

MAINE STATE LEGISLATURE

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Date: 4-3-06

Reported by: Minority

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Taxation

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE
SENATE
122ND LEGISLATURE
SECOND REGULAR SESSION**

9 COMMITTEE AMENDMENT "A" to S.P. 656, L.D. 1739, Bill, "An Act To Clarify
10 the Taxable Status of Lobster Traps"

11 Amend the bill by striking out the title and substituting the following:

12 **'RESOLUTION, Proposing an Amendment to the Constitution of Maine To**
13 **Create a Property Tax Exemption for Lobster Traps'**

14 Further amend the bill by striking out everything after the enacting clause and
15 inserting in its place the following:

16 **'Constitutional amendment. Resolved:** Two thirds of each branch of the
17 Legislature concurring, that the following amendment to the Constitution of Maine be
18 proposed:

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

20 6. Lobster traps. Beginning with property tax year 2007, lobster traps are exempt
21 from taxation as personal property.

; and be it further

23 **Constitutional referendum procedure; form of question; effective date.**
24 **Resolved:** That the municipal officers of this State shall notify the inhabitants of their
25 respective cities, towns and plantations to meet, in the manner prescribed by law for
26 holding a general election, at the next general election in the month of November
27 following passage of this resolution, to vote upon the ratification of the amendment
28 proposed in this resolution by voting upon the following question:

29 "Do you favor amending the Constitution of Maine to provide a property
30 tax exemption for lobster traps?"

31 The legal voters of each city, town and plantation shall vote by ballot on this question
32 and designate their choice by a cross or check mark placed within the corresponding
33 square below the word "Yes" or "No." The ballots must be received, sorted, counted and
34 declared in open ward, town and plantation meetings and returns made to the Secretary of
35 State in the same manner as votes for members of the Legislature. The Governor shall

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to S.P. 656, L.D. 1739

1 review the returns and, if it appears that a majority of the legal votes are cast in favor of
2 the amendment, the Governor shall proclaim that fact without delay and the amendment
3 becomes part of the Constitution of Maine on the date of the proclamation; and be it
4 further

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

8 **SUMMARY**

9 This amendment creates a resolution to amend the Constitution of Maine to establish
10 a property tax exemption for lobster traps.

FISCAL NOTE REQUIRED
(See attached)



122nd MAINE LEGISLATURE

LD 1739

LR 2611(02)

An Act To Clarify the Taxable Status of Lobster Traps

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Taxation

Fiscal Note Required: Yes

Fiscal Note

Current biennium cost increase - General Fund

Referendum Costs

| Month/Year | Election Type | Question | Length |
|------------|---------------|------------|----------|
| Nov-06 | 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.