

SECTION 3. This act shall take full effect as to each piece or parcel of land acquired under authority of section one upon the depositing in the office of the state secretary before December thirty-first, nineteen hundred and forty-four, of a suitable plan of said parcel, but not otherwise.

Approved June 7, 1943.

Chap. 461 AN ACT AMENDING THE LAW RELATING TO THE CLASSIFICATION AND TAXATION OF FOREST LANDS AND FOREST PRODUCTS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 61, § 1, etc., amended.

Classification of forest land.

Election.

Exception.

SECTION 1. Section one of chapter sixty-one of the General Laws, as inserted by section one of chapter six hundred and fifty-two of the acts of nineteen hundred and forty-one, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: — Except as otherwise hereinafter provided, all forest land, not used for grazing and other purposes incompatible with forest production, having a value not in excess of twenty-five dollars per acre for land and growth thereon, shall be tentatively listed by the assessors as classified forest land; provided, that the owner, by written notification filed with the assessors within thirty days after he has been notified that the land has been listed as classified forest land as hereinafter provided, may elect not to have his land so classified, and in such event such land shall continue to be assessed under chapter fifty-nine and not under this chapter; and, except upon written request of the owner, such land shall not thereafter be listed as classified forest land until a new owner shall have taken title to it. Upon such request, or upon change of ownership, such land, if conforming to the requirements of this section, shall, in the year next subsequent to such election or such change of ownership, as the case may be, again be listed as classified forest land; provided, that, in the case of land the title to which is held by a new owner, such listing shall be subject to the right of the new owner, to elect, in the manner herein provided, not to have such land so classified. For the purposes of this section, the phrase "new owner" shall include a person taking land by inheritance or devise. If after such listing and notification by the assessors the owner does not exercise his right of election as herein provided, the land tentatively listed as classified forest land shall be deemed to be classified forest land as of January first in the year of classification and shall thereafter continue as such until withdrawn as provided in section six. Classified forest land shall be exempt from taxation under chapter fifty-nine but shall be subject to the taxes provided in section two of this chapter. Buildings and other structures, and the land on which they are erected and necessary for their use, shall be excluded from the classified forest land.

If a single parcel or tract of land consists in part of forest land and in part of other land, the portion consisting of forest land, if it comprises at least ten acres in area and otherwise conforms to the requirements of this section shall, upon election and on the conditions hereafter provided, be listed as classified forest land and the remainder of the tract shall be subject to taxation under chapter fifty-nine. Such election shall be filed in writing by the owner or owners of record in the month of January and shall contain a description of the forested area and of the unforested area sufficient for identification of each area.

SECTION 2. Section two of said chapter sixty-one, as so appearing, is hereby amended by striking out the second schedule and all preceding such schedule and inserting in place thereof the following:— The following terms shall have the following meanings when used in this chapter: “Forest products”, wood, timber and all other tree or forest growth. “Stumpage value”, value immediately prior to severance. “Cut”, severed or taken from the soil.

G. L. (Ter. Ed.), 61, § 2, etc., amended.

The owner of classified forest land shall pay a products tax of such percentage of the stumpage value of all forest products cut therefrom as is set forth in the following schedule; provided, that the owner may annually cut, free of tax, forest products from such land for his own use or for the use of a tenant of said land, not exceeding twenty-five dollars in stumpage value.

Taxation of classified forest lands.

Schedule. Forest Products Cut from Land Classified:

	Per Cent.
In the year of classification	1
In the first year following such year	2
In the second year following such year	3
In the third year following such year	4
In the fourth year following such year	5
In the fifth year following such year and thereafter	6

The owner shall annually before May first make a return, under the penalties of perjury, in such form as shall be approved by the commissioner, setting forth the amount of forest products cut from classified forest land during the then preceding year and such other information as may be required for assessment of the foregoing tax. On the basis of such return or any other available information the assessors shall assess such tax. The owner shall also pay annually a land tax upon an adjusted valuation as hereinafter provided at the rate determined for the taxation of property under chapter fifty-nine. The adjusted valuation of classified forest land shall be the percentage of the full value of the land, including the growth thereon, as of January first of each year, set forth in the following schedule; provided, that in no year shall such adjusted valuation be less than the lesser of (a) or (b) of this paragraph; and provided, further,

Annual reports of timber cut, etc.

that in the sixth year following the year of classification, and thereafter, the adjusted valuation shall be the lesser of said (a) or (b):

(a) Five dollars per acre.

(b) The full value of the land including the growth thereon.

Schedule.

	Per Cent.
In the year of classification and the first year following such year	75
In the second and third years following the year of classification	50
In the fourth and fifth years following the year of classification	25

G. L. (Ter. Ed.), 61, § 6, etc., amended.

SECTION 3. Section six of said chapter sixty-one, as so appearing, is hereby amended by striking out in the third line the words "wood or timber" and inserting in place thereof:— forest products,— so that the first sentence of said section shall read as follows:— When in the judgment of the assessors classified forest land has become more valuable for other uses than the production of forest products, or when such land shall be used for purposes inconsistent with forest production, they shall on or before December first notify the owner of their intention to withdraw said land from the operation of this chapter on the following January first and shall give the owner an opportunity to be heard upon his written request made within ten days of the date of such notice.

Withdrawal of land from classification.

Land classified prior to act.

SECTION 4. Land heretofore classified as forest land under any provision of chapter sixty-one of the General Laws, as inserted by section one of chapter six hundred and fifty-two of the acts of nineteen hundred and forty-one, shall continue as classified forest land irrespective of its area, but shall otherwise be subject to the provisions of said chapter sixty-one as amended by this act.

Effective date.

SECTION 5. This act shall take effect on January first, nineteen hundred and forty-four.

Approved June 7, 1943.

Chap. 462 AN ACT AMENDING CERTAIN PROVISIONS OF THE STANDARD FIRE INSURANCE POLICY.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 175, § 99, etc., amended.

Section ninety-nine of chapter one hundred and seventy-five of the General Laws, as amended, is hereby further amended by striking out the paragraph of the standard form appearing in the fourteenth to the twenty-third lines, inclusive, of said form, and inserting in place thereof the following paragraph:—

Standard form of fire policy.

Said property is insured for the term of beginning on the _____ day of _____, in the year nineteen hundred and _____, at noon, and continuing until the _____ day of _____, in the year nineteen hundred and _____, at noon, against all loss or damage by FIRE originating from any cause, except that this company shall not be liable for loss