

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 578

H.P. 457

House of Representatives, February 6, 2001

**An Act to Assist Municipalities in Developing and Using Geographic
Information Systems to Track Development and Promote Smart Growth.**

Submitted by the State Planning Office pursuant to Joint Rule 204.
Reference to the Committee on Natural Resources suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative NASS of Acton.
Cosponsored by Senator GAGNON of Kennebec and
Representatives: COWGER of Hallowell, DAIGLE of Arundel, JONES of Greenville,
KOFFMAN of Bar Harbor, McLAUGHLIN of Cape Elizabeth, TOBIN of Windham,
Senators: NUTTING of Androscoggin, TREAT of Kennebec.

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

4 **Sec. 1. 5 MRSA §1890-I** is enacted to read:

6 **§1890-I. Geographic Referencing Assistance Fund**

8 **1. Establishment; purpose.** The Geographic Referencing
9 Assistance Fund is established for the purpose of enhancing the
10 ability of the office, State Planning Office and regional
11 councils, as defined by Title 30-A, section 2302, or alternate
12 service providers as identified in regional plans, to develop and
13 use geographic information systems and other related geographic
14 referencing tools for tracking patterns of development and
15 associated land use planning and to assist municipalities with
16 the use of these tools. The administrator may accept monetary
17 contributions to the fund from any public or private source and
18 may spend or disburse those funds in a manner consistent with law
19 for the purposes stated in this subsection.

20 **2. Report to Legislature.** The administrator shall submit a
21 report to the joint standing committees of the Legislature having
22 jurisdiction over state and local government matters and taxation
23 matters by January 15, 2003, and every 2 years thereafter. The
24 report must cover the 2 prior fiscal years of the department and
25 identify the amount of revenues that have been credited to the
26 Geographic Referencing Assistance Fund and the manner in which
27 those funds have been used.

28 **Sec. 2. 33 MRSA §753** is enacted to read:

30 **§753. Geographic referencing surcharge**

32 **1. Surcharge.** When any deed subject to taxation pursuant
33 to Title 36, section 4641-B is offered for recordation, a
34 register of deeds shall collect a surcharge of \$15 in addition to
35 any other fees required by law. The responsibility for the
36 payment of the surcharge must be divided equally between the
37 grantor and the grantee.

40 **2. Collection; transfer to Treasurer of State.** Each
41 register of deeds shall, on or before the 10th day of each month,
42 pay to the Treasurer of State 25% of the surcharge revenue
43 collected during the previous month pursuant to subsection 1. If
44 the surcharge revenue collected is not paid by the 10th day of
45 the month, the Treasurer of State may impose interest at the rate
46 established pursuant to Title 36, section 186. Ten percent of
47 the surcharge revenue collected may be retained for the county by
48 the register of deeds and accounted for to the county treasurer
49 as reimbursement for services rendered by the county in
50 collecting the surcharge. The remaining 65% of surcharge revenue

2 collected must be paid to the regional land management
3 information provider as identified in the regional land use
4 management information plan as approved by the Executive
5 Department, State Planning Office. All funds must be used to
6 implement and maintain the regional land use management
7 information system.

8 **3. Funding for Geographic Referencing Assistance Fund.** The
9 Treasurer of State monthly shall pay the funds received pursuant
10 to subsection 2 to the Department of Administrative and Financial
11 Services, Office of Geographic Information Systems, which shall
12 deposit the funds in the Geographic Referencing Assistance Fund
13 created in Title 5, section 1890-I. These funds must be used to
14 implement the State's role within the Land Use Management
15 Information System as approved by the State Planning Office.

16 **4. No effect on recording.** Failure to comply with the
17 requirements of this chapter does not affect the validity of any
18 recorded instrument or the validity of any recordation.

19 **Sec. 2. Allocation.** The following funds are allocated from
20 Other Special Revenue funds to carry out the purposes of this Act.

21 **2002-03**

22 **ADMINISTRATIVE AND FINANCIAL SERVICES,**
23 **DEPARTMENT OF**

24 **Geographic Referencing Assistance Fund**

25

26	Positions - Legislative Count	(1,000)
27	Personal Services	\$85,000
28	All Other	100,000
29		<hr/>
30	Total	\$185,000

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32 Provides for funds that the Office of
33 Geographic Information Systems, in
34 consultation with the State Planning Office,
35 shall use to develop, coordinate and
36 maintain a regionally based geographic
37 information system and to assist regional
38 councils and municipalities in the
39 development and use of geographic
40 information systems and other related
41 geographic referencing tools for tracking
42 patterns of development and associated land
43 use planning.

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SUMMARY

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4 This bill adds a \$15 surcharge to the cost of recording
deeds subject to the real estate transfer tax. Of revenues
generated, less 10% to cover counties' cost of administering the
6 surcharge, 25% will be used by the Office of Geographic
Information Systems, in coordination with the State Planning
8 Office, to develop, coordinate and maintain a regionally based,
coordinated geographic information system. The remaining 65% of
10 surcharge revenues will be disbursed by each county to its
designated regional service provider to enhance the ability of
12 regional councils and municipalities to develop and use
geographic information systems technology and related tools to
14 track patterns of development and plan for development in
accordance with the objectives of the State's "Smart Growth"
16 initiative.