

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 1156

H.P. 728

House of Representatives, March 14, 2023

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**An Act to Authorize a General Fund Bond Issue to Promote the  
Design, Development and Maintenance of Trails for Outdoor  
Recreation and Active Transportation**

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Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

A handwritten signature in black ink that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative FAY of Raymond.  
Cosponsored by Senator BLACK of Franklin and  
Representatives: HENDERSON of Rumford, KUHN of Falmouth, LANDRY of Farmington,  
MILLETT of Waterford, PLUECKER of Warren, SOBOLESKI of Phillips, Senators:  
BENNETT of Oxford, INGWERSEN of York.

1           **Preamble.** Two thirds of both Houses of the Legislature deeming it necessary in  
2 accordance with the Constitution of Maine, Article IX, Section 14 to authorize the issuance  
3 of bonds on behalf of the State of Maine to provide funds as described in this Act,

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

5           **Sec. 1. Authorization of bonds.** The Treasurer of State is authorized, under the  
6 direction of the Governor, to issue bonds in the name and on behalf of the State in an  
7 amount not exceeding \$30,000,000 for the purposes described in section 5 of this Act. The  
8 bonds are a pledge of the full faith and credit of the State. The bonds may not run for a  
9 period longer than 10 years from the date of the original issue of the bonds.

10           **Sec. 2. Records of bonds issued; Treasurer of State.** The Treasurer of State  
11 shall ensure that an account of each bond is kept showing the number of the bond, the name  
12 of the successful bidder to whom sold, the amount received for the bond, the date of sale  
13 and the date when payable.

14           **Sec. 3. Sale; how negotiated; proceeds appropriated.** The Treasurer of State  
15 may negotiate the sale of the bonds by direction of the Governor, but no bond may be  
16 loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the  
17 bonds, which must be held by the Treasurer of State and paid by the Treasurer of State  
18 upon warrants drawn by the State Controller, are appropriated solely for the purposes set  
19 forth in this Act. Any unencumbered balances remaining at the completion of the project  
20 in this Act lapse to the Office of the Treasurer of State to be used for the retirement of  
21 general obligation bonds.

22           **Sec. 4. Interest and debt retirement.** The Treasurer of State shall pay interest  
23 due or accruing on any bonds issued under this Act and all sums coming due for payment  
24 of bonds at maturity.

25           **Sec. 5. Disbursement of bond proceeds from General Fund bond issue.** The  
26 proceeds of the sale of the bonds authorized under this Act must be expended as designated  
27 in the following schedule under the direction and supervision of the agencies and entities  
28 set forth in this section.

29           **DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY**

30           **Bureau of Parks and Lands**

31           Provides funds for a program, to be known as the Maine Trails Program, in order to  
32 leverage at least \$6,000,000 in matching contributions from public and private sources  
33 to be used for the design, development and maintenance of nonmotorized, motorized and  
34 multi-use trails statewide. No more than \$7,500,000 may be expended in the first year  
35 by the Bureau of Parks and Lands and no more than \$7,500,000 may be expended by the  
36 Bureau of Parks and Lands in each of the 3 subsequent years, except that any unused  
37 balance may be added to the specified amount in subsequent years.

38           Total \$30,000,000

39           **Sec. 6. Disbursement of bond proceeds.** The proceeds of the bonds for the  
40 program as set out in section 5 must be expended by the Department of Agriculture,  
41 Conservation and Forestry for design, development and maintenance of nonmotorized,

1 motorized and multi-use trails, trailheads and trailside amenities statewide in accordance  
2 with the following requirements:

3 1. Funds must be awarded by a competitive grant process to municipalities, other  
4 qualified subdivisions of State Government and nonprofit organizations;

5 2. Approximately 30% of the funds must be expended in support of nonmotorized  
6 trails, 20% in support of motorized trails and 50% in support of multi-use trails used for  
7 recreation or active transportation;

8 3. Priority must be given to projects that follow sustainable design standards and  
9 incorporate accessibility and inclusive design standards;

10 4. Projects must demonstrate access to at least 20% matching contributions, which may  
11 include the value of project-related, in-kind contributions of goods and services to and by  
12 cooperating entities;

13 5. Trails funded in whole or in part by this program must be publicized for public use.  
14 Trails on private property must have use agreements for the longest period practicable that  
15 are mutually agreed upon by the landowner and trail stewards; and

16 6. Projects must demonstrate support from entities such as state agencies,  
17 municipalities, nonprofit organizations, trail user groups, businesses and the public.

18 Proposed projects may include requests to fund road maintenance to ensure trail access,  
19 as well as funding to ensure public access through acquisition of easements or fee simple  
20 title, although these are not primary purposes of the bond funds.

21 Funding from this program may be used as match for federal grant programs related to  
22 outdoor recreation, including but not limited to the land and water conservation fund  
23 established pursuant to the federal Land and Water Conservation Fund Act of 1965 and the  
24 federal recreational trails program, administered in the State by the Department of  
25 Agriculture, Conservation and Forestry, Bureau of Parks and Lands. In such cases, the bond  
26 requirement for local match may be waived.

27 Up to 3% of funding per annum may be used by the Department of Agriculture,  
28 Conservation and Forestry to administer this program.

29 Up to 1% of funding per annum may be awarded as planning grants to aid local project  
30 partners in developing sustainable trail plans for future development and renovation  
31 projects.

32 The Department of Agriculture, Conservation and Forestry shall work with the  
33 Department of Transportation in evaluating and making grant decisions on proposals that  
34 would advance the Department of Transportation's statewide active transportation plan.

35 The Department of Agriculture, Conservation and Forestry shall work with the  
36 Department of Economic and Community Development, municipalities, nonprofit  
37 organizations and other entities to promote awareness, use and maintenance of publicly  
38 accessible trails funded pursuant to the competitive grant process to enhance their  
39 economic, public health and user benefits.

40 **Sec. 7. Contingent upon ratification of bond issue.** Sections 1 to 6 do not  
41 become effective unless the people of the State ratify the issuance of the bonds as set forth  
42 in this Act.

