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Date: (Filing No. S-)

AGRICULTURE, CONSERVATION AND FORESTRY

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**STATE OF MAINE
SENATE
130TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 343, L.D. 1075, “An Act To Protect Public Lands”

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 12 MRSA §598-C is enacted to read:

§598-C. Process for determination of reduction or substantially altered use of designated land

The Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands shall adopt rules to establish an objective evaluation process for determining if a proposed activity on land designated under this chapter and under the jurisdiction of the bureau would cause the land to be reduced or the uses of the land to be substantially altered. In adopting the rules, the bureau shall observe the requirements relating to designated lands in the Constitution of Maine, Article IX, Section 23 and ensure proper exercise of the bureau's public trust responsibility. These rules must also include provisions for public notice and comment before authorizing any such activity and for determining the appropriate instrument to be used to authorize that activity, including but not limited to whether an easement, lease, license or other instrument should be used. Rules adopted pursuant to this section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.'

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

SUMMARY

This amendment clarifies that the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands is required to adopt rules that establish an objective evaluation process for determining if a proposed activity on designated land under the jurisdiction of the bureau would cause the land to be reduced or the uses of the land to be substantially altered. The amendment also requires the bureau, in adopting the rules, to

COMMITTEE AMENDMENT

1 observe the requirements relating to designated lands in the Constitution of Maine, Article
2 IX, Section 23 and ensure proper exercise of the bureau's public trust responsibility.

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FISCAL NOTE REQUIRED

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(See attached)