

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1060

S.P. 377

In Senate, March 1, 2005

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Value Land Based on Its Current Use**

Reference to the Committee on Taxation suggested and ordered printed.

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator COWGER of Kennebec.
Cosponsored by Representative PERCY of Phippsburg and
Senators: CLUKEY of Aroostook, DAMON of Hancock, Representatives: BOWEN of
Rockport, LERMAN of Augusta, PINGREE of North Haven, SMITH of Monmouth,
THOMPSON of China.

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, first ¶** is amended to read:

8 **Section 8. Taxation.** All taxes upon real and personal
estate, assessed by authority of this State, shall must be
10 apportioned and assessed equally according to the just current
use value thereof.

12 ; and be it further

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

22 "Do you favor amending the Constitution of Maine to require
24 that taxes upon real and personal property be assessed
according to the current use value of the property?"

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

38 **Secretary of State shall prepare ballots. Resolved:** That the
40 Secretary of State shall prepare and furnish to each city, town
and plantation all ballots, returns and copies of this resolution
42 necessary to carry out the purpose of this referendum.

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SUMMARY

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This resolution proposes to amend the Constitution of Maine to require that property tax assessment be based on current use value rather than just value.