

111TH CONGRESS
1ST SESSION

H. R. 1399

To amend the Food Security Act of 1985 to support State and tribal government efforts to encourage owners and operators of privately held farm, ranch, and forest land containing maple trees to make their land available for access by the public for maple-tapping activities under programs administered by States and tribal governments.

IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2009

Mr. McHUGH introduced the following bill; which was referred to the
Committee on Agriculture

A BILL

To amend the Food Security Act of 1985 to support State and tribal government efforts to encourage owners and operators of privately held farm, ranch, and forest land containing maple trees to make their land available for access by the public for maple-tapping activities under programs administered by States and tribal governments.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Maple Tapping Access
5 Program Act”.

1 **SEC. 2. SUPPORT FOR MAPLE-TAPPING ACCESS PRO-**
2 **GRAMS.**

3 Chapter 5 of subtitle D of title XII of the Food Secu-
4 rity Act of 1985 (16 U.S.C. 3839bb et seq.) is amended
5 by adding at the end the following new section:

6 **“SEC. 1240S. SUPPORT FOR MAPLE-TAPPING ACCESS PRO-**
7 **GRAMS.**

8 “(a) DEFINITION OF MAPLE TAPPING.—In this sec-
9 tion, the term ‘maple-tapping’ means the collection of sap
10 from any species of tree in the genus *Acer* for the purpose
11 of boiling to produce food.

12 “(b) GRANTS.—The Secretary shall make grants to
13 States and tribal governments to support State and tribal
14 government efforts to encourage owners and operators of
15 privately held farm, ranch, and forest land—

16 “(1) to initiate or expand maple-tapping activi-
17 ties; or

18 “(2) to voluntarily make the land available, in-
19 cluding by lease or other means, for access by the
20 public for maple-tapping activities under such pro-
21 grams.

22 “(c) APPLICATIONS.—In submitting an application
23 for a grant under this section, a State or tribal govern-
24 ment shall include—

25 “(1) a description of the activities to be sup-
26 ported using the grant funds;

1 “(2) a description of the benefits that the State
2 or tribal government intends to achieve as a result
3 of the activities; and

4 “(3) an estimate of the anticipated increase in
5 maple-tapping activities and maple syrup production
6 to occur as a result of the activities.

7 “(d) PRIORITY.—In approving applications and
8 awarding grants under this section, the Secretary shall
9 give priority to States and tribal governments that pro-
10 pose—

11 “(1) to maximize participation by offering a
12 program the terms of which are likely to meet with
13 widespread acceptance among landowners;

14 “(2) to increase maple-tapping activities and
15 maple syrup production;

16 “(3) to ensure that land enrolled under the
17 State or tribal government program has an appro-
18 priate stock of trees suitable for maple-tapping ac-
19 tivities; and

20 “(4) to use additional Federal, State, tribal
21 government, or private resources in carrying out the
22 program.

23 “(e) RELATIONSHIP TO OTHER LAWS.—Nothing in
24 this section preempts a State or tribal government law,
25 including any State or tribal government liability law.

1 “(f) REGULATIONS.—The Secretary shall promulgate
2 such regulations as are necessary to carry out this section.

3 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
4 is authorized to be appropriated to carry out this section
5 \$20,000,000 for each of fiscal years 2010 through 2014.”.

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