

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
107TH LEGISLATURE

COMMITTEE AMENDMENT " A " to H.P. 1294, L.D. 1574, Bill,  
"AN ACT to Provide for Citizen Gardens on Suitable State  
Land."

Amend said Bill by striking out all of that part designated  
"§4003." and inserting in place thereof the following:

'§4003. Inventory

The commissioner shall, during the months of November and  
December of each year, inventory all state-owned or state-leased  
land in this State which in the opinion of the commissioner  
and the head of the agency having jurisdiction over such land,  
will be suitable and available for gardening by the general  
public during the following growing season.'

Further amend said Bill by striking out all of the last  
3 sentences of that part designated "§4004." and inserting in  
place thereof the following:

'Each agency shall then, during the month of February, accept  
applications from governmental organizations or private, not for  
profit, organizations for citizen garden areas on that land listed  
in the inventory which it controls, and shall during the month  
of March assign garden plots on that land to applicants.  
Agencies having jurisdiction over lands for which applications  
in accordance with this chapter have been received shall lease  
to said applicants for a sum no greater than its actual costs  
and for a term no longer than 7 months the right to garden upon  
such terms and conditions as it deems reasonable. Such leaseholds  
shall create in the lessee an interest no greater than a mere

revocable license and shall not create any real property interest in the state owned or leased land.'

Further amend said Bill by striking out all of that part designated "§4005." and inserting in place thereof the following:  
'§4005. Marking and plowing of plots

Each governmental organization or private, not for profit, organization assigned and leased garden areas shall have the sole responsibility for all arrangements to have the garden plots marked off and plowed and to have any other preparations necessary for gardening made.'

Further amend said Bill by striking out all of that part designated "§4006."

Further amend said Bill by striking out all of that part designated "§4007." and inserting in place thereof the following:  
'§4006. Fee

Each governmental organization or private, not for profit, organization subletting garden plots under this chapter may charge each applicant granted a plot a fee sufficient to defray the expenses borne by that organization in granting and overseeing those plots.'

Further amend said Bill by striking out all of those parts designated "§4008." and "§4009."

Statement of Fact

The purpose of this amendment is to make the public gardening program more manageable by permitting state agencies with suitable farm land to contract directly with responsible municipalities and nonprofit organizations rather than having to enter into possibly hundreds of individual agreements with gardeners. The amendment also shifts the site preparation costs from state agencies to these organizations or their lessees.

Reported by the Majority of the Committee on State Government.

Reproduced and distributed under the direction of the Clerk of the House.  
5/19/75

(Filing No. H-395)