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Date: (Filing No. S-)

AGRICULTURE, CONSERVATION AND FORESTRY

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE
SENATE
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 522, L.D. 1285, “An Act to Extend Funding for the Land for Maine's Future Program”

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. Transfer; Department of Agriculture, Conservation and Forestry, Land for Maine's Future. Notwithstanding any provision of law to the contrary, on or before June 30, 2024, the State Controller shall transfer \$20,000,000 from the unappropriated surplus of the General Fund to the Department of Agriculture, Conservation and Forestry, Land for Maine's Future program for the purpose of acquisition of land and interest in land for conservation, water access, outdoor recreation, wildlife and fish habitat and working farmland preservation in accordance with the Maine Revised Statutes, Title 5, chapter 353 and Title 12, section 6042, including all costs associated with such acquisitions.

Sec. 2. Disbursement of funds. The funds transferred to the Department of Agriculture, Conservation and Forestry, Land for Maine's Future program, Other Special Revenue Funds account under section 1 must be expended under the direction and supervision of the Department of Agriculture, Conservation and Forestry for the acquisition of land or interest in land, including all costs associated with such acquisitions, in accordance with the Maine Revised Statutes, Title 5, chapter 353 and Title 12, section 6042. The expenditure of funds transferred under section 1 is subject to the following conditions and requirements:

1. Funds for the acquisition of land or interest in land for community conservation projects, as defined in Title 5, section 6201, subsection 1-B, may be distributed directly to cooperating entities, as defined in Title 5, section 6201, subsection 2, subject to terms and conditions enforceable by the State to ensure use of those funds for the purposes of this section. In addition to the considerations required under Title 5, chapter 353, the department shall give preference to community conservation projects that benefit multiple municipalities and address regional conservation needs, including public access to recreation, wildlife and habitat conservation and open space and farmland;

COMMITTEE AMENDMENT

1 2. At least 5% of the funds must be made available for the acquisition of land or an
2 interest in land to provide or improve public access to water in accordance with Title 5,
3 section 6203-A, subsection 3;

4 3. At least 10% of the funds must be made available for the acquisition of land or an
5 interest in land to protect farmland in accordance with Title 5, section 6207;

6 4. At least 10% of the funds must be made available for the acquisition of land or an
7 interest in land to protect the availability of working waterfront properties in accordance
8 with Title 12, section 6042;

9 5. No more than \$10,000,000 of the funds may be spent in the first year by the
10 department and no more than an additional \$10,000,000, plus any unused balance from
11 prior years, may be spent by the department in each of the 3 subsequent years;

12 6. Each expenditure of funds under this Act must be matched with matching funds, as
13 defined by Title 5, section 6201, subsection 3, at least equal to the amount of the
14 expenditure. At least 70% of the matching funds provided for expenditures made in
15 accordance with this Act must be in the form of cash or other tangible assets, including the
16 value of land and real property interest that is acquired by or contributed to cooperating
17 entities, as defined in Title 5, section 6201, subsection 2, and that the department
18 determines has a direct relationship to the property proposed for protection. The remaining
19 30% of the matching funds provided may be in the form of contributions, including the
20 value of project-related, in-kind contributions of goods and services made to and by
21 cooperating entities;

22 7. To the extent the purposes are consistent with this section, 100% of the funds may
23 be considered as state match for any federal funding to be made available to the State; and

24 8. The Department of Inland Fisheries and Wildlife shall proactively pursue the use of
25 funds under this Act for land acquisition projects for deer wintering areas.

26 **Sec. 3. Appropriations and allocations.** The following appropriations and
27 allocations are made.

28 **AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**
29 **Land for Maine's Future Z162**

30 Initiative: Provides allocations for eligible expenditures and other authorized purposes in
31 accordance with the provisions of the Maine Revised Statutes, Title 5, section 6203.

32 OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
33 All Other	\$10,000,000	\$10,000,000
34		
35 OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$10,000,000</u>	<u>\$10,000,000</u>

36
37 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
38 number to read consecutively.

39 **SUMMARY**

40 This amendment transfers \$20,000,000 from the unappropriated surplus of the General
41 Fund to the Department of Agriculture, Conservation and Forestry, Land for Maine's Future

1 program on or before June 30, 2024 and provides allocations for eligible expenditures and
2 other authorized purposes in accordance with the provisions of the Maine Revised Statutes,
3 Title 5, section 6203.

4 **FISCAL NOTE REQUIRED**

5 **(See attached)**