

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 Tax Nonprimary Residences at a Higher Rate**

**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. Property of higher value not a homestead.** A municipality may impose a greater assessment on real property that has an assessed value of more than \$500,000 and that is not occupied as the primary residence of the owner of that property than on property that does not meet these criteria. The assessed value threshold specified in this subsection must be indexed annually to a cost-of-living index as published by a federal agency. The Legislature shall enact legislation to implement the provisions 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 allow a municipality to impose a greater assessment on real property that has an assessed value of more than \$500,000 and that is not occupied as the primary residence of the owner of that property and providing for the annual indexing of the assessed threshold value to the cost of living?”

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 amends the Constitution of Maine to allow a municipality to impose a greater assessment of property taxes on real property that has an assessed value of more than \$500,000 and that is not occupied as the primary residence by the owner of that property. The threshold amount of \$500,000 would be adjusted annually to reflect the cost of living, as published in a federal publication.