

# MAINE STATE LEGISLATURE

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Date: 6/6/11

L.D. 1444  
(Filing No. H-533)

**AGRICULTURE, CONSERVATION AND FORESTRY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
125TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1058, L.D. 1444, "Resolve, To Enhance Agriculture and Farming"

Amend the resolve by striking out everything after the title and before the summary and inserting the following:

**Sec. 1. Department of Environmental Protection to review restrictions on bringing land into agricultural production. Resolved:** That the Department of Environmental Protection, referred to in this resolve as "the department," shall review provisions in the Maine Revised Statutes, Title 38, chapter 3, subchapter 1, articles 2-B and 5-A and rules authorized under those articles that affect a person's ability to clear or till land for agriculture. For the purposes of this resolve, "agriculture" means the production, keeping or maintenance for sale or lease of plants or animals, including but not limited to: forage and sod crops; grain and seed crops; dairy animals and dairy products; poultry and poultry products; livestock; fruits and vegetables; and ornamental and greenhouse products.

The department, in consultation with the Department of Agriculture, Food and Rural Resources, shall solicit input from farmers and representatives of agricultural associations when reviewing its rules. The department shall examine the setbacks in which tilling of soil is prohibited and consider options to allow land formerly used for forage crops and pasture to return to those uses; and be it further

**Sec. 2. Report to the Joint Standing Committee on Agriculture, Conservation and Forestry. Resolved:** That the department shall report to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than January 15, 2012 on its findings upon completion of the review under section 1 and recommendations for actions to increase land available for agricultural uses in an environmentally responsible manner; and be it further

**Sec. 3. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

**COMMITTEE AMENDMENT**

R.O.F.S.

COMMITTEE AMENDMENT "A" to H.P. 1058, L.D. 1444

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**Land and Water Quality 0248**

Initiative: Appropriates funds on a one-time basis for the Department of Environmental Protection to review statutes and rules including setbacks and forage and pasture regulations that restrict use of lands for agricultural purposes, to consult with the Department of Agriculture, Food and Rural Resources, to solicit data from farmers and agricultural associations and to report findings and recommendations to the Legislature no later than January 15, 2012.

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<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$3,000	\$0
<b>GENERAL FUND TOTAL</b>	<u>\$3,000</u>	<u>\$0</u>

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**SUMMARY**

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This amendment replaces the directive to the Department of Conservation with a directive to the Department of Environmental Protection to review statutes and rules that restrict the use of certain lands for agricultural purposes and to report to the Joint Standing Committee on Agriculture, Conservation and Forestry on its findings. It also adds an appropriations and allocations section.

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**FISCAL NOTE REQUIRED**

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(See attached)



# 125th MAINE LEGISLATURE

LD 1444

LR 550(02)

## Resolve, To Enhance Agriculture and Farming

Fiscal Note for Bill as Amended by Committee Amendment "A"  
Committee: Agriculture, Conservation and Forestry  
Fiscal Note Required: Yes

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### Fiscal Note

	FY 2011-12	FY 2012-13	Projections FY 2013-14	Projections FY 2014-15
<b>Net Cost (Savings)</b>				
General Fund	\$3,000	\$0	\$0	\$0
<b>Appropriations/Allocations</b>				
General Fund	\$3,000	\$0	\$0	\$0

#### Fiscal Detail and Notes

This bill includes a one-time General Fund appropriation of \$3,000 in fiscal year 2011-12 for the Department of Environmental Protection to review statutes and rules that restrict use of lands for agricultural purposes, to consult with the Department of Agriculture, Food and Rural Resources, to solicit data from farmers and agricultural associations and to report findings and recommendations to increase agricultural uses of lands in an environmentally responsible manner to the legislature by January 15, 2012.

Additional costs to the Department of Agriculture, Food and Rural Resources associated with consulting with the Department of Environmental Protection on these issues can be absorbed with existing staff and within existing budgeted resources.