

MAINE STATE LEGISLATURE

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1 (EMERGENCY)
2 FIRST REGULAR SESSION
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE
5

6 Legislative Document

No. 1045

7
8 H.P. 736

House of Representatives, March 13, 1985

9 Submitted by the Department of Finance and Administration pursuant to
10 Joint Rule 24.

11 Referred to the Committee on Taxation. Sent up for concurrence and
ordered printed.

EDWIN H. PERT, Clerk

Presented by Speaker Martin of Eagle Lake.

12 Cosponsored by Representative Mayo of Thomaston, President Pray of
Penobscot and Representative Diamond of Bangor.

13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-FIVE
17

18 AN ACT to Provide Funding for the Maine State
19 Housing Authority H.O.M.E. Program and
20 Adjust the Real Estate Transfer Tax.
21

22 **Emergency preamble.** Whereas, Acts of the Legis-
23 lature do not become effective until 90 days after
24 adjournment unless enacted as emergencies; and

25 Whereas, the 90-day period may not terminate un-
26 til after the beginning of the next fiscal year; and

27 Whereas, continued operation of the programs of
28 the Maine State Housing Authority in fiscal year
29 1985-86 is essential; and

30 Whereas, in the judgment of the Legislature,
31 these facts create an emergency within the meaning of
32 the Constitution of Maine and require the following
33 legislation as immediately necessary for the preser-
34 vation of the public peace, health and safety; now,
35 therefore,

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

3 Sec. 1. 36 MRSa §4641-A, as amended by PL 1983,
4 c. 859, Pt. M, §§9 and 13, is further amended to
5 read:

6 §4641-A. Rate of tax

7 There is imposed upon each the grantor and the
8 grantee a tax upon the privilege of transferring and
9 receiving title to real property at the rate of \$1.10
10 for each \$500 or fractional part thereof, of consid-
11 eration therefor. ~~The granter shall be liable for~~
12 ~~payment of the tax-~~

13 Sec. 2. 36 MRSa §4641-B, as amended by PL 1983,
14 c. 859, Pt. M, §10, is further amended by adding at
15 the end a new paragraph to read:

16 The State Tax Assessor shall pay over all re-
17 ceipts to the Treasurer of State daily. One half of
18 the net revenue received by the State Tax Assessor in
19 accordance with this section shall be paid to the
20 Maine State Housing Authority which shall deposit the
21 funds in the Housing Opportunities for Maine Fund
22 created by the Maine Revised Statutes, Title 30, sec-
23 tion 4733. The remaining half shall be credited to
24 the General Fund.

25 **Emergency clause.** In view of the emergency cited
26 in the preamble, Section 1, of this Act shall take
27 effect on June 1, 1985, and Section 2 of this Act
28 shall take effect with regard to payments of tax as-
29 sessed on transfers occurring on or after June 1,
30 1985.

1

FISCAL NOTE

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1985-86

1986-87

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Estimated dedi-
cated revenue to
the Maine State
Housing Authori-
ty

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\$2,300,000

\$2,100,000

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It is further estimated that this bill will result in additional revenues to counties of approximately \$200,000 in each year of biennium.

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STATEMENT OF FACT

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The purpose of this bill is to provide dedicated revenue to the Maine State Housing Authority H.O.M.E. Program from the real estate transfer tax by levying a tax equal to that now applying to the seller upon the buyer.

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