

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

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Legislative Document

No. 1269

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H.P. 955

House of Representatives, February 28, 2001

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**An Act to Provide for Maintenance of State-owned Land and Facilities.**

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

*Millicent M. MacFarland*

MILLICENT M. MacFARLAND, Clerk

Presented by Representative SAVAGE of Buxton.  
Cosponsored by Representative DUNLAP of Old Town.

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

2  
4       **Sec. 1. 5 MRSA §6203, sub-§2**, as amended by PL 1993, c. 728, §4, is further amended to read:

6           **2. Fund available.** The Land for Maine's Future Fund is available to state agencies and designated cooperating entities upon authorization of the board for the purposes identified in subsection 3. Funds from the stewardship account are available to state agencies for the purposes under section 6203-B.

12       **Sec. 2. 5 MRSA §6203, sub-§3**, as amended by PL 1999, c. 769, §§1 and 2, is further amended to read:

14           **3. Fund proceeds.** The Twenty percent of fund proceeds from the sale of bonds and 20% of contributions from public sources must be transferred to the stewardship account for expenditure in accordance with section 6203-B. All other proceeds of the Land for Maine's Future Fund may be applied and expended to:

20           A. Acquire property or an interest in property that is determined by the board to be of state significance under the guidelines of this chapter;

24           B. Fund minor capital improvements on lands acquired by proceeds from the Land for Maine's Future Fund to improve accessibility, as long as these improvements do not exceed 5% of the appraised value of the acquired property; and

30           C. When interest in farmland is acquired, fund the development of a business plan and capital improvements to provide for the land's continuing use as a working farm, as long as these improvements do not exceed 5% of the appraised value of the acquired property.

36       **Sec. 3. 5 MRSA §6203-A, sub-§§2 and 3**, as enacted by PL 1993, c. 728, §5, are amended to read:

38           **2. Fund available.** The Public Access to Maine Waters Fund is available to state agencies and designated cooperating entities upon authorization of the board for the purposes identified in subsection 3. Funds from the stewardship account are available to state agencies for the purposes identified in section 6203-B.

46           **3. Fund proceeds.** Twenty percent of fund proceeds from the sale of bonds and 20% of contributions from public sources must be transferred to the stewardship account for expenditure in accordance with section 6203-B. The All other proceeds of the Public Access to Maine Waters Fund may be applied and expended to:

2 A. Acquire property or interests in property abutting fresh  
4 or coastal waters when public access to those waters does  
6 not exist or when the board determines that existing points  
of public access are not sufficient; and

8 B. Provide minor capital improvements on lands acquired by  
10 proceeds from the Public Access to Maine Waters Fund to  
12 provide public access or improve accessibility, as long as  
these improvements do not exceed 5% of the appraised value  
of the acquired property.

14 **Sec. 4. 5 MRSA §6203-B** is enacted to read:

16 **§6203-B. Stewardship account**

18 The stewardship account receives funds in accordance with  
20 section 6203, subsection 3 and 6203-A, subsection 3. Funds from  
22 the stewardship account may be distributed to the Maine State  
24 Parks and Recreational Facilities Development Fund, established  
in Title 12, section 1825, subsection 1, the Maine State Parks  
Fund, established in Title 12, section 1825, subsection 2 and the  
Public Boat Launch Access Fund established in Title 12, section  
7652-A.

26 In addition, the board may recommend distribution of funds  
28 to any state agency that manages, maintains or develops land  
30 owned by the State for the purpose of providing public  
32 recreational opportunities on that land. The board shall  
establish criteria to determine the proportional distribution of  
funds based on the magnitude of each agency's management  
responsibilities and costs.

34 **Sec. 5. 12 MRSA §1825, sub-§1**, as repealed and replaced by PL  
36 1999, c. 127, Pt. A, §29, is amended to read:

38 **1. Maine State Parks and Recreational Facilities**  
40 **Development Fund.** The Maine State Parks and Recreational  
42 Facilities Development Fund is established within the bureau for  
the purpose of developing, maintaining and managing state parks  
and other recreational facilities on lands owned or leased by the  
bureau.

44 Income from legislative appropriation, gifts, grants, bequests ,  
46 the stewardship account in accordance with Title 5, section  
48 6203-B and other sources approved by the Legislature may be  
50 deposited into this fund. Any interest earned on money in the  
fund must also be credited to the fund. The Maine State Parks  
and Recreational Facilities Development Fund is nonlapsing and  
all funds are subject to allocation by the Legislature.

2           **Sec. 6. 12 MRSA §1825, sub-§2**, as enacted by PL 1997, c. 678,  
§13, is amended to read:

4  
6           **2. Maine State Parks Fund.** The Maine State Parks Fund is  
established within the bureau. The fund receives money from the  
Maine Environmental Trust Fund in accordance with section 7759,  
8 subsection 3 and the stewardship account in accordance with Title  
5, section 6203-B. The bureau shall use money in the fund for  
10 major and minor capital improvements, maintenance, repairs and  
operations at state parks and historic sites.

12  
14 The Maine State Parks Fund is nonlapsing and all funds are  
subject to allocation by the Legislature.

16           **Sec. 7. 12 MRSA §7652-A** is enacted to read:

18           **§7652-A. Public Boat Launch Access Fund**

20           The Public Boat Launch Access Fund is established within the  
department. The fund receives money from the stewardship account  
22 in accordance with Title 5, section 6203-B. The department may  
use the fund for major and minor capital improvements,  
24 maintenance and repairs to facilities managed by the department  
and providing public access to waters in the State.

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**SUMMARY**

30           This bill requires that 20% of the proceeds from the sale of  
bonds for and public contributions to the Land for Maine's Future  
32 Fund and the Public Access to Maine Waters Fund must be  
transferred to a stewardship account. Money from the stewardship  
34 account is distributed to state agencies that manage, maintain  
and develop land for public recreation opportunities and is to be  
36 used for improving and maintaining state-owned land and  
facilities.