

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 295

H.P. 220

House of Representatives, January 18, 2005

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Allow the Legislature To Permit Municipalities To Adopt
a Higher Property Tax Rate on Secondary Residential Property**

Reported by the Majority of the Joint Select Committee on Property Tax Reform pursuant
to Joint Order 2005, H.P. 108.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

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

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

8 6. Property tax rate on secondary residential property.
10 The Legislature may permit municipalities to apply a property tax
12 rate to all or a portion of the value of secondary residential
14 property that is higher than the property tax rate applied to all
16 other taxable property. The tax rate applied to secondary
residential property may not exceed the rate applied to other
taxable property by more than 25%. For purposes of this
subsection, "secondary residential property" means property used
as a residence by the owner that is not the owner's primary
residence. The Legislature may further define "secondary
residential property."

18
20 ; and be it further

22 **Constitutional referendum procedure; form of question; effective**
24 **date. Resolved:** That the municipal officers of this State shall
26 notify the inhabitants of their respective cities, towns and
28 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:

30
32 "Do you favor amending the Constitution of Maine to allow
the Legislature to permit municipalities to adopt a higher
property tax rate on secondary residential property?"

34
36 The legal voters of each city, town and plantation shall
38 vote by ballot on this question and designate their choice by a
cross or check mark placed within the corresponding square below
40 the word "Yes" or "No." The ballots must be received, sorted,
42 counted and declared in open ward, town and plantation meetings
44 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
46 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
2 Secretary of State shall prepare and furnish to each city, town
and plantation all ballots, returns and copies of this resolution
4 necessary to carry out the purposes of this referendum.

6
SUMMARY

8 This resolution proposes an amendment to the Constitution of
Maine to allow the Legislature to permit municipalities to adopt
10 a tax rate on secondary residential property that is up to 25%
higher than the property tax rate on other property.
12

FISCAL NOTE REQUIRED
(See attached)



Approved: 01/17/05 *MAC*

122nd MAINE LEGISLATURE

LD (not unknown)

LR 2165(01)

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Allow the Legislature To Permit Municipalities To Adopt a Higher Property Tax Rate on Secondary Residential Property

Fiscal Note for Original Bill

Sponsor: Submitted by the Joint Select Committee on Property Tax Reform pursuant to Joint Order 2005, H.P. 108.

Fiscal Note Required: Yes

Fiscal Note

Referendum Costs	Month/Year	Election Type	Question	Length
	Nov-05	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.