

MAINE STATE LEGISLATURE

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DATE: 3-25-04

(Filing No. H-809)

MINORITY
TAXATION

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
SECOND SPECIAL SESSION

COMMITTEE AMENDMENT "C" to H.P. 167, L.D. 208, "RESOLUTION, Proposing an Amendment to the Constitution of Maine Related to the Taxation of Personal Property"

Amend the resolution by striking out everything after the title and before the summary and inserting in its place the following:

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

Constitution, Art. IX, §8, sub-§6 is enacted to read:

6. Personal property. The following personal property, as defined by the Legislature, is exempt from taxation:

A. Items of nonbusiness personal property with a value of less than \$7,500; and

B. Business personal property first placed in use in the State after April 1, 2005.

; and be it further

Constitutional referendum procedure; form of question; effective date. Resolved: That the municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a general election, at the next general election in the month 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:

COMMITTEE AMENDMENT "C" to H.P. 167, L.D. 208

2 "Do you favor amending the Constitution of Maine to exempt
3 from property taxes nonbusiness property with a value of
4 less than \$7,500 and business personal property first placed
5 in use after April 1, 2005?"

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

18 **Secretary of State shall prepare ballots. Resolved:** That the
19 Secretary of State shall prepare and furnish to each city, town
20 and plantation all ballots, returns and copies of this resolution
21 necessary to carry out the purpose of this referendum.'

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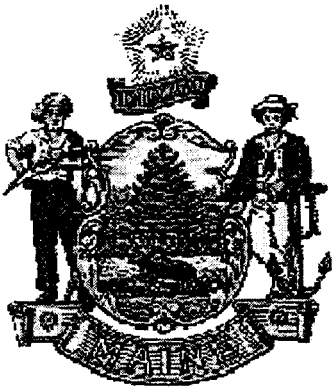
SUMMARY

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27 This amendment replaces the original resolution and proposes
28 to exempt from property tax items of nonbusiness personal
29 property with a value of less than \$7,500 and business personal
30 property first placed in use after April 1, 2005.

FISCAL NOTE REQUIRED
(See attached)

**121st Maine Legislature
Office of Fiscal and Program Review**



LD 208

**RESOLUTION, Proposing an Amendment to the Constitution of Maine
Related to the Taxation of Personal Property**

LR 0130(05)

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Taxation

Fiscal Note Required: Yes

Fiscal Note

Current biennium cost increase - General Fund

Referendum Costs	Month/Year	Election Type	Question	Length
	Nov-04	General	Referendum	Standard

The Secretary of State's budget includes sufficient funds to accommodate one ballot of average length for the general election in November. If the number or size of the referendum questions increases the ballot length, an additional appropriation of \$8,000 or more may be required.

Fiscal Detail and Notes

If approved by the voters, this constitutional amendment will not require the state to reimburse municipalities for 50% of the property tax loss to municipalities attributable to this resolution.