

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 678

H. P. 550

House of Representatives, February 18, 1975

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

EDWIN H. PERT, Clerk

Presented by Mr. Churchill of Orland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT Relating to the Valuation of Farmland.

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

Sec. 1. 36 MRSA § 586, sub-§ 1, as enacted by PL 1971, c. 548, is amended to read:

1. **Farmland.** "Farmland" means any tract or tracts of land including woodland and wasteland constituting a farm unit of at least ~~to~~ 2 contiguous acres on which farming activities produce a gross income of at least \$1,000 per year for 3 of the 5 calendar years preceding the date of application for classification are conducted.

Sec. 2. 36 MRSA § 587, 3rd and 4th sentences, as enacted by PL 1971, c. 548, are amended to read:

In determining whether such land is farmland, there shall be taken into account, among other things, the acreage of such land, the portion thereof in actual use for farming or agricultural operations, ~~the productivity of such land, the gross income derived therefrom, the nature and value of the equipment used in connection therewith~~ and the extent to which the tracts comprising such land are contiguous. All applications for classification of land as farmland shall be made upon a form prescribed by the State Tax Assessor and shall set forth a description of the land, including the total acreage thereof, a general description of the use to which it is being put, ~~the gross income derived from farming activities on the land in the 5 previous calendar years~~ and such other information as may aid in determining whether such land qualifies for such classification.

FISCAL NOTE

There will be no financial effect on state revenues because of passage of this bill. The effect on local taxes should be minimal.

STATEMENT OF FACT

The purpose of this bill is to expand the definition of farmland, which must be assessed at just value rather than at highest and best use. This will protect persons who would be forced to sell land on which they could not afford to pay taxes if assessed at highest and best use.