

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 65

H.P. 31

House of Representatives, January 13, 2021

**An Act To Invest in the Stewardship and Management of Properties
Acquired with the Proceeds from the Land for Maine's Future Fund
or the Public Access to Maine Waters Fund**

Submitted by the Department of Agriculture, Conservation and Forestry pursuant to Joint Rule 204.

Received by the Clerk of the House on January 11, 2021. Referred to the Committee on Agriculture, Conservation and Forestry pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Handwritten signature of Robert B. Hunt in cursive.

ROBERT B. HUNT
Clerk

Presented by Representative O'NEIL of Saco.
Cosponsored by Senator: MAXMIN of Lincoln.

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

2 **Sec. 1. 5 MRSA §6203, sub-§3**, as amended by PL 2009, c. 178, §§1 and 2, is
3 further amended to read:

4 **3. Fund proceeds.** The proceeds of the Land for Maine's Future Fund may be applied
5 and expended to:

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

8 B. When interest in land is acquired with proceeds from the Land for Maine's Future
9 Fund, fund minor capital improvements on such lands and on adjoining lands in the
10 same ownership or under the same management to improve accessibility, as long as
11 these improvements do not exceed 5% of the appraised value of the acquired property;
12 ~~and~~

13 C. When interest in farmland is acquired with proceeds from the Land for Maine's
14 Future Fund, fund the development of a business plan and capital improvements to
15 provide for the land's continuing use as a working farm, as long as these improvements
16 do not exceed 5% of the appraised value of the acquired property. Capital
17 improvements under this paragraph may also be made on adjoining farmland in the
18 same ownership or under the same management; ~~and~~

19 D. When land or interest in land is acquired with proceeds from the Land for Maine's
20 Future Fund, fund minor capital investments in the stewardship and management of
21 that land. Stewardship and management investments under this paragraph must be held
22 in a dedicated stewardship endowment and identified for use on the funded property.
23 Stewardship and management investments may not exceed 5% of the appraised value
24 of the acquired property.

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

27 **3. Fund proceeds.** The proceeds of the Public Access to Maine Waters Fund may be
28 applied and expended to:

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

32 B. Provide minor capital improvements on lands acquired by proceeds from the Public
33 Access to Maine Waters Fund to provide public access or improve accessibility, as
34 long as these improvements do not exceed 5% of the appraised value of the acquired
35 property; ~~and~~

36 C. When land or interest in land is acquired with proceeds from the Public Access to
37 Maine Waters Fund, fund minor capital investments in the stewardship and
38 management of that land. Stewardship and management investments under this
39 paragraph must be held in a dedicated stewardship endowment and identified for use
40 on the funded property. Stewardship and management investments may not exceed
41 5% of the appraised value of the acquired property.

SUMMARY

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This bill allows a small portion of Land for Maine's Future program bond funds to be used to fund minor capital investments in the stewardship and management of properties acquired with funding from the Land for Maine's Future Fund or the Public Access to Maine Waters Fund, ensuring that these properties are maintained in perpetuity for the purposes for which the properties are conserved.