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An Act To Expand the Landowner Relations Program at the Department of Inland Fisheries and Wildlife

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 12 MRSA §10108, sub-§4-A, ¶C, as enacted by PL 2011, c. 576, §3, is amended to read:

C. To the extent resources allow, the program must include the following elements:

- (1) Building and maintaining an educated and motivated group of outdoor recreationists who meet and promote high standards of courtesy, respect and responsibility in their relations with landowners and who are willing to volunteer in program-related projects or efforts to improve landowner relations;
- (2) Issuing a certificate to persons wishing to support or participate in the program. The commissioner may establish a fee for the certificate, which may not exceed \$20. All proceeds from the fees must be deposited in the Landowner Relations Fund established in section 10265;
- (3) Developing and disseminating to outdoor recreationists a code of ethics or other information promoting high standards of courtesy, respect and responsibility in their relations with landowners;
- (4) Developing an outreach program that provides educational materials and signs and that disseminates information to landowners and land users about landowner rights, landowner liability protections, the tradition of allowing outdoor recreationists to use private land and law enforcement resources available to landowners;
- (5) Engaging organizations and companies representing landowners, conservation groups, recreationists, land trusts and other organizations involved in outdoor recreation in developing, implementing and publicizing the program;
- (6) Organizing or otherwise promoting landowner appreciation events;
- (7) Working with representatives of various state agencies to promote and broaden public access to private lands for recreational use and to enhance enforcement of applicable laws; ~~and~~

(8) Seeking and developing sources of funding to support the program; and

(9) Enhancing landowners' relationships with outdoor recreationists, including ATV riders, archeologists, aestheticists, bicyclists, bird watchers, children at play, conservationists, dog walkers, dual sport motorcyclists, preservationists, equestrians, anglers, foragers, geocachers, geologists, hang gliders, hikers, hunters, mushers, paddle sport enthusiasts, photographers, rock climbers, runners, scouts, sledders, skiers, snowmobilers, snowshoers, spelunkers, trappers, walkers and all nonprofit organizations representing these various stakeholders by using the agency's e-mail list and other methods and providing ongoing education about good landowner relations.

Sec. 2. 12 MRSA §10108, sub-§4-B is enacted to read:

4-B. Keep Maine Clean program. The commissioner shall develop and implement a Keep Maine Clean program to recruit volunteers to pick up trash along roads and in fields and forests while engaging in outdoor recreation. The commissioner shall recruit volunteers for the program from outdoor recreationists, the media and other for-profit and nonprofit organizations, and shall build a database of volunteers and encourage their participation in the program. The commissioner shall promote the program through a publicly accessible website, e-mail and a monthly e-mail newsletter to volunteers, including stories about the program's sponsors, volunteers, contests, good landowner relations and other helpful information.

The commissioner shall seek sponsorship of the Keep Maine Clean program from businesses, groups representing outdoor recreationists and other individuals and groups. The commissioner may accept money, goods or services donated to the department for the program. Money, goods and services accepted by the commissioner under this subsection may be used only for program activities, including providing gifts to program volunteers and promoting and marketing the program.

Sec. 3. 12 MRSA §10157, sub-§1, as amended by PL 2013, c. 405, Pt. D, §11, is repealed.

Sec. 4. 12 MRSA §10157, sub-§1-A is enacted to read:

1-A. Appointment and composition. The Landowners and Sportsmen Relations Advisory Board, referred to in this chapter as "the advisory board" and established by Title 5, section 12004-I, subsection 49-C, consists of the following members:

A. Eleven members, appointed by the Commissioner of Inland Fisheries and Wildlife:

(1) One representative of a statewide small woodland owners association;

(2) One representative of a large landowners association;

(3) One representative of a statewide farmers organization;

(4) Three representatives of sportsmen;

(5) Two representatives of outdoor recreationists;

(6) Two representatives of environmentalist organizations; and

(7) One representative of land trust organizations.

Sec. 5. 12 MRSA §10157, sub-§§2 and 3, as enacted by PL 2003, c. 655, Pt. B, §36 and affected by §422, are amended to read:

2. Terms. ~~Members of the advisory board, including the ad hoc members, serve for 3 years; except that, initially, the first 3 landowner representative members appointed and the first 3 land user representative members appointed serve 3 years; the next 3 landowner representative members appointed and the next 3 land user representative members appointed serve 2 years; and the remaining landowner and land user representative members appointed serve for one year. When a vacancy occurs, the Governor~~Commissioner of Inland Fisheries and Wildlife shall fill the vacancy by appointing a member from the same category as the member who vacated the advisory board and that new member continues to serve for the remainder of the term.

3. Chair; election of board officers. The members of the advisory board shall annually elect one of its members as chair and one of its members as vice-chair. The chair is responsible for scheduling at least 3 advisory board meetings a year and for preparing the agenda for each meeting.

Sec. 6. 12 MRSA §10157, sub-§§5 and 6, as enacted by PL 2003, c. 655, Pt. B, §36 and affected by §422, are amended to read:

5. Staffing of advisory board. The department shall provide administrative and staff support to the advisory board. Department staff shall attend all meetings of the advisory board.

6. Meetings. The advisory board shall hold ~~quarterly~~3 meetings each year. Additional meetings may be held as necessary to conduct the business of the advisory board. At least once per year, the advisory board and the department shall convene a group of stakeholders to discuss any landowner and outdoor recreationist issues and to provide recommendations to the department and the advisory board for improvements to the landowner relations program.

Sec. 7. 12 MRSA §10157, sub-§7, ¶E, as amended by PL 2011, c. 208, §2, is further amended to read:

E. Conduct an organizational review of the advisory board every 5 years. This review must be designed to provide the information necessary to ascertain whether the advisory board has the membership required by subsection ~~11-A~~ and the advisory board is fulfilling its duties. If the review indicates that the advisory board does not have the correct representational membership, a subcommittee of the members of the advisory board must be convened to recommend to

the commissioner appropriate changes. At any time, the advisory board may recommend to the commissioner ways to improve the advisory board's membership or function, and the commissioner shall act upon those recommendations; and

Sec. 8. 12 MRSA §10157, sub-§7, ¶F, as enacted by PL 2011, c. 208, §3, is amended to read:

F. Establish a protocol to contact and work with the courts to identify public service opportunities for a person who has violated a litter law under Title 17, section 2264-A; and

Sec. 9. 12 MRSA §10157, sub-§7, ¶G is enacted to read:

G. Issue an annual report that includes the following:

(1) A summary of the major accomplishments of the program over the last year and plans for the coming year;

(2) A summary of how the department administrative and staff support time was spent, including any time spent by the landowner relations coordinator on matters unrelated to landowner relations;

(3) A summary of landowner-related complaints received and any resulting action on behalf of the department or advisory board;

(4) An accounting of income and expenses of the Landowner Relations Fund established in section 10265; and

(5) An explanation of what the advisory board accomplished pursuant to each of its statutory duties.

Sec. 10. Transition. Current members of the Landowners and Sportsmen Relations Advisory Board that fit within the new membership criteria, as determined by the Commissioner of Inland Fisheries and Wildlife, may continue to serve the terms for which they were originally appointed under the former Maine Revised Statutes, Title 12, section 10157, subsection 1.

SUMMARY

This bill amends the landowner relations program within the Department of Inland Fisheries and Wildlife by adding to the program the requirement that the Commissioner of Inland Fisheries and Wildlife establish an ongoing relationship with various outdoor recreationists and the nonprofit organizations representing these outdoor recreationists, and must provide ongoing education to these groups and individuals about good landowner relations.

The bill gives the Commissioner of Inland Fisheries and Wildlife, instead of the Governor, authority to appoint board members for the Landowners and Sportsmen Relations Advisory Board, and it reduces

the size and membership of the board and expands the board's duties to include an annual stakeholder meeting and an annual reporting requirement.

This bill also directs the Commissioner of Inland Fisheries and Wildlife to establish a Keep Maine Clean program to recruit volunteers to pick up trash along roadsides, fields and forests while they are walking, hiking, fishing and otherwise enjoying public and private lands.