## MAINE STATE LEGISLATURE

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## 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

Legislative Document

No. 1524

H.P. 1077

House of Representatives, February 25, 1999

An Act to Include the Income of a Lessee for the Purpose of Determining Eligibility in Farm and Open Space Tax Laws.

Reference to the Committee on Taxation suggested and ordered printed.

OSEPH W. MAYO, Clerk

Presented by Representative JONES of Pittsfield. Cosponsored by Representatives: CAMPBELL of Holden, SULLIVAN of Biddeford.

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

	Sec. 1. 36 MRSA §1102, sub-§4,	as	amended	bу	PL	1987,	c.	728,
§1,	is further amended to read:							

4. Farmland. "Farmland" means any tract or tracts of land, including woodland and wasteland, of at least 5 contiguous acres on which farming or agricultural activities, either by the owner or a lessee, have produced a gross income of at least \$2,000 per year in one of the 2, or 3 of the 5, calendar years preceding the date of application for classification.

Gross income as used in this section includes the value of commodities produced for consumption by the farm household. Any applicant for assessment under this subchapter bears the burden of proof as to his the applicant's qualification.

18 SUMMARY

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Current law provides a tax basis reduction to farmland by basing the value of the land on its use as a farm rather than on the just value of the property. In order to qualify, the farm must have produced a gross income of at least \$2,000 per year in one of the 2, or 3 of the 5, previous years.

This bill clarifies that the yearly income of at least \$2,000 may be met by farming or agricultural activities of either the owner or a lessee of the farm.