

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 609

7 H.P. 429

House of Representatives, February 19, 1985

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

9 EDWIN H. PERT, Clerk

10 Presented by Seavey of Kennebunkport.

11
12 STATE OF MAINE
13

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

17 AN ACT to Change Property Tax from Highest
18 and Best Use to Current Use.
19

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

22 36 MRSA §701-A, as enacted by PL 1969, c. 246, is
23 amended to read:

24 §701-A. Just value defined

25 In the assessment of property, assessors in de-
26 termining just value are to define this term in a
27 manner which recognizes ~~only that value arising from~~
28 ~~presently possible land use alternatives the current~~
29 ~~use to which the particular parcel of land being val-~~
30 ~~ued may be is being put.~~ Assessors must consider the
31 effect upon value of any enforceable restrictions to
32 which the use of the land may be subjected. Restric-
33 tions shall include but are not limited to zoning re-
34 strictions limiting the use of land, subdivision re-
35 strictions and any recorded contractual provisions

1 limiting the use of lands. The just value of land is
2 deemed to arise from and is attributable to legally
3 permissible use or uses only.

4 STATEMENT OF FACT

5 The purpose of this bill is to change the defini-
6 tion of just value under property assessment law to
7 require that the current use to which the property is
8 being put be the indicator of just value.

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