

MAINE STATE LEGISLATURE

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2017
6/5

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Date: 6/5/2017

(Filing No. S-202)

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AGRICULTURE, CONSERVATION AND FORESTRY

4

Reproduced and distributed under the direction of the Secretary of the Senate.

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STATE OF MAINE

6

SENATE

7

128TH LEGISLATURE

8

FIRST REGULAR SESSION

9

COMMITTEE AMENDMENT "A" to S.P. 201, L.D. 586, Bill, "An Act To Implement the Recommendations of the Commission To Study the Public Reserved Lands Management Fund"

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Amend the bill by inserting after the title and before the enacting clause the following:

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'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

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Whereas, this legislation needs to take effect before the expiration of the 90-day period in order to provide protection for funds in the Public Reserved Lands Management Fund as soon as possible; and

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Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

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Amend the bill in section 2 in §1808 in the first paragraph in the last line (page 1, line 21 in L.D.) by striking out the following: "2018" and inserting the following: '2021'

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Amend the bill by inserting after section 3 the following:

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'Sec. 4. 12 MRSA §1849, sub-§3, as repealed by PL 2013, c. 368, Pt. LLLL, §2, is reenacted to read:

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3. Expenditures from fund. Expenditures from the Public Reserved Lands Management Fund are subject to legislative approval in the same manner as appropriations from the General Fund. Money may not be expended without allocation by the Legislature. The joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs must approve the allocations.'

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Amend the bill in section 5 in paragraph G in the last line (page 2, line 2 in L.D.) by striking out the following: "and"

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COMMITTEE AMENDMENT

1 Amend the bill in section 6 in paragraph H in the last line (page 2, line 7 in L.D.) by
2 striking out the following: "growth." and inserting the following: 'growth; and'

3 Amend the bill by inserting after section 6 the following:

4 '**Sec. 7. 12 MRSA §1853, sub-§1, ¶I** is enacted to read:

5 I. An update on capital plans for road construction and road maintenance, including a
6 list and description of roads built and roads maintained in the preceding fiscal year
7 and a list and description of roads to be built and roads to be maintained in the
8 succeeding fiscal year.'

9 Amend the bill in section 7 in §1859 in the first line (page 2, line 9 in L.D.) by
10 inserting after the following: "logging" the following: 'and forestry'

11 Amend the bill in section 7 in §1859 in subsection 1 in the 5th line (page 2, line 14 in
12 L.D.) by inserting after the following: "new loggers" the following: 'and foresters'

13 Amend the bill in section 7 in §1859 by striking out all of subsections 2 and 3 (page
14 2, lines 18 to 30 in L.D.) and inserting the following:

15 **2. Educational grant program established; eligibility.** The bureau shall establish,
16 maintain and administer an educational grant program, referred to in this section as "the
17 grant program," and an application system for the grant program to allow an eligible
18 public secondary program, career and technical education program and public
19 postsecondary educational program to apply for an educational grant under the grant
20 program. Only an educational program at a public secondary or public postsecondary
21 educational institution or career and technical education center that is related to logging
22 or forestry, referred to in this section as "an eligible educational program," is eligible to
23 receive funding under the grant program.

24 **3. Grants; source of funds; limits.** An approved eligible educational program may
25 receive grants of up to \$50,000, if available, from the grant program. The source of the
26 funds for the grants is the Public Reserved Lands Management Fund established under
27 section 1849, subsection 2. Total distributions from the Public Reserved Lands
28 Management Fund under the grant program may not exceed \$300,000 in the 2 fiscal years
29 of the state budget biennium.'

30 Amend the bill in section 9 in the last line (page 3, line 27 in L.D.) by inserting after
31 the following: "lists." the following: 'After that meeting, the joint standing committee of
32 the Legislature having jurisdiction over public reserved lands matters shall rank the
33 projects on the priority lists submitted by the bureau and, if funding is available, make
34 recommendations to the joint standing committee of the Legislature having jurisdiction
35 over appropriations and financial affairs for funding projects.'

36 Amend the bill by striking out all of section 11 and inserting the following:

37 '**Sec. 11. Appropriations and allocations.** The following appropriations and
38 allocations are made.

39 **AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**
40 **Land Management and Planning Z239**

41 Initiative: Provides an allocation for STA-CAP costs.

1	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
2	All Other	\$3,250	\$0
3			
4	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$3,250</u>	<u>\$0</u>

5 **Land Management and Planning Z239**

6 Initiative: Provides an allocation to develop infrastructure projects to comply with the
7 federal Americans with Disabilities Act of 1990 for the State's public reserved lands.

8	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
9	All Other	\$50,000	\$0
10			
11	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$50,000</u>	<u>\$0</u>

12 **Land Management and Planning Z239**

13 Initiative: Provides an allocation to conduct a detailed forest inventory of the State's
14 public reserved lands and public nonreserved lands.

15	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
16	All Other	\$0	\$65,000
17			
18	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$65,000</u>

19 **Land Management and Planning Z239**

20 Initiative: Provides allocations for educational grants to programs related to logging or
21 forestry at public secondary or public postsecondary educational institutions or career and
22 technical education centers.

23	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
24	All Other	\$150,000	\$150,000
25			
26	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$150,000</u>	<u>\$150,000</u>

27 **AGRICULTURE, CONSERVATION AND**
28 **FORESTRY, DEPARTMENT OF**
29 **DEPARTMENT TOTALS**

30		2017-18	2018-19
31	OTHER SPECIAL REVENUE FUNDS	\$203,250	\$215,000
32		<u> </u>	<u> </u>

1 **DEPARTMENT TOTAL - ALL FUNDS** **\$203,250** **\$215,000**

2 **Emergency clause.** In view of the emergency cited in the preamble, this
3 legislation takes effect when approved.'

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

6 **SUMMARY**

7 This amendment:

8 1. Changes the date in the bill that a detailed forest inventory of the State’s public
9 reserved lands and nonreserved public lands must be conducted by from March 15, 2018
10 to March 15, 2021 and keeps the requirement that an inventory must be done every 5
11 years thereafter;

12 2. Reenacts a provision of law regarding expenditures from the Public Reserved
13 Lands Management Fund in the statute governing revenue from public reserved lands that
14 states that money may not be expended without allocation by the Legislature. The
15 allocations must be approved by the joint standing committee of the Legislature having
16 jurisdiction over appropriations and financial affairs;

17 3. Adds a list and description of roads built and roads maintained in the preceding
18 fiscal year and a list and description of roads to be built and roads to be maintained in the
19 succeeding fiscal year to the items that must be included in the annual report dealing with
20 public reserved lands submitted by the Department of Agriculture, Conservation and
21 Forestry, Bureau of Parks and Lands;

22 4. Adds forestry to the programs eligible to receive funding under the educational
23 grant program established in the bill;

24 5. Adds career and technical education programs to the types of programs that are
25 eligible to apply for an educational grant related to logging and forestry;

26 6. Removes language specifying that educational grants are only one-time grants,
27 specifies that those grants may be given to an approved eligible educational program if
28 funds are available and provides that the total distributions from the Public Reserved
29 Lands Management Fund under the grant program may not exceed \$300,000 in the state
30 budget biennium; and

31 7. Requires the joint standing committee of the Legislature having jurisdiction over
32 public reserved lands matters, after public input, to rank the statewide priority list of
33 recreational infrastructure projects for the State's public reserved lands and the statewide
34 priority list of projects under the federal Americans with Disabilities Act of 1990 for the
35 State's public reserved lands submitted by the Department of Agriculture, Conservation
36 and Forestry, Bureau of Parks and Lands and to make recommendations, if funding is
37 available, to the joint standing committee of the Legislature having jurisdiction over
38 appropriations and financial affairs for funding projects.

ROFS

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This amendment adds an appropriations and allocations section.

FISCAL NOTE REQUIRED

(See attached)



128th MAINE LEGISLATURE

LD 586

LR 24(02)

An Act To Implement the Recommendations of the Commission To Study the Public Reserved Lands Management Fund

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-202)
Committee: Agriculture, Conservation and Forestry
Fiscal Note Required: Yes

Fiscal Note

	FY 2017-18	FY 2018-19	Projections FY 2019-20	Projections FY 2020-21
Appropriations/Allocations				
Other Special Revenue Funds	\$203,250	\$215,000	\$0	\$0

Fiscal Detail and Notes

The bill requires the Department of Agriculture, Conservation and Forestry (ACF) to conduct a detailed forest inventory of the State's public reserved lands and public nonreserved lands by March 15, 2021 and every 5 years thereafter, to provide educational grants to certain educational programs related to logging and to develop a statewide priority list of projects under the federal Americans with Disabilities Act of 1990 for the State's public reserved lands. In fiscal year 2017-18 the bill allocates Other Special Revenue Funds to the Public Reserved Lands Management Fund within ACF of \$150,000 for educational grants, \$50,000 for conducting recreational infrastructure projects related to the federal Americans with Disabilities Act of 1990 and \$3,250 for other related costs. In fiscal year 2018-19 the bill allocates Other Special Revenue Funds to the Public Reserved Lands Management Fund within ACF of \$65,000 for the forest inventory and \$150,000 for educational grants. The Public Reserved Lands Management Fund has sufficient resources to cover these expenditures.