

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 400

H.P. 275

House of Representatives, February 12, 2013

An Act To Amend the Maine Tree Growth Tax Law

Reference to the Committee on Taxation suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative JONES of Freedom.
Cosponsored by Senator JACKSON of Aroostook and
Representatives: CHENETTE of Saco, CHIPMAN of Portland, DAUGHTRY of Brunswick,
HICKMAN of Winthrop, KUSIAK of Fairfield, NOON of Sanford, SAUCIER of Presque Isle.

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

2 **Sec. 1. 36 MRSA §574-B, sub-§3**, as amended by PL 2011, c. 618, §2, is further
3 amended to read:

4 **3. Transfer of ownership.** When land taxed under this subchapter is transferred to a
5 new owner, within one year of the date of transfer, the new landowner must file with the
6 municipal assessor or the State Tax Assessor for land in the unorganized territory one of
7 the following:

8 A. A sworn statement indicating that a new forest management and harvest plan has
9 been prepared; or

10 B. A statement from a licensed professional forester that the land is being managed
11 in accordance with the plan prepared for the previous landowner.

12 The new landowner may not harvest or authorize the harvest of forest products for
13 commercial use until a statement described in paragraph A or B is filed with the assessor.
14 A person owning timber rights on land taxed under this subchapter may not harvest or
15 authorize the harvest of forest products for commercial use until a statement described in
16 paragraph A or B is filed with the assessor.

17 Parcels of land subject to section 573, subsection 3, paragraph B or C are exempt from
18 the requirements under this subsection.

19 For the purposes of this subsection, "transferred to a new owner" means the transfer of
20 the controlling interest in the fee ownership of the land or the controlling interest in the
21 timber rights on the land; ~~and~~

22 **Sec. 2. 36 MRSA §574-B, sub-§4**, as enacted by PL 2011, c. 618, §2, is amended
23 to read:

24 **4. Attestation.** Beginning August 1, 2012, when a landowner is required to provide
25 to the assessor evidence that a forest management and harvest plan has been prepared for
26 the parcel or updated pursuant to subsection 1, or when a landowner is required to
27 provide evidence of compliance pursuant to subsection 2, the landowner must provide an
28 attestation that the landowner's primary use for the forest land classified pursuant to this
29 subchapter is to grow trees to be harvested for commercial use or that the forest land is
30 land described in section 573, subsection 3, ~~paragraphs~~ paragraph A, B, C or E. The
31 existence of multiple uses on an enrolled parcel does not render it inapplicable for tax
32 treatment under this subchapter, as long as the enrolled parcel remains primarily used for
33 the growth of trees to be harvested for commercial use; ~~and~~

34 **Sec. 3. 36 MRSA §574-B, sub-§5** is enacted to read:

35 **5. Harvesting limitations.** The landowner must attest that the harvesting of trees
36 will be performed by persons who are residents of the State and that the forest products
37 harvested will be processed only by processors located in the State. Failure to comply
38 with the provisions of this subsection is considered a change of use requiring the parcel of
39 land to be withdrawn from classification under section 581.

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SUMMARY

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This bill provides that a landowner applying for classification of land under the

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Maine Tree Growth Tax Law must attest that the harvesting of trees on the land will be

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performed by persons who are residents of the State and that forest products from the

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land will be processed only by processors located in the State.