

Act No. 171 (H.857). Conservation and land development; forestry; fire wardens; State lands; land use change tax

An act relating to timber harvesting

This act amends multiple provisions related to timber harvesting and forest management. The act authorizes the Department of Forests, Parks and Recreation (DFPR) to set a license charge for the use of State lands for maple production. The act creates the Forestland Intergenerational Transfer Study Committee to recommend a program to improve successional planning technical assistance to forestland owners. The act conforms DFPR's enforcement authority with the Agency of Natural Resources' (ANR) environmental enforcement authority. The act requires DFPR to recommend to the General Assembly a harvest notification program for the State.

The act amends requirements for compensation of forest fire wardens and reimbursement of municipalities for costs of forest fire suppression. The salary and per diem for fire wardens are increased. DFPR is required to develop by a policy the criteria for reimbursing municipalities for costs of forest fire suppression. Municipalities shall be responsible for costs of forest fire suppression on non-ANR land. DFPR may reimburse municipalities for suppression costs according to the reimbursement policy. The State shall reimburse municipalities for the costs of suppressing a fire on ANR lands at a rate determined under the reimbursement policy.

The act amends the requirements for open burning by providing that a permit is required from a town forest fire warden to burn natural wood and materials that are not solid waste. Solid waste is banned from burning under other statute. A burn permit is not required for: fires on snow; fires in fire rings or outdoor fireplaces on State lands or on private property that is not a woodland or dry grassland; fires that are 200 feet or more from woodlands; and fires in cities with fire departments. The act repeals the requirement that slash be removed from logging roads.

The act amends municipal and regional planning authority for management of forestlands. The act amends municipal and regional planning goals to encourage management of forestlands to improve forest blocks and habitat connectors and encourage the use of locally grown forest products. The act amends the land use element of regional and municipal plans to require the plan to indicate those areas that are important as forest blocks and habitat connectors and to plan for land development in those areas to minimize forest fragmentation and promote forest health and ecological function. The act establishes a study committee on land use regulation to protect forest integrity. The act provides that a municipal bylaw cannot regulate forestry operations.

The act clarifies when the Department of Taxes is required to release the lien on property enrolled in the Use Value Appraisal program. The Department of Taxes shall release the lien when: the land use change tax is paid or is abated; the land is

exempt from the land use change tax and the owner requests release of the lien; or the land is exempt from the land use change tax and the land is developed. Land acquired by the Green Mountain National Forest for public use shall be exempt from the land use change tax. The act also provides that land acquired by ANR for public uses shall be exempt from the land use change tax.

Multiple effective dates, beginning on June 7, 2016