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Date: (Filing No. S- )

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**STATE OF MAINE**  
**SENATE**  
**130TH LEGISLATURE**  
**FIRST SPECIAL SESSION**

SENATE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to H.P. 288, L.D. 404, “An Act To Preserve Deer Habitat”

Amend the amendment by inserting after the title and before the first indented paragraph the following:

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** this legislation directs the Land for Maine's Future Board to give a preferential consideration to certain projects that conserve lands that are important for conserving deer; and

**Whereas,** this legislation provides for the acquisition and management of areas that are important to the conservation of deer and provides that these lands must be managed with deer conservation as the highest management priority; and

**Whereas,** funding for such acquisition and management may be available before the end of the 90-day period; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

Amend the amendment by striking out all of section 1 and inserting the following:

**Sec. 1. 5 MRSA §6203, sub-§3,** as amended by PL 2021, c. 135, §3, 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

**SENATE AMENDMENT**

1 these improvements do not exceed 5% of the appraised value of the acquired property;  
2 ~~and~~

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

9 E. When land or interest in land for deer wintering areas is acquired with proceeds  
10 from the Land for Maine's Future Fund pursuant to section 6207, subsection 2,  
11 paragraph E, fund the development of a management plan to provide for the land's  
12 continuing function as a deer wintering area, as long as the cost of the plan and any  
13 investments related to that land under paragraph D do not exceed 5% of the appraised  
14 value of the acquired property. A management plan developed under this paragraph  
15 may also apply to adjoining deer wintering areas in the same ownership or under the  
16 same management.'

17 Amend the amendment by striking out all of section 7.

18 Amend the amendment by adding after section 7 the following:

19 **'Emergency clause.** In view of the emergency cited in the preamble, this legislation  
20 takes effect when approved.'

21 Amend the amendment by relettering or renumbering any nonconsecutive Part letter or  
22 section number to read consecutively.

## 23 SUMMARY

24 This amendment adds an emergency preamble and emergency clause. It strikes and  
25 replaces section 1 of Committee Amendment "A" to incorporate changes made to the  
26 Maine Revised Statutes, Title 5, section 6203, subsection 3 in Public Law 2021, chapter  
27 135 and to incorporate the substance of Senate Amendment "A" to provide that funds used  
28 for the development of a plan for a deer wintering area on land acquired with proceeds from  
29 the Land for Maine's Future Fund and any investments made to fund minor capital  
30 investments in the stewardship and management of that land may not together exceed 5%  
31 of the appraised value of the acquired property. It also removes a requirement that the  
32 Department of Inland Fisheries and Wildlife submit draft legislation to the Joint Standing  
33 Committee on Inland Fisheries and Wildlife to establish and fund a position to coordinate  
34 the acquisition and management of deer wintering areas.

35 **SPONSORED BY:** \_\_\_\_\_

36 **(Senator BLACK, R.)**

37 **COUNTY: Franklin**