

MAINE STATE LEGISLATURE

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(Filing No. H-790)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1407, L.D. 1565, Bill, "AN ACT to assist Municipalities in the Acquisition of Land or Interests in Land."

Amend the Amendment by striking out everything after the 2nd paragraph and inserting in its place the following:

Sec. 1. 12 MRSA §602, sub-§14, as last amended by PL 1975, c. 261, §1, is repealed and the following enacted in its place:

14. Municipal Recreation Fund.

A. To administer a state grant-in-aid fund known as the Municipal Recreation Fund. On municipal projects which are approved to receive federal financial assistance under the Land and Water Conservation Fund Act of 1965, P. L. 88-578, as amended, the bureau may make a supplemental grant from the Municipal Recreation Fund to that municipality of up to 40% of the approved project costs. The bureau shall be responsible for

administering any and all moneys made available to the fund, whether such moneys are used in connection with P. L. 88-578, as amended, i.e., 16 U.S.C.A. Section 4601-4, or for the general purpose of assisting municipalities in the acquisition ^{and} / development of land or interests in land or facilities for public recreational use.

B. Additionally, the bureau may make grants to municipalities under 5,000 population for municipal recreation program development to include employment of personnel, public access transportation, selected equipment and supplies.

Municipalities may receive assistance for a maximum 3-year period on a sliding formula basis. Beginning with the first year, the formula shall be 70% state, 30% local; 2nd year, 50% state, 50% local; and 3rd year, 25% state, 75% local.

Grants may be applied for yearly. Each individual total state grant under this paragraph shall not exceed \$1,000 in each year.

Sec. 1-A. 36 MRSA §4641-A, as enacted by PL 1975, c. 572, §1, is amended to read:

§4641-A. Rate of tax

There is imposed a tax upon the privilege of transferring title to real property at the rate of ~~55¢~~ \$1 for each \$500 or fractional part thereof, of consideration therefor. The grantor shall be liable for payment of said tax.

Sec. 2. 36 MRSA §4641-B, 6th ¶, as amended by P&SL 1975, c. 78, §21, is repealed and the following enacted in its place:

The State Tax Assessor shall pay over all receipts to the Treasurer of State daily and such receipts shall be credited to the General Fund. From January 1, 1978, to December 31, 1982, the Treasurer of State shall appropriate money received by this chapter as follows.

1. General Fund. Fifty-five percent of the receipts shall be credited to the General Fund.

2. Municipal Recreation Fund. Forty-five percent of the receipts shall be credited to the Municipal Recreation Fund established in the Bureau of Parks and Recreation within the Department of Conservation under Title 12, section 602, subsection 14. In addition to the requirements of Title 12,

section 602, subsection 14, moneys derived under this chapter shall be allocated among the municipalities within the several counties so that the aggregate distributed to municipalities within each county shall be in the approximate proportion the receipts under this chapter from each county bear to the total of the receipts from all counties.

Any moneys allocated to the Municipal Recreation Fund which in turn have not been allocated to a municipality within 2 years from the date of receipt shall revert to the General Fund.'

Fiscal Note

This amendment increases the real estate transfer tax \longleftrightarrow revenues each year by \$600,000.

Statement of Fact

This amendment:

1. Lets the Bureau of Parks and Recreation administer moneys used to assist municipalities in the development of land, land interests or facilities for public recreational use;
2. Provides that the \$1,000 limitation on total state grants \leftarrow only of population applies/to grants to municipalities/under 5,000/for municipal recreation program development;

3. Provides that moneys allocated to the Municipal / for Recreation Fund acquisition of park land and recreational facilities which are not used within 2 years revert to the General Fund;

4. Establishes a 5-year trial period in order to evaluate the efficiency and equity of this plan to develop land for recreation;

5. Clarifies how moneys will be distributed from the Municipal Recreation Fund and how unspent moneys will automatically lapse and be returned to the General Fund; and

6. Adds a fiscal note.

Filed by Mr. Carey of Waterville.

Reproduced and distributed under the direction of the Clerk of the House.

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