

111TH CONGRESS  
1ST SESSION

# S. 552

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

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## IN THE SENATE OF THE UNITED STATES

MARCH 9, 2009

Mr. SCHUMER (for himself and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To amend the Food Security Act of 1985 to encourage owners and operators of privately-held farm, ranch, and forest land to voluntarily 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 of 2009”.

1 **SEC. 2. MAPLE TAPPING ACCESS PROGRAM.**

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

5 **“SEC. 1240S. MAPLE TAPPING ACCESS PROGRAM.**

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

10 “(b) PROGRAM.—The Secretary shall establish a vol-  
11 untary public access program under which States and trib-  
12 al governments may apply for grants to encourage owners  
13 and operators of privately-held farm, ranch, and forest  
14 land to voluntarily make that land available for access by  
15 the public for maple-tapping activities under programs ad-  
16 ministered by the States and tribal governments.

17 “(c) APPLICATIONS.—In submitting applications for  
18 a grant under the program, a State or tribal government  
19 shall describe—

20 “(1) the benefits that the State or tribal gov-  
21 ernment intends to achieve by encouraging public ac-  
22 cess to private farm and ranch land for maple tap-  
23 ping; and

24 “(2) the methods that will be used to achieve  
25 those benefits.

1       “(d) PRIORITY.—In approving applications and  
2 awarding grants under the program, the Secretary shall  
3 give priority to States and tribal governments that pro-  
4 pose—

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

8               “(2) to ensure that land enrolled under the  
9 State or tribal government program has an appro-  
10 priate stock of trees suitable for maple tapping; and

11               “(3) to use additional Federal, State, tribal  
12 government, or private resources in carrying out the  
13 program.

14       “(e) RELATIONSHIP TO OTHER LAWS.—Nothing in  
15 this section preempts a State or tribal government law (in-  
16 cluding any State or tribal government liability law).

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

19       “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
20 is authorized to be appropriated to carry out this section  
21 \$20,000,000 for each of fiscal years 2010 through 2013.”.

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