

Notice Number 2022-206

Rule Number Cub 305.02, 305.03, 305.04, 305.05, and 305.06

1. Agency Name & Address: Current Use Board c/o New Hampshire Department of Revenue Administration 109 Pleasant Street PO Box 487 Concord, NH 03302-0487	2. RSA Authority: <u>RSA 79-A:4, IV</u> 3. Federal Authority: _____ 4. Type of Action: Adoption _____ Repeal _____ Readoption <u>X</u> Readoption w/amendment <u>X</u>
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5. Short Title: **Assessment Ranges for Farmland, Forest Land Categories, With and Without Stewardship, and the Unproductive Land and Wetland Categories**

6. (a) Summary of what the rule says and of any proposed amendments:

The administrative rules Cub 305.02, Cub 305.03, Cub 305.04, Cub 305.05, and Cub 305.06 on assessment ranges, respectively, for farmland, forest land categories, with and without stewardship, the unproductive land category, and the wetland category are being readopted or readopted with amendment with the effects on assessment ranges as follows:

- 1. The assessment range for the farmland category did not change;**
- 2. The assessment ranges for the white pine category for forest land, with and without documented stewardship, did not change;**
- 3. The assessment ranges for the hardwood category for forest land, with and without stewardship increased;**
- 4. The assessment ranges for the “other” category for forest land, with and without documented stewardship, did not change;**
- 5. The assessment ranges for the unproductive land category did not change; and**
- 6. The assessment ranges for the wetland category did not change.**

As a result of these rule changes, property owners may see an increase in their taxes. Municipalities and unincorporated places may see an increase in revenue from current use taxes.

6. (b) Brief description of the groups affected:

Property owners with land enrolled in current use and, municipalities and unincorporated places with current use land will be affected.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

RULE	STATUTE
Cub 305.02	RSA 79-A:4
Cub 305.03	RSA 79-A:4
Cub 305.04	RSA 79-A:4
Cub 305.05	RSA 79-A:4
Cub 305.06	RSA 79-A:4

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Stephanie Martel** Title: **Supervisor II**
Address: **109 Pleasant Street** Phone #: **603.230.5096**
PO Box 487 Fax#: **603.230.5947**
Concord, NH 03302-0457 E-mail: **Stephanie.L.Martel@dra.nh.gov**
TTY/TDD Access: Relay NH 1-800-735-2964
or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **Wednesday, December 28, 2022**

Fax E-mail Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Monday, December 12, 2022, at 10:00 a.m.**

Place: **New Hampshire Department of Revenue Administration
Medical and Surgical Building
109 Pleasant Street, 2nd Floor Training Room
Concord, NH 03302**

*****The security procedures at the Department of Revenue Administration require all visitors to sign-in and present photo identification. If you plan on attending the public hearing, please bring photo identification with you.*****

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 22:218, dated 11/2/2022

A. Comparison of the costs of the proposed rule(s) to the existing rule(s):

When compared to the existing rules, the proposed rules may increase costs by an indeterminable amount to state citizens and independently owned businesses.

B. Cite the Federal mandate. Identify the impact on state funds:

No federal mandate, no impact on state funds.

C. Cost and benefits of the proposed rule(s):

The Department of Revenue Administration states approximately 50 percent of taxable land in the state is subject to this alternative use (Current Use) valuation model. The proposed rates for Cub 305.03, Cub 305.04 reflect minor changes in the valuation of the income-producing capacity of forest land in the state and are being readopted with amendments in order to implement the assessment ranges recommended by the Current Use Board for open space land assessed on or after April 1, 2022. RSA 79-A:4 requires the Board to meet annually to establish a schedule of criteria and current use values to be used for the succeeding year.

The proposed rules make the following changes to the range of assessed values for land in current use:

Assessment Ranges for Forest Land Categories				
	Existing Rules		Proposed Rules	
	Minimum	Maximum	Minimum	Maximum
White Pine	\$123	\$185	\$123 (no change)	\$185 (no change)
Hardwood	\$64	\$96	\$65	\$98
Other	\$40	\$60	\$40 (no change)	\$60 (no change)
Assessment Ranges for Forest Land Categories with Documented Stewardship				
	Existing Rules		Proposed Rules	
	Minimum	Maximum	Minimum	Maximum
White Pine	\$74	\$111	\$74 (no change)	\$111 (no change)
Hardwood	\$38	\$58	\$39	\$59
Other	\$24	\$36	\$24 (no change)	\$36 (no change)

There is cost or benefit for Cub 305.02, Cub 305.05, and Cub 305.06

A. To State general or State special funds:

None

B. To State citizens and political subdivisions:

To the extent state citizens own land falling within the affected categories, their costs may increase slightly based on the assessment changes. The proposed rules will result in a minor reapportionment of local tax burdens due to the changes in distribution of value and minimal impact to local tax rates.

C. To independently owned businesses:

To the extent independently owned businesses own land falling within the affected categories, their costs may increase slightly based on the assessment changes.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

The proposed rules and rule amendments do not mandate fees, or additional local expenditures, on a political subdivision of the state and, therefore, do not violate Part I, Article 28-a of the NH Constitution.