



**Testimony in Opposition of LD 183, An Act to Cap Publicly Owned Land Area at No More than 50 Percent of Any County**

**Before the Committee on Agriculture, Conservation and Forestry**

**Luke Frankel, Woods, Waters, & Wildlife Director**

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Senator Talbot Ross, Representative Pluecker, and members of the Agriculture, Conservation and Forestry Committee, my name is Luke Frankel, and I am the Woods, Waters, & Wildlife Director and Staff Scientist at the Natural Resources Council of Maine (NRCM). I am here today to testify in opposition to LD 183, An Act to Cap Publicly Owned Land Area at No More than 50 Percent of Any County.

A nearly identical version of this bill was introduced during the 130<sup>th</sup> Maine Legislature through LD 324. Our testimony in opposition to LD 324 in 2021 outlined various reasons why setting an arbitrary limit on public landownership in Maine is a bad idea.<sup>1</sup> Specifically, we believe the bill would infringe on private property rights; limit the growth of Maine's outdoor recreation economy; and restrict land conservation projects that provide a host of ecological, carbon capture, soil health, and water quality benefits. Rather than reiterate these same points that remain true today, I would like to highlight two key issues currently facing Maine and outline how this bill would make those issues worse, not better.

**Limiting Tools Available to Protect Public Access**

Across the state, there is a growing concern around the loss of public access for traditional and outdoor recreation. Maine has a strong tradition of landowners allowing public access for hunting, fishing, and motorized and non-motorized recreation activities. This tradition was formed through generations of goodwill and mutual respect and is currently at risk. Many private roads and forestlands that Mainers have been using for decades to access areas for fishing, hunting, snowmobiling, canoeing, and hiking have been gated off and posted. Public land conservation is a tool that can be used to preserve public access in perpetuity through targeted land acquisition and easements that protect access. One of the primary goals of the Land for Maine's Future (LMF) program, Maine's most popular and successful land conservation initiative, is to conserve land for recreational access. By setting a limit on publicly owned land, LD 183 could prevent programs like LMF from being part of the solution to public access in the future.

**Other Landownership Threats to Maine's Character**

Related to the issue of public access is the issue of changing land ownership in Maine. Historically, Maine's residential development has consisted of year-round residential homes in cities and small towns, and seasonal camps in the more rural parts of the state. This landscape has shifted dramatically in recent years to one where new multi-million-dollar homes are being constructed along lakes throughout the state and seasonal camps are being converted into year-round residences, largely due to the rise in remote work since the pandemic.<sup>2</sup> There has also been a rise in short-term rentals throughout the state, often owned by

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<sup>1</sup> <https://www.nrcm.org/testimony/ld-324-limit-maine-public-land-ownership/>

<sup>2</sup> <https://www.wsj.com/real-estate/luxury-homes/maine-lakes-region-6d1fc1c5>

out-of-state residents, that has prompted the Land Use Planning Commission to initiate rulemaking to require that landowners report short-term rental activity.<sup>3</sup>

In addition to the environmental impacts that scattered development is having on forest habitat and water quality, it is also altering the fundamental character of Maine's landscape. Public land conservation is one tool that can be used to curb sprawling development and preserve the natural resources that define Maine.

By placing a cap on conserved lands, this bill could unintentionally spur land acquisition by wealthy investors over public land that serves everyday Mainers. Such an outcome would further erode the rural character of Maine's outdoors.

To solve complicated issues like public access and sprawling development that threaten Maine's character and quality of life, we need more tools at our disposal, not fewer. Public land conservation could be an increasingly vital and broadly supported tool to guarantee recreational access and preserve our natural resources for the benefit of all Mainers, not just the wealthy few. For these reasons and those outlined in our testimony back in 2021, we strongly encourage the Committee to vote Ought Not to Pass on LD 183.

Thank you for your time and consideration.

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<sup>3</sup> <https://www.maine.gov/dacf/lupc/projects/short-term-rentals/index.html>