

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

---

Legislative Document

No. 751

S.P. 249

In Senate, February 10, 2005

### An Act Concerning Counties' Share of the Real Estate Transfer Tax

---

Reference to the Committee on Taxation suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator DAMON of Hancock.  
Cosponsored by Representative BARSTOW of Gorham.

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

4 **Sec. 1. 36 MRSA §4641-B, sub-§3**, as enacted by PL 2001, c.  
559, Pt. I, §4 and affected by §15, is repealed and the following  
6 enacted in its place:

8 **3. Disposition of funds.** On or before the 10th day of each  
month, each register of deeds shall pay over to the State Tax  
Assessor a percentage of the tax collected pursuant to this  
10 section during the previous month based on the following schedule:

12 A. Beginning February 2006, 85% of the tax collected. The  
remaining 15% is retained for the county by the register of  
14 deeds and accounted for to the county treasurer as  
reimbursement for services rendered by the county in  
16 collecting the tax;

18 B. Beginning February 2007, 80% of the tax collected. The  
remaining 20% is retained for the county by the register of  
20 deeds and accounted for to the county treasurer as  
reimbursement for services rendered by the county in  
22 collecting the tax;

24 C. Beginning February 2008, 75% of the tax collected. The  
remaining 25% is retained for the county by the register of  
26 deeds and accounted for to the county treasurer as  
reimbursement for services rendered by the county in  
28 collecting the tax; and

30 D. Beginning February 2009, 70% of the tax collected. The  
remaining 30% is retained for the county by the register of  
32 deeds and accounted for to the county treasurer as  
reimbursement for services rendered by the county in  
34 collecting the tax.

36 **Sec. 2. 36 MRSA §4641-B, sub-§4**, as amended by PL 2003, c. 20,  
Pt. V, §1, is further amended to read:

38 **4. Distribution of State's share of proceeds.** The State  
40 Tax Assessor shall pay all net receipts received pursuant to this  
section to the Treasurer of State, and shall at the same time  
42 provide the Treasurer of State with documentation showing the  
amount of revenues derived from the tax imposed by section  
44 4641-A, subsection 1 and the amount of revenues derived from the

2 tax imposed by section 4641-A, subsection 2. The Treasurer of  
3 State shall credit ~~1/2~~ 65% of the revenues derived from the tax  
4 imposed by section 4641-A, ~~subsectien~~ subsections 1 and 2 to the  
5 General Fund and shall monthly pay the remaining ~~1/2~~ 35% of such  
6 revenues to the Maine State Housing Authority, which shall  
7 deposit the funds in the Housing Opportunities for Maine Fund  
8 created in Title 30-A, section 4853, except that in fiscal year  
9 2003-04 and fiscal year 2004-05, \$7,500,000 of the remaining 1/2  
10 of those revenues must be transferred to the General Fund before  
11 any payments are made to the Maine State Housing Authority. The  
12 ~~Treasurer of State shall credit to the General Fund all of the~~  
13 ~~revenues derived from the tax imposed by section 4641-A,~~  
14 ~~subsectien-2.~~

### 16 SUMMARY

18 This bill increases the portion of the real estate transfer  
19 tax that is retained by the county by 5% each year beginning  
20 February 2006 to a maximum of 30% from the current level of 10%.

22 This bill also changes the distribution percentage of the  
23 revenue derived from the transfer taxes imposed on deeds or  
24 controlling interests in real property to give the Maine State  
Housing Authority 35% of the revenue.