

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1462

S.P. 558

In Senate, April 11, 1991

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

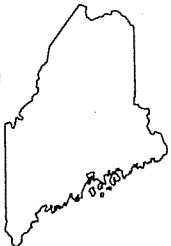
JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BALDACCI of Penobscot (BY REQUEST).

STATE OF MAINE

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

**Resolution, Proposing an Amendment to the Constitution of Maine
Concerning Taxation of Condominiums and Planned Unit Developments.**



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

4 Constitution, Art. IX, §8, sub-§2, ¶¶B and C are amended to read:

6 B. Open space lands which are used for recreation or the
enjoyment of scenic natural beauty; and

8 C. Lands used for game management or wildlife sanctuaries;
and

10 Constitution, Art. IX, §8, sub-§2, ¶D is enacted to read:

12 D. Condominiums and planned unit developments that directly
14 provide services to unit owners that are otherwise provided
16 by the municipality in which the condominium or development
18 is located.

20 Constitutional referendum procedure; form of question; effective
date. Resolved: That the municipal officers of this State shall
22 notify the inhabitants of their respective cities, towns and
plantations to meet, in the manner prescribed by law for holding
24 a statewide election, at a statewide election, on the Tuesday
following the first Monday of November following the passage of
26 this resolution, to vote upon the ratification of the amendment
proposed in this resolution by voting upon the following question:

28 "Shall the Constitution of Maine be amended to allow
30 municipalities to assess at other than just value any
condominium complex or planned unit developments if those
32 facilities are providing their own services, including but
not limited to snow removal, trash pick-up and road
34 maintenance normally provided by the municipality?"

36 The legal voters of each city, town and plantation shall
vote by ballot on this question, and shall designate their choice
38 by a cross or check mark placed within the corresponding square
below the word "Yes" or "No." The ballots must be received,
40 sorted, counted and declared in open ward, town and plantation
meetings and returns made to the Secretary of State in the same
42 manner as votes for members of the Legislature. The Governor
shall review the returns and, if it appears that a majority of
44 the legal votes are cast in favor of the amendment, the Governor
shall proclaim that fact without delay and the amendment becomes
46 part of the Constitution on the date of the proclamation; and be
it further

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; and be it further

Implementing legislation. Resolved: That if this resolution is approved by the people of the State, the Legislature shall enact statutory provisions to implement the intent of this referendum.

STATEMENT OF FACT

This resolution amends the Constitution of Maine to allow municipalities to assess condominiums and planned unit developments at a rate other than the just value rate if the condominium provides services usually provided directly by the municipality, including but not limited to road maintenance, trash pick-up and snow removal.