

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Provide the State the Right of First Refusal for the Purchase of Certain Land on Which a Subsidy Has Been Paid

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

Sec. 1. 36 MRSA §581-H is enacted to read:

§ 581-H. Right of first refusal

If the owner of a parcel of forest land of at least 2,500 acres subject to taxation under this subchapter intends to sell that parcel, the owner, prior to accepting an offer from a person who is not a resident of the United States to buy that parcel, shall offer the State the opportunity to purchase that parcel at the price offered by the person who is not a resident of the United States. The owner of the parcel shall notify the State of the location and size of the parcel being offered for sale and the offered purchase price. If the State does not exercise its right to purchase the parcel within 30 days of notice of the prospective sale by the owner, the owner may sell the parcel to any other person but at no less than the price provided in the notice to the State. If the State exercises its right to purchase the property, notwithstanding any provision of law to the contrary, the State shall pay the taxes assessed on that property to the assessing authority.

Sec. 2. 36 MRSA §1115-A is enacted to read:

§ 1115-A. Right of first refusal

If the owner of a parcel of open space land or farmland of at least 2,500 acres subject to taxation under this subchapter intends to sell that parcel, the owner, prior to accepting an offer from a person who is not a resident of the United States to buy that parcel, shall offer the State the opportunity to purchase that parcel at the price offered by the person who is not a resident of the United States. The owner of the parcel shall notify the State of the location and size of the parcel being offered for sale and the offered purchase price. If the State does not exercise its right to purchase the parcel within 30 days of notice of the prospective sale by the owner, the owner may sell the parcel to any other person but at no less than the price provided in the notice to the State. If the State exercises its right to purchase the property, notwithstanding any provision of law to the contrary, the State shall pay the taxes assessed on that property to the assessing authority.

SUMMARY

This bill requires the owner of a parcel of land that is at least 2,500 acres and that is enrolled in the Maine Tree Growth Tax Law program or is subject to the farm and open space tax law who receives an offer from a person who is not a resident of the United States to buy that parcel of land, prior to accepting the offer, to provide the State with notice of the offer. The State has 30 days to purchase the parcel of land at the price offered to the owner. If the State does not exercise its right to purchase the parcel of land, the owner may sell the parcel of land but at no less than the price offered to the State. If the State exercises its

right to purchase the property, notwithstanding any provision of law to the contrary, the State is required to pay the taxes assessed on that property to the assessing authority.