§1102. Definitions

When used in this subchapter, unless the context otherwise indicates, the following words shall have the following meanings. [PL 1975, c. 726, §2 (NEW).]

1. Assessor.

[PL 1979, c. 378, §7 (RP).]

2. Comprehensive plan. "Comprehensive plan" means zoning or a plan of development, including any amendment thereto, prepared or adopted by the planning board.
[PL 1975, c. 726, §2 (NEW).]

3. Cropland. "Cropland" means acreage within a farm unit of land in tillage rotation, open land formerly cropped and land in bush fruits.
[PL 1975, c. 726, §2 (NEW).]

4. Farmland. "Farmland" means any tract or tracts of land, including woodland and wasteland, of at least 5 contiguous acres on which farming or agricultural activities have contributed to a gross annual farming income of at least $2,000 per year from the sales value of agricultural products as defined in Title 7, section 152, subsection 2 in one of the 2, or 3 of the 5, calendar years preceding the date of application for classification. The farming or agricultural activity and income derived from that activity may be achieved by either the owner or a lessee of the land.

A. [PL 1987, c. 728, §1 (RP).]

B. [PL 1987, c. 728, §1 (RP).]

C. A parcel of land that is located on an island may not be considered contiguous to another parcel of land that is not located on the same island if the parcels of land are separated by water at the normal high-water mark or high tide. A parcel of land located on an island that was included within a parcel classified as farmland before April 1, 2017 and that is excluded from classification as farmland under this paragraph must be considered as land classified as open space land unless the owner withdraws the land from classification under this subchapter. [PL 2017, c. 183, §1 (NEW).]

Gross income as used in this subsection includes the value of commodities produced for consumption by the farm household. Any applicant for assessment under this subchapter bears the burden of proof as to the applicant's qualification.
[PL 2017, c. 183, §1 (AMD).]

4-A. Forest management and harvest plan. "Forest management and harvest plan" means a written document that outlines activities to regenerate, improve and harvest a standing crop of timber. A plan must include the location of water bodies and wildlife habitat as identified by the Department of Inland Fisheries and Wildlife. A plan may include, but is not limited to, schedules and recommendations for timber stand improvement and harvesting plans and recommendations for regeneration activities. A plan must be prepared by a licensed professional forester or a landowner and be reviewed and certified by a licensed professional forester as consistent with sound silvicultural practices.
[PL 2011, c. 618, §5 (NEW).]

4-B. Forested land. "Forested land" means land that is used in the growth of trees but does not include ledge, marsh, open swamp, bog, water and similar areas that are unsuitable for growing trees.
[PL 2011, c. 618, §5 (NEW).]

5. Farm woodland. "Farm woodland" means the combined acreage within a farm unit of forested land.
[PL 1975, c. 726, §2 (NEW).]

5-A. Horticultural land. "Horticultural land" means land which is engaged in the production of vegetables, tree fruits, small fruits, flowers and woody or herbaceous plants.
[PL 1987, c. 728, §2 (NEW).]

6. Open space land. "Open space land" means any area of land, including state wildlife and management areas, sanctuaries and preserves designated as such in Title 12, the preservation or restriction of the use of which provides a public benefit in any of the following areas:

A. Conserving scenic resources; [PL 1989, c. 748, §1 (AMD).]

B. Enhancing public recreation opportunities; [PL 1989, c. 748, §1 (AMD).]

C. Promoting game management; or [PL 1989, c. 748, §1 (AMD).]

D. Preserving wildlife or wildlife habitat. [PL 1989, c. 748, §1 (AMD).]
[PL 1989, c. 748, §1 (AMD).]

7. Orchard land. "Orchard land" means the combined acreage within a farm unit of land devoted to the cultivation of trees bearing edible fruit.
[PL 1975, c. 726, §2 (NEW).]

8. Pastureland. "Pastureland" means the combined acreage within a farm unit of land devoted to the production of forage plants used for animal production.
[PL 1991, c. 546, §14 (AMD).]

9. Planning board. "Planning board" means a planning board created for the purpose of planning in any municipality or the Maine Land Use Planning Commission in the unorganized territory.
[PL 1975, c. 726, §2 (NEW); PL 2011, c. 682, §38 (REV).]

10. Wildlife habitat. "Wildlife habitat" means land that is subject to a written management agreement between the landowner and either the Department of Inland Fisheries and Wildlife or the Department of Agriculture, Conservation and Forestry to ensure that the habitat benefits provided by the land are not lost. Management agreements may be revised or updated by mutual consent of both parties at any time. Management agreements must be renewed at least every 10 years. "Wildlife habitat" must also meet one of the following criteria:

A. The land is designated by the Department of Inland Fisheries and Wildlife as supporting important wildlife habitat; [PL 2003, c. 619, §1 (NEW).]

B. The land supports the life cycle of any species of wildlife as identified by the Department of Inland Fisheries and Wildlife; [PL 2003, c. 619, §1 (NEW).]

C. The land is identified by the Department of Agriculture, Conservation and Forestry as supporting a natural vegetation community; or [PL 2003, c. 619, §1 (NEW); PL 2011, c. 657, Pt. W, §5 (REV).]

D. The land is designated as a resource protection area in a comprehensive plan, zoning ordinance or zoning map. [PL 2003, c. 619, §1 (NEW).]
[PL 2003, c. 619, §1 (NEW); PL 2011, c. 657, Pt. W, §5 (REV).]

SECTION HISTORY

PL 1975, c. 726, §2 (NEW). PL 1979, c. 378, §7 (AMD). PL 1987, c. 728, §§1,2 (AMD). PL 1989, c. 748, §1 (AMD). PL 1991, c. 546, §14 (AMD). PL 1999, c. 449, §1 (AMD). PL 1999, c. 731, §Y1 (AMD). PL 2003, c. 619, §1 (AMD). PL 2009, c. 114, §1 (AMD). PL 2011, c. 618, §5 (AMD). PL 2011, c. 657, Pt. W, §5 (REV). PL 2011, c. 682, §38 (REV). PL 2017, c. 183, §1 (AMD).

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