MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1171

H.P. 868

House of Representatives, March 5, 2003

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Allow Municipalities To Assess 2nd Homes at up to Twice the Valuation

Reference to the Committee on Taxation suggested and ordered printed.

Millient M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative SUSLOVIC of Portland.
Cosponsored by Senator STRIMLING of Cumberland and
Representatives: ADAMS of Portland, BULL of Freeport, COWGER of Hallowell, JACKSON of Fort Kent, KOFFMAN of Bar Harbor, LERMAN of Augusta, McGOWAN of Pittsfield, Senator: DOUGLASS of Androscoggin.

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:

б

6. Property taxes on secondary residential property. The Legislature may allow municipalities to impose a higher tax rate for secondary residential property, as defined by the Legislature, at a rate up to twice the mill rate in that municipality. Revenue created by a tax imposed pursuant to this subsection must be apportioned as follows: 1/3 to the taxing municipality; 1/3 to the General Fund; and 1/3 to a program established by the Legislature that provides property tax relief to residents based on income or age.

; 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 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:

"Do you favor amending the Constitution of Maine to allow a municipality to tax secondary residential property at a rate of twice that for primary residential property within that municipality and allocating the additional revenue equally between the taxing municipality, the General Fund and a property tax relief program for elderly or low-income residents?"

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 of Maine 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 purposes of this referendum.

SUMMARY

This resolution proposes to amend the Constitution of Maine to require the Legislature to allow municipalities to impose an additional property tax on secondary residential property in an amount up to twice the mill rate imposed on primary residential property. The revenue raised by this tax would be divided equally among the taxing municipality, the General Fund and a program, such as the so-called "circuit breaker program," that provides property tax relief to elderly or low-income residents.