

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1565

H. P. 1407

House of Representatives, April 13, 1977

On motion of Mr. Carey of Waterville, referred to the Committee on Taxation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Spencer of Standish.

Cosponsor: Mrs. Trafton of Auburn.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Assist Municipalities in the Acquisition of Land or Interests in
Land.

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

Sec. 1. 12 MRSA § 602, sub-§ 14, 1st ¶, last sentence, as amended by PL 1973, c. 460, § 19, is further amended to read:

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 (16 U.S.C.A. Section 4601-4) or for the general purpose of assisting municipalities in the acquisition of land, interests in land or facilities for public recreational use.

Sec. 2. 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. 3. 36 MRSA § 4641-B, 5th ¶, as amended by P & SL 1975, chapter 78, section 21, is further amended to read:

Each register of deeds shall, on or before the 10th day of each month, pay over to the State Tax Assessor ~~85%~~ 91.75% of the tax collected during the previous month. The remaining ~~15%~~ 8.25% shall be retained for the county

by the register of deeds and accounted for to the county treasurer as reimbursement for services rendered by the county in collecting the tax.

Sec. 4. 36 MRSA § 4641-B, 6th ¶, as amended by P & SL 1975, chapter 78, section 21, is further amended to read:

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.

Sec. 5. 36 MRSA § 4641-N is enacted to read:

§ 4641-N. Appropriation of moneys received

Money received through this chapter by the Treasurer of State shall be appropriated and used 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 in the approximate proportion the receipts under this chapter from each county bear to the total of the receipts from all counties.

STATEMENT OF FACT

This bill increases the transfer tax on real estate and allocates the money realized by the increase to the Bureau of Parks and Recreation for use in assisting municipalities in the acquisition of local park land and recreational facilities. The money would be distributed among the municipalities in rough proportion to the amount of land transfers in each county. There would be no loss to the General Fund under the bill and the amounts made available to the municipalities would have the potential of generating substantial federal money which is available for these purposes on a matching basis.