

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 540

H.P. 385

House of Representatives, February 12, 2009

An Act To Promote Forest Certification and Long-term Forest Management

Reference to the Committee on Taxation suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative WATSON of Bath.

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

2 **Sec. 1. 36 MRSA §5219-C**, as amended by PL 2007, c. 627, §90, is further
3 amended to read:

4 **§5219-C. Forest management planning income credits**

5 ~~Once every 10 years~~ In any 10-year period, an individual is allowed ~~a credit~~ credits
6 against the tax otherwise due under this Part for the lesser of \$200 ~~or~~ \$400 and the
7 individual's cost for having a forest management and harvest plan developed by a
8 licensed professional forester or the individual's costs of independent 3rd-party
9 certification, as defined in Title 12, section 8012, subsection 3, and recertification for a
10 parcel of forest land in this State greater than 10 acres. The licensed professional forester
11 may not be in the regular employ of the individual. This credit may not reduce the tax
12 otherwise due under this Part to less than zero. An individual claiming ~~this a~~ credit must
13 attach a statement from the forester or certifying entity supporting the claim and swear
14 that the credit ~~has not been~~ claimed by the individual has not exceeded \$400 in the
15 previous 10 years. An individual claiming ~~this a~~ credit who deducts the cost of the forest
16 management and harvest plan or independent 3rd-party certification as an expense under
17 the Code must increase federal adjusted gross income by the amount of that expense for
18 purposes of the tax imposed by this Part.

19

SUMMARY

20 This bill changes the existing income tax credit for owners of forest land who have a
21 management plan prepared by a professional forester from a maximum of \$200 every 10
22 years to \$400 in any 10-year period and adds forest certification and recertification costs
23 as an allowed credit toward the \$400 cap.