

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1028

S.P. 335

In Senate, March 14, 2017

An Act To Improve Soil Quality and Profits for Maine Farms

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator SAVIELLO of Franklin.

Cosponsored by Senators: CARSON of Cumberland, DAVIS of Piscataquis, DILL of Penobscot, WHITTEMORE of Somerset, Representatives: BLACK of Wilton, HARVELL of Farmington.

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

2 Sec. 1. 7 MRSA c. 4-A is enacted to read:

3 **CHAPTER 4-A**

4 **MAINE REGENERATIVE AGRICULTURE CERTIFICATION PROGRAM**

5 **§111. Maine Regenerative Agriculture Certification Program**

6 **1. Establishment of program.** The department shall establish the Maine
7 Regenerative Agriculture Certification Program within the department to certify
8 agricultural land in the State as regenerative. The department shall create a seal
9 indicating that agricultural land is certified under the Maine Regenerative Agriculture
10 Certification Program or that a farm containing agricultural land certified under this
11 section is certified.

12 **2. Standards of certification.** The department shall certify agricultural land as
13 regenerative if an applicant for certification demonstrates one of the following criteria:

14 A. Topsoil on the applicant's agricultural land has increased in volume in 3
15 successive years;

16 B. The applicant's farming methods have sequestered carbon in the soil in 3
17 successive years; or

18 C. Soil on the applicant's agricultural land has contained an increasing percentage of
19 organic material in 3 successive years.

20 **3. Standard testing.** The department shall determine if an applicant meets the
21 certification requirements of subsection 2 in accordance with this subsection. The
22 department shall conduct over a 3-year period the following tests on the agricultural land
23 of an applicant for certification under this section:

24 A. Total soil carbon test;

25 B. Nitrogen tests at 3 soil levels from an amalgamation of 8 sample points within a
26 specified plot of land;

27 C. A test for the presence or absence of inorganic carbon;

28 D. A test of soil for water infiltration times;

29 E. A test for bulk soil density;

30 F. A test for percentage of bare ground cover within a specified plot of land; and

31 G. A test for diversity of ground cover within a specified plot of land.

32 **4. Certification; marketing.** Upon determination by the department that an
33 applicant demonstrated compliance with one or more of the criteria of subsection 2, the
34 commissioner shall certify the applicant's agricultural land as regenerative. The
35 commissioner may issue the certification to a farm that contains agricultural land certified
36 under this section. Upon certification, the applicant may use the Maine Regenerative

1 Agriculture Certification Program seal in the marketing and sale of agricultural products
2 produced on the agricultural land certified as regenerative.

3 **5. Testing fees.** An applicant for certification under this section shall pay to the
4 department a fee of \$500 for each year that the department conducts the standard testing
5 required under subsection 3 and subsequent annual testing to retain certification.

6 **6. Noncompliance.** Agricultural land certified under this section remains certified
7 until:

8 A. The agricultural land no longer meets at least one of the criteria of subsection 2
9 twice in any 3-year period; or

10 B. The program participant chooses to withdraw from the program.

11 SUMMARY

12 This bill directs the Department of Agriculture, Conservation and Forestry to
13 establish a program to certify agricultural land and farms containing certified agricultural
14 land as regenerative. The bill establishes standards for certification and testing by the
15 department. After certification, a program seal issued by the department may be used to
16 market and sell agricultural products produced on the certified land.