

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 297

H.P. 222

House of Representatives, January 18, 2005

**RESOLUTION, Proposing an Amendment to the Constitution of  
Maine To Allow the Legislature To Authorize Municipalities To  
Adopt a Property Tax Assistance Program That Reflects a  
Claimant's Ability To Pay**

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Reported by Representative WOODBURY of Yarmouth for 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. Municipal refunds of property taxes.** The Legislature  
may authorize municipalities to refund a portion of the property  
10 taxes, or rent constituting property taxes, paid on property that  
is the principal residence of the claimant. The refund must be  
12 calculated to reflect the ability of the claimant to pay the tax  
or rent constituting property tax.

14 ; and be it further

16                   **Constitutional referendum procedure; form of question; effective  
date. Resolved:** That the municipal officers of this State shall  
18 notify the inhabitants of their respective cities, towns and  
plantations to meet, in the manner prescribed by law for holding  
20 a statewide election, at a statewide election, on the Tuesday  
following the first Monday of November following the passage of  
22 this resolution, to vote upon the ratification of the amendment  
proposed in this resolution by voting upon the following question:

24                   "Do you favor amending the Constitution of Maine to allow  
26 the Legislature to authorize municipalities to refund a  
portion of the property taxes, or rent constituting property  
28 taxes, paid on a principal residence, with the refund based  
upon the resident's ability to pay?"

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

44                   **Secretary of State shall prepare ballots. Resolved:** That the  
Secretary of State shall prepare and furnish to each city, town  
46 and plantation all ballots, returns and copies of this resolution  
necessary to carry out the purposes of this referendum.  
48

## SUMMARY

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4       This resolution proposes to amend the Constitution of Maine  
6 to allow the Legislature to authorize municipalities to adopt a  
property tax assistance program that reflects the resident's  
ability to pay.

**FISCAL NOTE REQUIRED**  
(See attached)



Approved: 01/17/05 *MAC*

# 122nd MAINE LEGISLATURE

LD (not known)

LR 2163(01)

**RESOLUTION, Proposing an Amendment to the Constitution of Maine To Allow the Legislature To Authorize Municipalities to Adopt a Property Tax Assistance Program That Reflects a Claimants Ability To Pay**

**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

<b>Referendum Costs</b>	<b>Month/Year</b>	<b>Election Type</b>	<b>Question</b>	<b>Length</b>
	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.