

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)



115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 444

H.P. 314

House of Representatives, February 7, 1991

Reference to the Committee on Taxation suggested and ordered printed.

A handwritten signature in cursive script, reading "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative NORTON of Winthrop.

Cosponsored by Senator LUDWIG of Aroostook, Representative MURPHY of Berwick and Representative AULT of Wayne.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**An Act to Change Property Tax Valuation from Best Use to Current Use
Standards.**



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

36 MRSA §701-A, as amended by PL 1985, c. 764, §13, is further amended to read:

§701-A. Just value defined

In the assessment of property, assessors in determining just value ~~are to~~ shall define this term in a manner which recognizes only that value arising from presently possible land use alternatives to which the particular parcel of land being valued may be put. In determining just value, assessors ~~must~~ shall consider all relevant factors, including without limitation, the effect upon value of any enforceable restrictions to which the use of the land may be subjected, current use, physical depreciation, functional obsolescence, and economic obsolescence. Restrictions ~~shall~~ include but are not limited to zoning restrictions limiting the use of land, subdivision restrictions and any recorded contractual provisions limiting the use of lands. The just value of land is deemed to arise from and is attributable to legally permissible use or uses only. Any parcel of land that during the past 5 years has not been created by subdivisions, sale or other actions that result in the creation of new boundaries, and has not undergone a change of use during that same previous 5-year period must be valued utilizing current use standards.

STATEMENT OF FACT

The purpose of this bill is to assess property that has had no use change within the past 5 years at its current use and not on possible future use.