. Distribution of publicity posters  
49 for display in public buildings, including municipal offices and  
educational institutions, on public transportation and in the  
offices of agencies and organizations serving persons potentially  
51 eligible for program benefits.

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**§6220. Coordination required**

The Bureau of Taxation shall seek the advice and cooperation of the Bureau of Maine's Elderly; the Bureau of Income Maintenance; the Division of Community Services; advocates for elderly and low-income individuals; the Maine Literacy Coalition; and other interested agencies and organizations in developing the application form and instruction booklet for the household tax and rent refund program and the outreach plan required by section 6219.

**§6221. Telephone assistance required**

The Bureau of Taxation shall maintain a toll-free telephone line to respond to questions and provide assistance to program applicants. This telephone number should be prominently featured on the application form and instruction booklet and on all materials or media presentations publicizing the program.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

**STATEMENT OF FACT**

This bill makes the public more aware and better able to take advantage of assistance available under the household tax and rent refund program.

Section 1 of the bill clarifies the method for calculating the benefit base for claimants such as mobile home owners who must rent a lot on which to locate their home, who pay both rent and property tax for their homestead.

Section 2 requires that the program application form and instructions be written and designed to accommodate a person with a 6th grade reading level. Reading difficulties are a serious problem for at least 10% of the State's population. Forty-five thousand Maine residents did not finish the 8th grade and 11,000 did not finish the 5th.

Section 2 also requires a statewide outreach plan to ensure that all eligible households are made aware of assistance available under the program. It emphasizes the use of public service announcements on radio and television to reach people with severe literacy problems. This section also requires that the Bureau of Taxation continue its toll-free telephone line to provide the public with information about the program and assistance in completing the application.