

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 619

7 S.P. 197

In Senate, February 7, 1983

8 Received by the Secretary of the Senate on February 7, 1983. Referred to
9 the Committee on Appropriations and Financial Affairs, and ordered printed
10 pursuant to Joint Rule 14.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Erwin of Oxford.

Cosponsors: Representative McCollister of Canton, Representative
11 Mahany of Easton and Representative Lisnik of Presque Isle.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Create a Fund to Encourage
18 Local Soil and Water Conservation Projects.
19

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

22 Sec. 1. 12 MRSA c. 1, sub-c. VI is enacted to
23 read:

24 SUBCHAPTER VI

25 FUND TO ENCOURAGE LOCAL SOIL

26 AND WATER CONSERVATION PROJECTS

27 §205. Findings and purposes.

28 The Legislature finds that the conservation of
29 soil and water are essential to the continued produc-
30 tivity of our agricultural lands and the purity of

1 our waters. Yet the economic realities of modern
2 farming have led to more intensive cultivating
3 methods which exhaust topsoil and erode croplands
4 faster than ever before. Presently, Maine's average
5 rate of soil loss is approximately twice the sustain-
6 able rate of erosion. Approximately 15% of the
7 state's eroded soil finds its way into our lakes and
8 streams, which become polluted by the fine sediments,
9 fertilizers and pesticides they carry. Additionally,
10 the overwhelming majority of Maine's livestock and
11 poultry farms are unequipped to productively use or
12 cleanly dispose of animal wastes. The improper han-
13 dling of animal wastes contributes both to soil
14 depletion and water pollution.

15 Conservation programs and practices initiated and
16 encouraged by the Soil and Water Conservation Commis-
17 sion, Maine's 16 soil and water conservation dis-
18 tricts and federal conservation agencies have been
19 demonstrably effective in reducing soil loss and
20 implementing animal waste management plans. Resource
21 conservation demands a continuing commitment of both
22 financial and human resources. Many conservation
23 practices have limited lifetimes or require annual
24 maintenance. Changing agricultural production
25 methods and technologies also require new cropping
26 arrangements and new erosion control systems.

27 Virtually all public financing for conservation
28 practices in Maine, 98¢ of every government dollar
29 spent, has been provided by the Federal Government,
30 but the amount of federal spending has been steadily
31 decreasing in constant dollars since 1972. Even
32 under federally-funded programs, the farmer-landowner
33 has been responsible for 25% to 100% of project
34 costs. Because of low financial returns, many con-
35 cerned farmers have been unable to set aside the
36 money to finance their share of installation costs
37 for conservation systems.

38 To continue the progress already made in soil and
39 water conservation, State Government will need to
40 assume a greater share of conservation spending than
41 it has in the past. It is the intent of the Legis-
42 lature that the largest portion of new funding be
43 devoted to the development of innovative conservation
44 projects by the soil and water conservation dis-
45 tricts.

1 §206. Establishment of fund

2 There is established a fund to encourage local
3 soil and water conservation projects. The fund shall
4 consist of all moneys appropriated to it and any
5 moneys received as donations or from other sources.
6 Moneys in this fund shall be disbursed periodically
7 by the Soil and Water Conservation Commission on a
8 competitive basis to one or more of the soil and
9 water conservation districts for the funding of inno-
10 vative soil and water conservation projects. Any
11 balance in this fund, except moneys appropriated by
12 the State, shall not lapse, but shall be carried for-
13 ward from year to year to be expended for the pur-
14 poses set forth in this subchapter. The commission
15 shall establish by rule criteria for project submis-
16 sion, evaluation and selection. These criteria
17 shall, among other factors, address priority of need,
18 boldness of approach, program feasibility and
19 reproducibility and verification of results. The
20 commission may impose such conditions on the use of
21 funds awarded as in its judgment are best suited to
22 accomplish the purposes of this subchapter and insure
23 that moneys awarded by the commission are properly
24 spent by the districts. Any final decision of the
25 commission to fund a project or to not fund a project
26 shall constitute "final agency action" for purposes
27 of Title 5, chapter 375, subchapter IV.

28 Sec. 2. Appropriation. The following funds are
29 appropriated from the General Fund to carry out the
30 purposes of this Act.

	<u>1983-84</u>	<u>1984-85</u>
31		
32	<u>AGRICULTURE, FOOD AND RURAL</u>	
33	<u>RESOURCES, DEPARTMENT OF</u>	
34	Soil and Water Conserva-	
35	tion Commission	
36	Soil and Water	
37	Conservation Dis-	
38	tricts Fund, Title	
39	12, section 54,	
40	subsection 10.	
41	All Other	\$48,000 \$48,000

1 Fund to encourage
2 local soil and
3 water conservation
4 projects, Title
5 12, section 206.

6	All Other	<u>112,000</u>	<u>112,000</u>
7	Total		\$160,000

8 STATEMENT OF FACT

9 This bill establishes a fund for soil and water
10 conservation for allocation to Maine's 16 soil and
11 water conservation districts through the Soil and
12 Water Conservation Commission. It responds to the
13 continued need to improve the management of soil and
14 water, in order to slow the rate of soil depletion
15 through erosion, and to control the pollution result-
16 ing from nonpoint agricultural sources. The fund
17 will be allocated to the districts on a competitive
18 basis by the Soil and Water Conservation Commission.
19 Local soil and water conservation districts demon-
20 strating a need for and the capacity to conduct inno-
21 vative conservation projects dealing with local and
22 state problems will receive a greater funding base
23 than those not demonstrating such a need or capabil-
24 ity. Funds are being sought in 2 categories. The
25 first \$48,000 is added to the base grants presently
26 received by districts to raise that total to \$5,000
27 per district. The additional \$112,000 is allocated
28 to districts on a competitive basis for innovative
29 projects that address local priorities or which offer
30 particularly promising solutions to problems of
31 statewide significance. This bill increases the
32 annual appropriation to the existing Soil and Water
33 Conservation Districts Fund by \$48,000, and would
34 appropriate \$112,000 annually to the new fund created
35 by this bill. The fiscal impact of this bill would be
36 \$160,000 annually, or \$320,000 for the biennium.

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