MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 997

H.P. 733

House of Representatives, February 11, 1997

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide Tax Relief for Maine Senior Citizens.

Reference to the Committee on Taxation suggested and ordered printed.

OSEPH W. MAYO, Clerk

Presented by Representative PLOWMAN of Hampden. Cosponsored by Representatives: MADORE of Augusta, NASS of Acton, SNOWE-MELLO of Poland.

| | Constitutional amendment. Mesonaca. Two childs of each |
|------------|--|
| 2 | branch of the Legislature concurring, that the following amendment to the Constitution of Maine be proposed: |
| 4 | amonamente de dine demontation de marie de proposition |
| | Constitution, Art. IX, §8, sub-§5 is enacted to read: |
| 6 | 0 |
| | 5. Tax relief for older citizens. Beginning with the |
| 8 | property tax year that starts April 1, 1998, any person having |
| _ | legal or beneficial title to real property in this State and who |
| 10 | is liable for property taxes is entitled to property tax relief |
| | for that portion of the property for which relief is sought |
| 12 | consisting of the principal dwelling and no more than 10 |
| 14 | contiguous acres and if the person in any year that relief is |
| 14 | sought: |
| 1.2 | sought. |
| 16 | A. Is a permanent resident of this State; |
| 10 | A. 18 a permanent resident of this blace, |
| 18 | B. Is 65 years of age or older and any adults domiciled |
| 10 | with the person are 65 years of age or older; |
| 20 | with the person are or years or age or order; |
| 20 | C. Occupies as a home the real property for which the |
| 22 | person seeks relief; and |
| 22 | person seeks refret, and |
| 24 | D. Earns less than 110% of the poverty income level as |
| | established in the most recent United States poverty |
| 26 | guidelines issued in the Federal Register by the Department |
| 20 | of Health and Human Services. |
| 28 | or hearth and human bervices. |
| 20 | A person meeting the qualifications set out in this subsection |
| 30 | may file a claim for property tax relief with the tax assessor of |
| 30 | the municipality in which the property is located and, upon |
| 3.2 | approval, shall pay the tax levied on that property for the first |
| J. L | year a claim for relief is filed and may continue to pay in each |
| 34 | subsequent year the same amount of tax or such lesser amount as |
| J | may be levied against the real property. |
| 36 | may be review against the real property. |
| 30 | ; and be it further |
| 38 | , and be it intiner |
| J 0 | Constitutional referendum procedure; form of question; effective |
| 40 | date. Resolved: That the municipal officers of this State shall |
| | notify the inhabitants of their respective cities, towns and |
| 42 | plantations to meet, in the manner prescribed by law for holding |
| I 64 | a statewide election, at a statewide election, on the Tuesday |
| 44 | following the first Monday of November following the passage of |
| 7.7 | this resolution, to vote upon the ratification of the amendment |
| 46 | |
| -± ∪ | proposed in this resolution by voting upon the following question: |

"Do you favor amending the Constitution of Maine as proposed by a resolution of the Legislature to freeze under certain

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circumstances the property taxes of Maine citizens 65 years of age or older?"

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

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SUMMARY

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