

Date:

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**AGRICULTURE, CONSERVATION AND FORESTRY**

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

**STATE OF MAINE**

**SENATE**

**132ND LEGISLATURE**

**FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 591, L.D. 1450, “An Act Regarding the Voluntary Municipal Farm Support Program”

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

**'Sec. 1. 7 MRSA §60, sub-§3, ¶B,** as enacted by PL 2007, c. 301, §1, is amended to read:

B. Is limited to a term of not less than ~~20~~ 10 years.

**Sec. 2. 7 MRSA §60-A, sub-§1,** as amended by PL 2007, c. 693, §2, is further amended to read:

**1. Program.** ~~In~~ The Voluntary Municipal Farm Support Program is established in order to protect and support local farms, preserve farmland and reduce the potential tax burdens from new development fiscal burden for participating municipalities that results from new development in rural areas. Under this program, a municipality may enter into farm support arrangements with the owners of qualified farmland.

A. A farm support arrangement must be approved by majority vote of the municipality's legislative body or municipal officers or by a municipal employee appointed by the municipal officers and designated to review and approve farm support arrangements.

B. Unless approved by a 2/3 vote of the municipality's legislative body, the municipality may not enter into farm support arrangements:

(1) Affecting more than 3% of the total annual valuation of taxable land in the municipality; ~~and~~ or

(2) In any calendar year, affecting more than 1% of the total annual valuation of taxable land in the municipality.

**Sec. 3. 7 MRSA §60-A, sub-§4,** as enacted by PL 2007, c. 301, §1, is amended to read:

**4. Rules.** The department shall adopt rules governing farm support arrangements. Rules adopted under this subsection are ~~major substantive~~ routine technical 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 replaces the bill. The amendment retains the allocation of the Voluntary Municipal Farm Support Program in the Maine Revised Statutes, Title 7, which contains laws governing agriculture, rather than reallocating the program to Title 36, which contains laws governing taxation.

The amendment retains certain provisions proposed in the bill. First, the amendment reduces the minimum term of a qualified easement from 20 years to 10 years. Secondly, the amendment allows the municipal officers or a municipal employee appointed by the municipal officers to review and approve farm support arrangements.

The amendment provides that rules adopted by the Department of Agriculture, Conservation and Forestry under the Voluntary Municipal Farm Support Program statutes are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A, rather than major substantive rules as provided in current law.

**FISCAL NOTE REQUIRED**

**(See attached)**