

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

SAR  
ROS

L.D. 402

Date: 5/30/25 Minority (Filing No. H-381)

**AGRICULTURE, CONSERVATION AND FORESTRY**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
132ND LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "B" to H.P. 256, L.D. 402, "An Act to Move the Natural Areas Program from the Department of Agriculture, Conservation and Forestry to the Department of Inland Fisheries and Wildlife and to Amend the Law Governing Administration of the Bureau of Resource Management Within the Department of Inland Fisheries and Wildlife"

Amend the bill in section 16 in subsection 1 in the 3rd line (page 4, line 10 in L.D.) by striking out the following: "the Department of"

Amend the bill in section 17 in paragraph D in the last line (page 4, line 20 in L.D.) by striking out the following: "Department of Inland Fisheries and Wildlife" and inserting the following: 'department'

Amend the bill in section 28 in sub-c. 4 by inserting after §12824 the following:

**'§12825. Rulemaking**

The commissioner may not adopt rules to protect plants under this subchapter except when required for the conservation of rare, threatened or endangered fish or wildlife.'

Amend the bill by striking out all of section 36.

Amend the bill by inserting after section 38 the following:

**'Sec. 39. Department of Inland Fisheries and Wildlife report.** No later than January 15, 2027, the Department of Inland Fisheries and Wildlife shall provide a report, including any findings and recommendations, to the joint standing committees of the Legislature having jurisdiction over inland fisheries and wildlife matters and agriculture, conservation and forestry matters on the transfer of the Natural Areas Program from the Department of Agriculture, Conservation and Forestry to the Department of Inland Fisheries and Wildlife. Each committee may submit legislation related to the subject matter of the report to the 133rd Legislature in 2027.

**Sec. 40. Appropriations and allocations.** The following appropriations and allocations are made.

ROS

**1 AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**  
**2 Natural Areas Program Z821**

**3 Initiative:** Transfers one Public Service Manager II position, one Resource Management  
**4 Coordinator** position and 5 Biologist II positions from the Natural Areas Program within  
**5 the Department of Agriculture, Conservation and Forestry to the Resource Management**  
**6 Services - Inland Fisheries and Wildlife** program within the Department of Inland Fisheries  
**7 and Wildlife. This initiative also transfers All Other funds from the Natural Areas Program**  
**8 within the Department of Agriculture, Conservation and Forestry to the Resource**  
**9 Management Services - Inland Fisheries and Wildlife** program within the Department of  
**10 Inland Fisheries and Wildlife.**

<b>11 GENERAL FUND</b>	<b>2025-26</b>	<b>2026-27</b>
<b>12 POSITIONS - LEGISLATIVE COUNT</b>	(3,000)	(3,000)
<b>13 Personal Services</b>	(\$411,728)	(\$434,598)
<b>14 All Other</b>	(\$66,242)	(\$66,242)
<b>15</b>		
<b>16 GENERAL FUND TOTAL</b>	<u>(\$477,970)</u>	<u>(\$500,840)</u>

<b>18 FEDERAL EXPENDITURES FUND</b>	<b>2025-26</b>	<b>2026-27</b>
<b>19 Personal Services</b>	(\$166,136)	(\$179,238)
<b>20 All Other</b>	(\$133,082)	(\$133,082)
<b>21</b>		
<b>22 FEDERAL EXPENDITURES FUND TOTAL</b>	<u>(\$299,218)</u>	<u>(\$312,320)</u>

<b>24 OTHER SPECIAL REVENUE FUNDS</b>	<b>2025-26</b>	<b>2026-27</b>
<b>25 POSITIONS - LEGISLATIVE COUNT</b>	(4,000)	(4,000)
<b>26 Personal Services</b>	(\$280,134)	(\$302,202)
<b>27 All Other</b>	(\$605,699)	(\$605,699)
<b>28</b>		
<b>29 OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>(\$885,833)</u>	<u>(\$907,901)</u>

**31 AGRICULTURE, CONSERVATION AND**  
**32 FORESTRY, DEPARTMENT OF**  
**33 DEPARTMENT TOTALS**

	<b>2025-26</b>	<b>2026-27</b>
<b>35 GENERAL FUND</b>	(\$477,970)	(\$500,840)
<b>36 FEDERAL EXPENDITURES FUND</b>	(\$299,218)	(\$312,320)
<b>37 OTHER SPECIAL REVENUE FUNDS</b>	(\$885,833)	(\$907,901)
<b>38</b>		
<b>39 DEPARTMENT TOTAL - ALL FUNDS</b>	<u>(\$1,663,021)</u>	<u>(\$1,721,061)</u>

**40 INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF**

**41 Natural Areas Conservation Fund N548**

**42 Initiative:** Provides baseline allocation to establish the account.

ROS

1	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2025-26</b>	<b>2026-27</b>
2	All Other	\$500	\$500
3			
4	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>
5	<b>Resource Management Services - Inland Fisheries and Wildlife 0534</b>		
6	Initiative: Transfers one Public Service Manager II position, one Resource Management		
7	Coordinator position and 5 Biologist II positions from the Natural Areas Program within		
8	the Department of Agriculture, Conservation and Forestry to the Resource Management		
9	Services - Inland Fisheries and Wildlife program within the Department of Inland Fisheries		
10	and Wildlife. This initiative also transfers All Other funds from the Natural Areas Program		
11	within the Department of Agriculture, Conservation and Forestry to the Resource		
12	Management Services - Inland Fisheries and Wildlife program within the Department of		
13	Inland Fisheries and Wildlife.		
14	<b>GENERAL FUND</b>	<b>2025-26</b>	<b>2026-27</b>
15	POSITIONS - LEGISLATIVE COUNT	3.000	3.000
16	Personal Services	\$411,325	\$433,940
17	All Other	\$66,242	\$66,242
18			
19	<b>GENERAL FUND TOTAL</b>	<b>\$477,567</b>	<b>\$500,182</b>
20			
21	<b>FEDERAL EXPENDITURES FUND</b>	<b>2025-26</b>	<b>2026-27</b>
22	POSITIONS - LEGISLATIVE COUNT	2.000	2.000
23	Personal Services	\$165,940	\$178,911
24	All Other	\$110,609	\$110,919
25			
26	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$276,549</b>	<b>\$289,830</b>
27			
28	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2025-26</b>	<b>2026-27</b>
29	POSITIONS - LEGISLATIVE COUNT	2.000	2.000
30	Personal Services	\$279,806	\$301,652
31	All Other	\$395,612	\$396,135
32			
33	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$675,418</b>	<b>\$697,787</b>
34			
35	<b>INLAND FISHERIES AND WILDLIFE,</b>		
36	<b>DEPARTMENT OF</b>		
37	<b>DEPARTMENT TOTALS</b>	<b>2025-26</b>	<b>2026-27</b>
38			
39	<b>GENERAL FUND</b>	<b>\$477,567</b>	<b>\$500,182</b>
40	<b>FEDERAL EXPENDITURES FUND</b>	<b>\$276,549</b>	<b>\$289,830</b>
41	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$675,918</b>	<b>\$698,287</b>
42			
43	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$1,430,034</b>	<b>\$1,488,299</b>
44			

ROS

SECTION TOTALS	2025-26	2026-27
GENERAL FUND	(\$403)	(\$658)
FEDERAL EXPENDITURES FUND	(\$22,669)	(\$22,490)
OTHER SPECIAL REVENUE FUNDS	(\$209,915)	(\$209,614)
SECTION TOTAL - ALL FUNDS	(\$232,987)	(\$232,762)

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

### SUMMARY

This amendment, which is the minority report of the committee, makes technical corrections to the bill.

The amendment provides that the Commissioner of Inland Fisheries and Wildlife may not adopt rules to protect plants under the Maine Revised Statutes, Title 12, chapter 925, subchapter 4, which is enacted in the bill and relates to natural areas, research and management, except when required for the conservation of rare, threatened or endangered fish or wildlife.

The amendment strikes from the bill a provision relating to consistency review of comprehensive plans under the municipal growth management program laws; the proposed provision creates a duplicative process for the Department of Inland Fisheries and Wildlife.

The amendment also requires the Department of Inland Fisheries and Wildlife to provide a report, including any findings and recommendations, no later than January 15, 2027, to the joint standing committees of the Legislature having jurisdiction over inland fisheries and wildlife matters and agriculture, conservation and forestry matters on the transfer of the Natural Areas Program from the Department of Agriculture, Conservation and Forestry to the Department of Inland Fisheries and Wildlife. Each committee may submit legislation related to the subject matter of the report to the 133rd Legislature in 2027.

The amendment also adds an appropriations and allocations section.

### FISCAL NOTE REQUIRED

(See attached)

**132nd MAINE LEGISLATURE****LD 402****LR 247(03)**

**An Act to Move the Natural Areas Program from the Department of Agriculture, Conservation and Forestry to the Department of Inland Fisheries and Wildlife and to Amend the Law Governing Administration of the Bureau of Resource Management Within the Department of Inland Fisheries and Wildlife**

**Fiscal Note for Bill as Amended by Committee Amendment**

**Committee: Agriculture, Conservation and Forestry**

**Fiscal Note Required: Yes**

**B(H-381)**

---

**Fiscal Note**

	<b>FY 2025-26</b>	<b>FY 2026-27</b>	<b>Projections FY 2027-28</b>	<b>Projections FY 2028-29</b>
<b>Net Cost (Savings)</b>				
General Fund	(\$403)	(\$658)	(\$683)	(\$711)
<b>Appropriations/Allocations</b>				
General Fund	(\$403)	(\$658)	(\$683)	(\$711)
Federal Expenditures Fund	(\$22,669)	(\$22,490)	(\$22,502)	(\$22,516)
Other Special Revenue Funds	(\$209,915)	(\$209,614)	(\$209,636)	(\$209,657)

**Fiscal Detail and Notes**

This bill transfers statutory references and administrative oversight of the Natural Areas Program from the Department of Agriculture, Conservation and Forestry (ACF) to the Department of Inland Fisheries and Wildlife (IFW). As a result, one Public Service Manager II position, one Resource Management Coordinator position, five Biologist II positions, and associated All Other costs will be transferred.

This change will result in the following adjustments to ACF's budget beginning in fiscal year 2025-26:

General Fund deappropriations of \$477,970

Federal Expenditures Fund deallocations of \$299,218

Other Special Revenue Funds deallocations of \$885,833

Corresponding allocations to IFW in fiscal year 2025-26 will include:

General Fund appropriations of \$477,567

Federal Expenditures Fund allocations of \$276,549

Other Special Revenue Funds allocations of \$675,418

The appropriations and allocations in this bill are also included in Part A of the proposed biennial budget. If they are enacted through the budget, the appropriations and allocations in this bill will no longer be necessary.