MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 85

H.P. 72

House of Representatives, January 11, 1999

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

Reference to the Committee on Taxation suggested and ordered printed.

JOSEPH W. MAYO, Clerk

Presented by Representative PLOWMAN of Hampden.

Cosponsored by Representatives: BUCK of Yarmouth, LEMONT of Kittery, LINDAHL of Northport, MADORE of Augusta, USHER of Westbrook.

	Constitutional amendment. Resolved: Two thirds of each
2	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:
б	
	5. Tax relief for older citizens. Beginning with the
8	property tax year that starts April 1, 2000, 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
	contiguous acres if the person in any year that relief is sought:
14	
	A. Is a permanent resident of this State;
16	
	B. Is 65 years of age or older and any adults domiciled
18	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	<u> </u>
	D. Earns less than 110% of the poverty income level as
24	established in the most recent United States poverty
~ *	guidelines issued in the Federal Register by the Department
26	of Health and Human Services.
20	or medicin and mailan bervices.
28	A person meeting the qualifications set out in this subsection
20	may file a claim for property tax relief with the tax assessor of
30	the municipality in which the property is located and, upon
30	approval, shall pay the tax levied on that property for the first
32	year a claim for relief is filed and may continue to pay in each
J 2	
34	subsequent year the same amount of tax or such lesser amount as may be levied against the real property.
34	may be revied against the rear property.
36	. and he is fourthern
30	; and be it further
20	Constitutional referenders succedures forms of acceptions effective
38	Constitutional referendum procedure; form of question; effective
4.0	date. Resolved: That the municipal officers of this State shall
40	notify the inhabitants of their respective cities, towns and
4.0	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
44	this resolution, to vote upon the ratification of the amendment
	proposed in this resolution by voting upon the following question:
46	
	"Do you favor amending the Constitution of Maine as proposed
48	by a resolution of the Legislature to freeze under certain

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.

SUMMARY

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