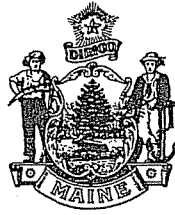


MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

SECOND REGULAR SESSION-2010

Legislative Document

No. 1585

H.P. 1123

House of Representatives, December 22, 2009

An Act To Protect Maine Farms and Nurseries

Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 204.

Received by the Clerk of the House on December 18, 2009. Referred to the Committee on Agriculture, Conservation and Forestry pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative McCABE of Skowhegan.
Cosponsored by Senator NUTTING of Androscoggin and
Representative: SMITH of Monmouth, Senator: SHERMAN of Aroostook.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 7 MRSA §2211, sub-§2-A** is enacted to read:

3 **2-A. Large-scale retailer.** "Large-scale retailer" means a retail establishment that
4 has 25,000 square feet in gross floor area under common ownership, including, but not
5 limited to, a single facility where related entities share check stands, management and a
6 controlling ownership interest in storage areas, such as a grocery store associated with a
7 general merchandise or home improvement retail establishment.

8 **Sec. 2. 7 MRSA §2215-A** is enacted to read:

9 **§2215-A. Prohibition**

10 A large-scale retailer may not sell annual plants on consignment unless both the
11 large-scale retailer and the consignor comply with import and retail criteria to provide
12 phytosanitary safeguards for Maine's farms and nurseries established in department rules.
13 The department shall adopt rules to implement this section. Rules adopted pursuant to
14 this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

15 **SUMMARY**

16 This bill requires the Department of Agriculture, Food and Rural Resources to adopt
17 rules to regulate the sale of annual plants by large-scale retailers and the producers that
18 supply those retailers with plants on consignment.