

MAINE STATE LEGISLATURE

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L.D. 568

Date: 5/4/21 Majority

(Filing No. H-121)

AGRICULTURE, CONSERVATION AND FORESTRY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H.P. 413, L.D. 568, "An Act To Establish a Working Farmland Access and Protection Program within the Department of Agriculture, Conservation and Forestry and a Working Farmland Access and Protection Fund within the Land for Maine's Future Program"

Amend the bill by striking out all of section 3 and inserting the following:

'Sec. 3. 5 MRSA §6203, sub-§3, as amended by PL 2021, c. 33, §1, is further amended to read:

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

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;

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

~~C. When interest in farmland is acquired with proceeds from the Land for Maine's Future Fund, 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. Capital improvements under this paragraph may also be made on adjoining farmland in the same ownership or under the same management; and~~

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

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to H.P. 413, L.D. 568

1 Amend the bill in section 5 in §164 in subsection 3 in paragraph G in the last line (page
2 4, line 13 in L.D.) by striking out the following: "and"

3 Amend the bill in section 5 in §164 in subsection 3 in paragraph H in the last line (page
4 4, line 16 in L.D.) by striking out the following: "." and inserting the following: "; and'

5 Amend the bill in section 5 in §164 in subsection 3 by inserting after paragraph H the
6 following:

7 'I. Whether the applicant is from or serving an underserved or underprivileged
8 community as defined by the department by rule. Rules adopted under this paragraph
9 are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.'

10 Amend the bill by inserting after section 5 the following:

11 **'Sec. 6. Appropriations and allocations.** The following appropriations and
12 allocations are made.

13 **AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**
14 **Maine Working Farmland Access and Protection Fund N360**

15 Initiative: Provides a base allocation to establish the Maine Working Farmland Access and
16 Protection Fund to allow expenditure of contributions received from private and public
17 sources for the acquisition of property or interests in property that are designed to protect
18 access to working farmland.

19	OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
20	All Other	\$500	\$500
21			
22	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$500</u>	<u>\$500</u>

23
24 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
25 number to read consecutively.

26 **SUMMARY**

27 The bill specifies the selection criteria with which to evaluate applications for
28 protection of working farmland property under the Maine Working Farmland Access and
29 Protection Program. This amendment, which is the majority report of the committee,
30 provides that consideration must be given to applicants from or serving underserved or
31 underprivileged communities. The amendment also includes technical changes to reflect
32 changes made by Public Law 2021, chapter 33. The amendment also adds an
33 appropriations and allocations section.

34 **FISCAL NOTE REQUIRED**

35 (See attached)

COMMITTEE AMENDMENT



130th MAINE LEGISLATURE

LD 568

LR 82(02)

An Act To Establish a Working Farmland Access and Protection Program within the Department of Agriculture, Conservation and Forestry and a Working Farmland Access and Protection Fund within the Land for Maine's Future Program

Fiscal Note for Bill as Amended by Committee Amendment *A (H-121)*

Committee: Agriculture, Conservation and Forestry

Fiscal Note Required: Yes

Fiscal Note

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
Appropriations/Allocations				
Other Special Revenue Funds	\$500	\$500	\$500	\$500

Fiscal Detail and Notes

This bill establishes the Maine Working Farmland Access and Protection Program within the Department of Agriculture, Conservation and Forestry (ACF) to align the ACF's farmland conservation efforts with the Land for Maine's Future (LMF) program.

The ACF has indicated that it will not require additional staffing at this time. The bill includes ongoing Other Special Revenue Funds allocations of \$500 starting in fiscal year 2021-22 to establish the Maine Working Farmland Access and Protection Fund within the ACF to allow expenditure of contributions received from public and private sources to support the acquisition of access to working farmland.