

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

DATE: 4-29-04

(Filing No. S-584)

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE
SENATE
121ST LEGISLATURE
SECOND SPECIAL SESSION

SENATE AMENDMENT "B" to HOUSE AMENDMENT "A" to H.P. 695, L.D. 938, "RESOLUTION, Proposing an Amendment to the Constitution of Maine To Change the Assessment of Lands Used for Long-term Ownership"

Amend the amendment by striking out the substitute title and replacing it with the following:

'RESOLUTION, Amending the Constitution of Maine To Change the Method of Calculating the Way Property Is Valued To Preserve Home Ownership in Maine'

Further amend the amendment by striking out everything after the substitute title and before the summary and inserting in its place the following:

'Further amend the resolution on page 1 by striking out all of lines 5 to 40 and inserting in their place the following:

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

6. Assessment and taxation of real property beginning April 1, 2005. Beginning with taxes based on the status of property on or after April 1, 2005, all taxes on real property subject to taxation in the State must be assessed based on the base property value of the property. For purposes of this subsection, "base property value" means the just value of the property on April 1, 2004 or on the April 1st preceding the date on which the owner acquired the property, whichever is later, as adjusted under this subsection. Unless there is a change in ownership of the property, the base property value on each April 1st may be adjusted only:

SENATE AMENDMENT

R.O.S.

SENATE AMENDMENT "B" to HOUSE AMENDMENT "A" to H.P. 695, L.D. 938

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44

A. By the actual increase in just value or the same percentage as the percentage increase in the Consumer Price Index since the last valuation of the property, whichever is lower; and

B. To reflect the just value of any improvements or degradations to the property since the previous assessment. If there is a change in ownership of the property, the base property value must be adjusted to the just value of the property on the April 1st preceding the change of ownership or the purchase price, whichever is higher, and is subject to subsequent adjustment as provided in this subsection. The Legislature may enact legislation to provide for the administration of this subsection.'

Further amend the resolution on page 2 by striking out all of lines 4 to 9 and inserting in their place the following:

' "Do you favor amending the Constitution of Maine to require that property taxes on real property be based on the just value of the property on April 1, 2004 as adjusted for inflation, unless the property is transferred, in which case the property taxes would be based on the purchase price or the just value on the preceding April 1st, whichever is higher?" ' ' '

SUMMARY

This amendment replaces the property tax mechanism set out in House Amendment "A" with a method that bases property taxes on the just value of the property on April 1, 2004 as adjusted for inflation. If there is a change in ownership of the property, the base value would be adjusted to the purchase price or the just value of the property on the April 1st preceding the change in ownership, whichever is higher.

SPONSORED BY: Richard A. Nasso
(Senator NASS)

COUNTY: York

SENATE AMENDMENT