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An Act To Prevent Unnecessary Expulsion of Landowners from the Maine Tree Growth Tax Law Program

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

Sec. 1. 36 MRSA §581, sub-§1-A, as enacted by PL 2009, c. 577, §2, is amended to read:

1-A. Notice of compliance. No earlier than 185 days prior to a deadline established by section 574B, if the landowner has not yet complied with the requirements of that section, the assessor must provide the landowner with written notice informing the landowner that failure to comply will result in the withdrawal of the property from taxation under this subchapter. The notice, at a minimum, must inform the landowner of the statutory requirements that need to be met and the date of the deadline for compliance and that the consequences of withdrawal could include the assessment of substantial financial penalties against the owner. If the notice is issued less than 120 days before the deadline, the owner has 120 days from the date of the notice to provide the assessor with the documentation to achieve compliance with section 574B, and the notice must specify the date by which the owner must comply.

At the expiration of the deadline for compliance with section 574B or 120 days from the date of the notice, whichever is later, if the landowner has failed to meet the requirements of section 574B, the assessor shall impose an administrative penalty of \$100 on the landowner and provide notice of this penalty to the landowner. Following the imposition of the penalty, the landowner has one year from the deadline for compliance as specified in section 574B to comply with the requirements of that section. If the landowner fails to comply within a year, the assessor must withdraw the parcel from taxation under this subchapter and impose a withdrawal penalty under subsection 3.

This subsection does not limit the assessor from issuing other notices or compliance reminders to property owners at any time in addition to the notice required by this subsection.

Sec. 2. 36 MRSA §1114, as enacted by PL 1975, c. 726, §2, is repealed.

SUMMARY

This bill requires the State Tax Assessor to impose a \$100 administrative penalty on a landowner enrolled in the Maine Tree Growth Tax Law program if the landowner fails to file a forest management and harvest plan by the later of the end of the 10year period and the end of the 120day notice period given by the assessor to notify the landowner that a plan is needed. If the landowner still does not file a plan within one year of the end of the 10year deadline, then the assessor is required to withdraw the land from the tree growth tax program and assess a withdrawal penalty. This bill also repeals the 15,000acre cap on land enrolled in the farm and open space tax law program to allow easier transfer of property between that program and the tree growth tax law program.