

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1450

S.P. 591

In Senate, April 3, 2025

An Act Regarding the Voluntary Municipal Farm Support Program

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator TIPPING of Penobscot.
Cosponsored by Representative FROST of Belgrade and
Senators: BICKFORD of Androscoggin, BRENNER of Cumberland, HICKMAN of
Kennebec, INGWERSEN of York, NANGLE of Cumberland, TALBOT ROSS of
Cumberland, Representatives: ARCHER of Saco, BECK of South Portland.

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

Sec. 1. 7 MRSA c. 2-C, as amended, is repealed.

Sec. 2. 36 MRSA c. 919-B is enacted to read:

CHAPTER 919-B

VOLUNTARY MUNICIPAL FARM SUPPORT PROGRAM

§6905. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Department. "Department" means the Department of Agriculture, Conservation and Forestry.

2. Farm support arrangement. "Farm support arrangement" means an arrangement that meets requirements established by the department by rule under which:

A. The owner of qualified farmland grants to a municipality a qualified easement; and

B. The municipality obligates itself to make farm support payments.

3. Farm support payments. "Farm support payments" means annual payments by a municipality during the term of a qualified easement:

A. In an amount up to 100% of the annual property taxes assessed by that municipality against land and buildings subject to a qualified easement up to the fair market value of the easement; and

B. To the person against whom the property taxes are assessed.

4. Qualified easement. "Qualified easement" means an agricultural conservation easement held by a municipality on qualified farmland in that municipality that:

A. Meets standards adopted by rule by the department designed to ensure that no development other than development related to agricultural use occurs on the qualified farmland; and

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

5. Qualified farmland. "Qualified farmland" means farmland that meets eligibility requirements established by the department by rule.

§6906. Program established

1. Program. The Voluntary Municipal Farm Support Program is established in order to protect and support local farms, preserve farmland and reduce the 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 or committee

1 appointed by municipal officers and designated to review and approve farm support
2 arrangements.

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

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

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

9 **2. Effects of arrangement.** A farm support arrangement may not diminish the
10 eligibility of qualified farmland for participation in tax benefits under chapter 105,
11 subchapter 2-A or 10 or for consideration under Title 5, Part 15-A by the Land for Maine's
12 Future Board.

13 **3. Nullification.** A farm support arrangement, once finally executed, is binding on the
14 municipality. A municipality may not cease to make payments under the arrangement
15 unless the land subject to the qualified easement is taken by eminent domain or state law
16 otherwise authorizes the payments to cease. In the event that a municipality's obligation to
17 make farm support payments ceases, the farm support arrangement and the related qualified
18 easement are void and may not be given effect and the municipality shall provide notice of
19 this fact to the owner of the qualified farmland and record that notice with the appropriate
20 registry of deeds.

21 **4. Rules.** The department shall adopt rules governing this chapter. Rules adopted under
22 this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter
23 2-A.

24 SUMMARY

25 This bill changes the allocation of the Voluntary Municipal Farm Support Program
26 from the Maine Revised Statutes, Title 7, which contains laws governing agriculture, to
27 Title 36, which contains laws governing taxation. The program includes laws governing
28 farm support arrangements. The bill also reduces the minimum term of a qualified easement
29 from 20 years to 10 years and allows the municipal officers or a municipal employee or
30 committee appointed by the municipal officers to review and approve farm support
31 arrangements.