

# Tree Growth Tax Law

## A Legislative Overview

1953- Present

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Photo: Gary Post 1988

# 1953- Chase Law

- **The “Chase Amendment” was enacted as a part of Maine law (36MSRA subsection 563-564). This laws declared that the public policy of the State was “...to encourage by the maintenance of adequate incentive the operation of all forest land on a sustained basis by their owners, and to establish and maintain uniformity in methods of assessment for the purposes taxation according to the productivity of the land”.**
- **As enacted, this law did not include any specific criteria by which forest land could be assessed for its productivity value nor did it include any enforcement provisions;**

## 1970- Article IX, Maine Constitution Amended

- Article IX Section 8 of the Maine Constitution was amended by voter referendum to authorize the Legislature to enact laws to allow certain real property to be assessed according to current use.
- Higher use shall result in financial penalties

# 1971- First Version of TGTL

- Legislature enacted first version of TGTL (36 MRSA subsection 571 et seq).
- All Forest Lands of more than 500 acres
- 10 to 500 acres enrolled at Landowners discretion

# 1981- First Significant Changes

- Repeal 500 acre mandatory classification
- Tightened eligibility requirements
- Required annual valuation
- Changed Town reimbursement formula

## 1989- Management Plan Requirement Added

- Statement from Forester plan being correctly implemented
- Landowners enrolled prior to 1989  
Grandfathered until 1999
- New owners required to file within 1 year

# 1993- 100 Acre Personal Use Exemption Repealed

- Required to comply with Management Plan Requirement or withdraw
- Withdraw before April 1, 1994
- Change Use prior to April 1, 1999

# 2001- Management Plan

- Amended Notification (12 MRSA 8883) Law to indicate if Land is Enrolled in Tree Growth
- Harvest Consistent with Forest Management Plan
- Town can request MFS to determine if plan and implementation consistent with TGTL
- Plan Designated as Confidential

# Legislation Not Passed

- 1999-2005, average of at least 6 bills
- Limit Harvesting
- Public Access
- Exporting Materials

# TGTL Working

- Taxing land according to productive capacity
- Reduce landowner pressure to change use
- 60 percent of State's forest land enrolled

