

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 136

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H.P. 111

House of Representatives, January 29, 2013

**An Act To Connect Benefits Provided under the Circuitbreaker  
Program with the Payment of Property Taxes**

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Reference to the Committee on Taxation suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative HAYES of Buckfield.  
Cosponsored by Representative: KESCHL of Belgrade.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 36 MRSA §6211-A** is enacted to read:

3 **§6211-A. Payment of benefit when property taxes unpaid**

4 **1. Determination of unpaid property taxes; payment.** If the assessor, either due  
5 to information provided on the application or by other means, determines that the  
6 property taxes accrued on the homestead that is the subject of a claim under this chapter  
7 have not been paid at the time of application, the assessor shall issue the benefit jointly in  
8 the name of the claimant and the name of the municipality to which the property taxes  
9 accrued are owed.

10 **2. Municipal action.** A municipality that has been issued a benefit pursuant to  
11 subsection 1 shall endorse the benefit to the claimant upon demand but may retain a  
12 portion of the benefit that is equal to the property taxes accrued and unpaid on the  
13 homestead for the year for which the benefit is issued. The municipality may not retain  
14 an amount in excess of the amount of property taxes accrued and unpaid unless the  
15 claimant expressly approves in writing the additional withholding.

16 **Sec. 2. 36 MRSA §6218**, as enacted by PL 1989, c. 534, Pt. A, §10, is amended to  
17 read:

18 **§6218. Application**

19 The application form and instructions used by applicants for assistance under the  
20 Maine Residents Property Tax Program and its successor, if any, shall have a readability  
21 score, as determined by a recognized instrument for measuring adult literacy levels,  
22 equivalent to no higher than a 6th grade reading level.

23 The application must be designed to provide information to the assessor as to whether  
24 the property taxes accrued on the homestead that is the subject of the claim have been  
25 paid in full at the time of application.

26 **SUMMARY**

27 This bill requires the application form for the Circuitbreaker Program to include a  
28 method of determining whether the property taxes being claimed have been paid at the  
29 time of application to the program. If the State Tax Assessor determines that the property  
30 taxes have not been paid, the benefit must be issued to the claimant and the municipality  
31 jointly. The municipality is required to endorse the benefit to the claimant but may  
32 withhold an amount equal to the amount of property taxes owed for the year for which the  
33 benefit is being issued. A municipality may retain an amount in excess of the amount of  
34 property taxes owed only with the express written permission of the claimant.