MAINE STATE LEGISLATURE

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1	L.D. 1737				
2	Date: 6/8/07 (Filing No. H-490)				
3	JUDICIARY				
4	Reproduced and distributed under the direction of the Clerk of the House.				
5	STATE OF MAINE				
6	HOUSE OF REPRESENTATIVES				
7	123RD LEGISLATURE				
8	FIRST REGULAR SESSION				
	Λ				
9 10	COMMITTEE AMENDMENT "A" to H.P. 1220, L.D. 1737, Bill, "An Act To Amend the Conservation Easement Laws"				
11	Amend the bill by striking out all of sections 2, 3, 4, 5 and 6.				
12	Amend the bill by striking out all of section 11 and inserting the following:				
13	'Sec. 11. 33 MRSA §479-C is enacted to read:				
14	§479-C. Conservation easement registry				
15 16 17 18 19 20 21 22 23 24 25 26 27	A holder of a conservation easement that is organized or doing business in the State shall annually report to the Executive Department, State Planning Office the book and page number at the registry of deeds for each conservation easement that it holds, the municipality and approximate number of acres protected under each easement and such other information as the State Planning Office determines necessary to fulfill the purposes of this subchapter. The filing must be made by a date and on forms established by the State Planning Office to avoid duplicative filings when possible and otherwise reduce administrative burdens. The annual filing must be accompanied by a \$30 fee. The State Planning Office shall maintain a permanent record of the registration and report to the Attorney General any failure of a holder disclosed by the filing or otherwise known to the State Planning Office. The fees established under this section must be held by the State Planning Office in a nonlapsing, special account to defray the costs of maintaining the registry and carrying out its duties under this section.' Amend the amendment by inserting after section 11 the following:				
29	'EXECUTIVE DEPARTMENT				
30	Land for Maine's Future Fund 0060				
31	Initiative: Allocates funds to maintain the conservation easement registry.				

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COMMITTEE AMENDMENT



COMMITTEE AMENDMENT " H" to H.P. 1220, L.D. 1737

1 2 3	OTHER SPECIAL REVENUE FUNDS All Other	2007-08 \$3,060	2008-09 \$3,060			
4 5	OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,060	\$3,060			
6 7	Amend the bill by relettering or renumbering any section number to read consecutively.	nonconsecutive	Part letter or			
8	SUMMARY					
9 10	This amendment deletes the section of the bill modification of conservation easements.	relating to ter	rmination and			
11 12	This amendment deletes the section of the bill relating to the termination of a conservation easement when it is no longer in the public interest.					
13 14	This amendment deletes the section of the bill relating to entering land to ensure compliance with the terms of a conservation easement.					
15 16	This amendment deletes the section of the bill relating to new conservation easement standards.					
17 18	This amendment deletes the section of the bill relating to judicial action affecting a conservation easement.					
19 20 21 22 23 24 25	This amendment requires the annual filing by conservation easement holders to be made directly to the Executive Department, State Planning Office rather than through the Secretary of State. The filing fee has been changed to \$30 to cover the costs estimated by the State Planning Office for setting up and maintaining the registry. The special reference to filing by government easement holders in the bill is eliminated as unnecessary because the filing is to be made directly to the State Planning Office rather than as part of an annual corporate filing with the Secretary of State.					
26	This amendment deletes the requirement in the bill con-	cerning the trans	sfer tax form.			
27 28	FISCAL NOTE REQUIRED (See attached)	D				

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COMMITTEE AMENDMENT



123rd MAINE LEGISLATURE

LD 1737

LR 2051(02)

An Act To Amend the Conservation Easement Laws

Fiscal Note for Bill as Amended by Committee Amendment "H"
Committee: Judiciary
Fiscal Note Required: Yes

Fiscal Note

	2007-08	2008-09	Projections 2009-10	Projections 2010-11
Appropriations/Allocations Other Special Revenue Funds	\$3,060	\$3,060	\$3,060	\$3,060
Revenue Other Special Revenue Funds	\$3,060	\$3,060	\$3,060	\$3,060

Fiscal Detail and Notes

This bill proposes to require a holder of a conservation easement that is doing business in the State to annually report to the State Planning Office for each conservation easement that it holds. Each annual filing must be accompanied by a \$30 fee in addition to any other fees prescribed by law. The fees established in the bill must be held by the State Planning Office in a nonlapsing, Other Special Revenue Funds account to be used to defray the costs of maintaining the registry. The projected increase in Other Special Revenue Funds is \$3,060 annually and an allocation of \$3,060 to the State Planning Office is included in the bill.