MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1628

S.P. 624

In Senate, April 24, 1991

Reference to the Committee on Taxation suggested and ordered printed.

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator ESTES of York

STATE OF MAINE

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

An Act Concerning Conservation Easements.



Be it enacted by the People of the State of Maine as follow	Вe	it	enacted	bу	the	Peopl	le of	' the	State	of	'Maine	as	follow	/S
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Sec. 1. 36 MRSA §1106, as amended by PL 1989, c. 748, §3, is further amended to read:

§1106. Powers and duties; State Tax Assessor

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The State Tax Assessor, working with representatives of municipal officials, appraisers and conservation organizations, shall prepare guidelines for valuation of open space and conservation easements and shall also establish recommended current use values by county for each classification of open space land established in section 1102, subsection 6 as well as conservation easements. The municipal assessors are not required to use the values recommended, but must be prepared in any appeal to explain their systems of arriving at current use values and shall have the burden of proving the recommended values to be in error with regard to the parcel or parcels of land in question.

error with regard to the parcel or parcels of land in question. For the purposes of this section "current use" means the sale price per acre that a particular parcel of land would command in

the marketplace if it were required to remain in an open space qualifying use. When applicable, this value is adjusted by the valuation ratio then current in the municipality.

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Sec. 2. Report by State Tax Assessor. The State Tax Assessor shall report to the Joint Standing Committee on Taxation on the status of the conservation easement assessment guidelines and recommended values developed before the guidelines and values may take effect.

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Sec. 3. Application. The guidelines for conservation easements provided for in the Maine Revised Statutes, Title 36, section 1106 apply to tax years beginning on or after April 1, 1992.

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STATEMENT OF FACT

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This bill requires the State Tax Assessor to develop assessing guidelines and recommended values for conservation easements prior to April 1, 1992.