

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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

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

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

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

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

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

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

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

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

; and be it further

Constitutional referendum procedure; form of question; effective date.

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

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

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

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

SUMMARY

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