

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

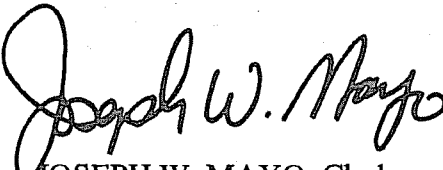
No. 1430

H.P. 1062

House of Representatives, May 4, 1993

**RESOLUTION, Proposing an Amendment to the Constitution of Maine
to Freeze the Property Taxes of Citizens Aged 65 and Older under
Certain Circumstances.**

Reference to the Committee on Taxation suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative MITCHELL of Freeport.
Cosponsored by Senator: VOSE of Washington.

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-§5** is enacted to read:

6 5. Tax relief for older citizens. Beginning with the
8 property tax year 1994, any person having legal or beneficial
10 title to real property in this State and who is liable for
12 property taxes is entitled to property tax relief if the property
14 for which relief is sought consists of the principal dwelling and
no more than 10 contiguous acres and if the person in any year
that relief is sought:

16 A. Is a permanent resident of this State;

18 B. Is 65 years of age or older and any adults domiciled
with the person are 65 years of age or older;

20 C. Occupies as a home the real property for which the
person seeks relief; and

22 D. Is exempt from federal income tax liability and payment
24 of taxes on social security income.

26 A person meeting the qualifications set out in this subsection
28 may file a claim for property tax relief with the tax assessor of
30 the municipality in which the property is located and, upon
32 approval, shall pay the tax levied on said property for the first
year a claim for relief is filed and may continue to pay in each
subsequent year the same amount of tax or such lesser amount as
may be levied against the real property.

34 ; and be it further

36 **Constitutional referendum procedure; form of question; effective**
38 **date. Resolved:** That the municipal officers of this State shall
40 notify the inhabitants of their respective cities, towns and
plantations to meet, in the manner prescribed by law for holding
42 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:

44 "Do you favor amending the Constitution of Maine as proposed
46 by a resolution of the Legislature to freeze under certain
48 circumstances the property taxes of Maine citizens aged 65
and older?"

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

13
14 **Secretary of State shall prepare ballots. Resolved:** That the
15 Secretary of State shall prepare and furnish to each city, town
16 and plantation all ballots, returns and copies of this resolution
17 necessary to carry out the purpose of this referendum.

18

19 STATEMENT OF FACT

20

21 This constitutional resolution allows the property taxes on
22 certain homesteads to be effectively frozen at the prevailing
23 rate provided that the property owner is a Maine resident who is
24 65 years of age or older, occupies the homestead property and
25 meets certain income criteria.
26