

# MAINE STATE LEGISLATURE

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1 (After Deadline)  
2 SECOND REGULAR SESSION  
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE  
5

6 Legislative Document

No. 2011

8 H.P. 1422

House of Representatives, February 12, 1986

9 Approved for introduction by a majority of the Legislative Council  
10 pursuant to Joint Rule 27.

11 Reference to the Committee on Energy and Natural Resources suggested  
and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Paradis of Old Town.

12 Cosponsored by Representative Rotondi of Athens, Senator Maybury of  
Penobscot and Senator Webster of Franklin.

13 STATE OF MAINE  
14

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

18 **Resolve, to Protect Municipalities from Loss**  
19 **of Property Tax in the Event of**  
20 **Transfers under Provisions of Land**  
21 **Trust Transfers.**  
22

23 Resolves of 1983, c. 87, section III-A is enacted  
24 to read:

25 SECTION III-A - Payments to towns

26 Any municipality existing on the effective date  
27 of this resolve, within which public reserved lands  
28 become located as a result of this exchange, shall  
29 receive an annual payment by the Treasurer of State  
30 from the Public Lands Management Fund so long as such  
31 public reserved lands remain located within the mu-  
32 nicipality. On or before December 30, 1985, the  
33 Treasurer of State shall calculate the payment for  
34 each municipality by multiplying the amount appropri-  
35 ated for this purpose pursuant to the Maine Revised

1 Statutes, Title 12, section 557, subsection 4, by the  
2 percentage in each municipality of the public re-  
3 served lands located in municipalities as a result of  
4 this exchange. The payment to a municipality shall  
5 not exceed the amount of property taxes that would be  
6 due on that land if it were taxable. Any funds re-  
7 maining shall be prorated in the same manner among  
8 those municipalities whose payments are less than the  
9 amount of property taxes that would be due on that  
10 land if it were taxable.

11 STATEMENT OF FACT

12 This resolve reenacts the requirement that the  
13 Bureau of Public Lands make payment in lieu of taxes  
14 to affected municipalities involved with land trans-  
15 fers under the provisions of the Public Land Exchange  
16 Program. The 111th Legislature enacted a resolve re-  
17 quiring the Bureau of Public Lands to make payment in  
18 lieu of taxes where large tracts of land would be re-  
19 moved from the tax base of towns while transfers to  
20 accomplish Bureau of Public Lands objectives were be-  
21 ing met. The interval of time involved with these  
22 transactions promises to result in loss of tax reve-  
23 nue to the municipalities. This action will result  
24 in placing an unfair burden on the property tax of  
25 these small towns through a loss of tax revenue.

26 The resolve carried a repeal date of January 1,  
27 1986. At the time of passage by the 111th Legisla-  
28 ture it was believed that all exchanges would be com-  
29 pleted by that date. Due to the legal complexity of  
30 these transactions, none have been accomplished at  
31 this time. With the expiration of the resolve as  
32 passed by the 111th Legislature, the State is no  
33 longer required to make payment to the municipalities  
34 for these kinds of land transactions.

1           This resolve will protect the property tax base  
2 of those towns involved with transfers of property  
3 under the provision of the Public Lands Exchange Pro-  
4 gram.

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