

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FIVE

—
S.P. 538 - L.D. 1308

Resolve, Directing the Department of Inland Fisheries and Wildlife and the Department of Agriculture, Conservation and Forestry to Examine Issues Related to Public Access to Privately Owned Lands

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

Whereas, a majority of land in the State is privately owned; and

Whereas, the ability of residents to access these lands is in jeopardy as more and more landowners are closing off access to their land; and

Whereas, urgent action is needed to ensure this trend is reversed; and

Whereas, this legislation must take effect as soon as possible to convene a working group to explore opportunities to increase access and address these issues; and

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, be it

Sec. 1. Working group. Resolved: That the Department of Inland Fisheries and Wildlife and the Department of Agriculture, Conservation and Forestry, jointly referred to in this resolve as "the departments," shall convene a working group to examine issues related to public access to privately owned land in the State and opportunities to expand this access.

Sec. 2. Working group membership. Resolved: That the working group established under section 1 must be as broadly representative of interested parties and groups as possible, must be geographically representative of the different regions of the State and consists of at least the following 12 members:

1. A representative of a statewide organization representing commercial forest landowners;
2. A representative of a statewide organization representing small woodland owners;

3. A representative of an organization managing recreational access to the North Maine Woods;
4. A representative of a conservation organization that manages land or conservation easements;
5. A representative of an agricultural organization;
6. A representative of a statewide organization representing Maine guides;
7. A representative of the tourism and outdoor recreation industry focused on hiking, wildlife watching, biking, paddling or other popular outdoor pursuits;
8. A representative of a statewide association representing hunters and anglers;
9. A representative of a statewide association representing recreational vehicle users;
10. A representative from the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands;
11. A representative from the Department of Inland Fisheries and Wildlife's landowner relations program; and
12. A representative from the Department of Economic and Community Development.

Sec. 3. Working group chairs. Resolved: That the Commissioner of Agriculture, Conservation and Forestry or the commissioner's designee and the Commissioner of Inland Fisheries and Wildlife or the commissioner's designee serve as cochairs of the working group under section 1 and shall make appointments to the working group as outlined in section 2. The cochairs shall serve as nonvoting members of the working group.

Sec. 4. Working group duties. Resolved: That the working group under section 1 shall:

1. Solicit and explore strategies to provide private landowners with financial incentives to maintain and expand recreational access to important corridors and destinations;
2. Solicit input from a broad range of individuals and businesses involved in outdoor and traditional recreational activities, landowners, outdoor recreation and public access policy experts and the general public to understand the history and value of and issues associated with the State's tradition of public access to public and private property;
3. Develop an assessment of the current and future status of public access to public and private property, with particular attention to current and future outdoor and traditional recreational activities;
4. Bring forth additional discussion points as agreed upon by the working group;
5. Recommend actions and policies that may be implemented to better support public access to public and private property in both municipalities and the unorganized territory; and
6. Evaluate enforcement of existing laws and rules on designated state trail systems.

Sec. 5. Working group staff assistance. Resolved: That the departments shall provide staffing to the working group under section 1 within existing resources and may seek staffing and financial support from other state agencies and private entities to accomplish the working group's work.

Sec. 6. Report. Resolved: That the departments shall report any findings and recommendations resulting from meetings of the working group under section 1 to the Joint Standing Committee on Agriculture, Conservation and Forestry and the Joint Standing Committee on Inland Fisheries and Wildlife by February 15, 2026. Each of the committees may report out a bill based on the report to the Second Regular Session of the 132nd Legislature.

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