



125th MAINE LEGISLATURE

LD 191

LR 858(02)

An Act To Define Lienholder Rights under the Maine Tree Growth Tax Law

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Taxation

Fiscal Note Required: Yes

Fiscal Note

State Mandate - Unfunded

State Mandates

Required Activity	Unit Affected	Local Cost
Provide notice to lienholder regarding failure to comply with Maine Tree Growth tax law when lienholders so request.	Municipality	Insignificant statewide

The required local activities in this bill may represent a State mandate pursuant to the Constitution of Maine. Unless General Fund appropriations are provided to fund at least 90% of the additional costs or a Mandate Preamble is amended to the bill and two-thirds of the members of each House vote to exempt this mandate from the funding requirement, municipalities may not be required to implement these changes.

Fiscal Detail and Notes

Under 30-A MRSA §5685 the State may not meet its obligation to provide required state mandate funds by authorizing a local unit of government to levy fees or taxes not previously levied by that local unit of government. Allowing municipalities to charge lienholders for the expense of notification does not eliminate or reduce the amount the State would need to provide to achieve the 90% funding for the mandate. Assuming 3,750 parcels in Tree Growth have their management plans renewed each year and 20% of these are subjected to the lienholder request notice annually, at \$2 per notice the aggregate charges to all lienholders for notification expenses will total \$1,500 per year.