

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

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No. 1414

H.P. 1013

House of Representatives, May 1, 1989

Reference to the Committee on Taxation suggested and ordered printed.

Ed Pert

EDWIN H. PERT, Clerk

Presented by Representative LEBOWITZ of Bangor.

Cosponsored by Senator HOLLOWAY of Lincoln, Representative HUTCHINS of Penobscot and Representative ROLDE of York.

STATE OF MAINE

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

An Act to Provide a Homestead Property Exemption.



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

3 36 MRSA c. 906 is enacted to read:

5 CHAPTER 906

7 MAINE ELDERLY HOMESTEAD PROPERTY EXEMPTION LAW

9 §6171. Title

11 This chapter shall be known and may be cited as the "Maine
13 Elderly Homestead Property Exemption Law."

15 §6172. Definitions

17 As used in this chapter, unless the context otherwise
19 indicates, the following words have the following meanings.

19 1. Assessor. "Assessor" means the municipal assessor or,
21 in the case of a primary assessing area, the chief assessor or,
23 in the unorganized territory, the State Tax Assessor.

23 2. Claimant. "Claimant" means a homeowner who has filed a
25 claim under this chapter for a homestead property value exemption.

25 3. Eligible. "Eligible" means that the claimant is a
27 homeowner entitled to a homestead property value exemption for
29 the tax assessed, based on the status of property on April 1st of
31 the same year.

31 4. Homeowner. "Homeowner" means an individual at least 65
33 years of age who has owned one or more homesteads in this State
35 for at least 20 years prior to the filing of a claim for
37 homestead property value exemption, continues to be a resident of
39 this State and owns the homestead property on April 1st of the
41 year in which the tax for that property is assessed.

37 5. Homestead. "Homestead" means a structure used as a main
39 residence, including a mobile home as defined in Title 10,
41 section 9091.

41 6. Homestead property. "Homestead property" means a
43 dwelling owned and used as the homeowner's principal place of
45 abode and the parcel of land where the dwelling is located,
47 together with all privileges and appurtenances belonging to the
49 premises when the parcel is owned by the homeowner.

47 7. Owned. "Owned" means title in fee, joint tenancy,
49 tenancy in common, life tenancy or a vendee in possession of
51 homestead property under a contract.

51 §6173. Allowance for exemption

1
2 An eligible claimant shall be allowed a homestead property
3 value exemption to be deducted each year from the just value of
4 the homestead property.

5 **§6174. Filing**

6
7 A claimant shall file a claim form annually for a homestead
8 property value exemption and sign the claim form under pain of
9 perjury on or before April 1st of the year in which the homestead
10 property value exemption applies. Only one claim may be filed
11 for each homestead property.

12 **§6175. Amount of exemption**

13
14 The annual exemption shall be established by the Governor as
15 a percentage of the valuation of the homestead property after all
16 other exemptions have been taken. The Governor shall establish
17 the percentage of exemption each year so that:

18
19
20 1. State's share. The State's share is at least 50%; and

21
22 2. Surplus revenues. The funds allocated to municipal
23 revenue sharing from surplus revenues are sufficient to cover the
24 State's share.

25
26 **§6176. Administration**

27
28 The State Tax Assessor shall administer this chapter.

29
30 1. State Tax Assessor. The State Tax Assessor shall
31 prepare and make available to assessors claim forms with
32 instructions for claimants.

33
34 2. Claim forms. Claim forms shall be made readily
35 available by assessors to all homestead property owners.

36
37 3. Tax collector. The tax collector of each municipality
38 is responsible for the computation of each individual exemption
39 and the appropriate adjustments of the property tax due.

40
41 4. Approval of claims for homestead property value
42 exemption. The assessor shall be responsible for the approval of
43 claims for homestead property value exemptions and shall furnish
44 the tax collector of each municipality with a list of eligible
45 claimants.

46
47 **§6177. Disallowance of exemption**

48
49
50 If it is determined that a claim for a homestead property
51 value exemption is in error, it shall be disallowed and, if the

1 exemption has been allowed prior to the determination, the amount
2 allowed may be recovered by suit after written demand is made.

3
4 **§6178. Initial exemptions allowable**

5
6 The initial assessment for which a homestead property value
7 exemption is available is the assessment made relative to the
8 status of property on April 1st of the current tax year.

9
10 **§6179. Unorganized territory**

11
12 The State Tax Assessor shall administer a homestead property
13 value exemption for all homestead property in the unorganized
14 territory.

15
16 **§6180. State reimbursement**

17
18 Each municipality shall request from the State Tax Assessor
19 by October 1st of each year reimbursement for the costs in the
20 municipality of that year's exemption. The State Tax Assessor
21 shall make this reimbursement by November 1st of each year.

22
23
24 **STATEMENT OF FACT**

25
26
27 The purpose of this bill is to alleviate property tax
28 burdens of Maine residents by providing an exemption on the just
29 value of the homestead property based upon a percentage set by
30 the Governor each year.