

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1304

H.P. 958

House of Representatives, March 11, 2003

**An Act To Provide a Municipal Process for an Initiative To Impose
a Property Tax Cap**

Reference to the Committee on State and Local Government suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative LEMOINE of Old Orchard Beach.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 30-A MRS §3013** is enacted to read:

6 **§3013. Initiative to impose limit on property taxes**

8 **1. Petition by voters.** On the written petition of a number
of voters in a municipality equal to at least 10% of the number
of votes cast in the municipality at the last gubernatorial
10 election, the legislative body of the municipality shall consider
an ordinance to impose a limit on property taxes as proposed in
12 the petition. The date each signature on the petition was made
must be written next to the signature on the petition, and no
14 signature older than one year is valid. The ordinance thus
proposed, unless enacted without change by the legislative body
16 of the municipality, must be submitted to the voters in the
municipality together with any amended form, substitute, or
18 recommendation of the legislative body of the municipality, and
in such manner that the voters can choose between the competing
20 measures or reject both. When there are competing proposals and
neither receives a majority of the votes given for or against
22 both, the one receiving the most votes must, at the next
municipal election to be held not less than 60 days after the
24 first vote, be submitted by itself if it receives more than 1/3
of the votes given for and against both. If the ordinance
26 initiated is enacted by the legislative body of the municipality
without change, it may not go to a referendum vote unless in
28 pursuance of a demand made in accordance with this subsection.
The municipal officers may order a special election on any
30 measure that is subject to a vote of the people.

32 **2. Timing of elections.** The municipal officers shall order
any measure proposed to the legislative body of the municipality
34 pursuant to subsection 1, and not enacted by that body without
change, referred to the voters of the municipality at an election
36 to be held in November of the year in which the petition is filed.

38 **3. Effective date of measures approved by voters.** Any
measure referred to the voters of the municipality and approved
40 by a majority of the votes cast must, unless a later date is
specified in the measure, take effect 30 days after the municipal
42 officers declare the result of the vote.

44 This section does not apply to a municipality that has a
provision for an initiative by voters in that municipality in the
46 laws of that municipality.

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SUMMARY

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4 This bill provides a process for a municipal initiative by
6 voters of a municipality to impose a limit on property taxes in
that municipality. It does not apply to a municipality that has
a provision for an initiative by voters in that municipality in
the laws of the municipality.