

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

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Legislative Document

No. 1647

H.P. 1156

House of Representatives, March 22, 2007

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Reduce Taxes for Affordable Housing**

Reference to the Committee on Taxation suggested and ordered printed.

Millicent M. MacFarland
MILLCENT M. MacFARLAND
Clerk

Presented by Representative CRESSEY of Cornish.

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

4 **Constitution, Art. IX, §8, first ¶** is amended to read:

5 **Section 8. Taxation.** All taxes upon real and personal estate, assessed by authority
6 of this State, shall be apportioned and assessed equally according to the just value thereof,
7 except as provided in this section.

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

9 **6. Affordable housing.** The valuation of affordable housing is 50% of the just value
10 of that property absent this subsection. For purposes of this subsection, “affordable
11 housing” means residential housing:

12 A. Financed by a Maine or federal agency whose purpose is to provide assistance in
13 obtaining housing to low-income individuals that contains 6 or more rental units; or

14 B. That has at least 20% of its rental units set aside for households at or below 80%
15 of the median income of the county in which the housing is located.

16 The Legislature may enact legislation to provide for administration of this subsection.

17 ; and be it further

18 **Constitutional referendum procedure; form of question; effective date.**

19 **Resolved:** That the municipal officers of this State shall notify the inhabitants of their
20 respective cities, towns and plantations to meet, in the manner prescribed by law for
21 holding a statewide election, at a statewide election held in the month of November
22 following the passage of this resolution, to vote upon the ratification of the amendment
23 proposed in this resolution by voting upon the following question:

24 “Do you favor amending the Constitution of Maine to provide for a 50% reduction in
25 the valuation of affordable housing for property tax purposes?”

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

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

1

SUMMARY

2 This resolution proposes to amend the Constitution of Maine to provide for a 50%
3 reduction in the valuation of affordable housing for purposes of property taxation.
4 Affordable housing is defined as residential housing financed by a state or federal agency
5 that assists low-income individuals in obtaining housing and that contains at least 6 rental
6 units or residential housing that has at least 20% of its units set aside for households with
7 income at or below 80% of the median income for the county in which the residential
8 housing is located.