

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 21

6
7 S.P. 20

In Senate, January 5, 1983

8 Reference to the Committee on Taxation suggested and ordered printed.

9 JOY J. O'BRIEN, Secretary of the Senate
10

Presented by Senator Minkowsky of Androscoggin.
Cosponsor: Representative Cahill of Woolwich.
11

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Amend the Tree Growth Tax Law.
18

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

21 36 MRSA §581, 4th ¶, as enacted by PL 1981, c.
22 663, is amended to read:

23 Notwithstanding the provisions of the preceding
24 paragraph, an owner of forest land which is classi-
25 fied under this subchapter, and which is withdrawn
26 from classification for the 1982 tax year, may elect
27 to withdraw subject to the conditions specified in
28 this paragraph. The conditions for withdrawal under
29 this paragraph are that the entire parcel subject to
30 tree growth classification in 1981 be withdrawn from
31 classification for the 1982 tax year. Persons elect-
32 ing to withdraw under this paragraph shall so notify
33 the assessor before June 1, 1982, and shall pay a
34 penalty equal to the taxes which would have been

1 assessed in each year since the land was first clas-
2 sified, had that land been assessed at its fair
3 market value on the date of withdrawal, less all
4 taxes paid on that land since it was first classi-
5 fied, and interest at the legal rate from the date or
6 dates on which those amounts would have been payable.
7 If there is a change in use of the property before
8 April 1, ~~1987~~ 1983, an additional penalty shall be
9 assessed equal to the difference between the back
10 taxes paid under this paragraph and the amount that
11 would have been assessed if the land had been with-
12 drawn on April 1, 1982, under the preceding paragraph
13 plus interest at the legal rate from April 1, 1982.
14 The procedure for withdrawal provided in this para-
15 graph is intended to be an alternative to the proce-
16 dure in the preceding paragraph.

17 STATEMENT OF FACT

18 This bill releases land optionally withdrawn in
19 1982 by payment of back taxes plus interest from the
20 original date of classification from the 5-year
21 recapture penalty provision for a change of use.
22 This bill provides that the land would be subject to
23 the additional penalty only if use changes prior to
24 April 1, 1983.

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