

MAINE STATE LEGISLATURE

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No. 437

S.P. 179

In Senate, February 16, 2021

An Act To Establish the Maine Healthy Soils Program

Received by the Secretary of the Senate on February 11, 2021. Referred to the Committee on Agriculture, Conservation and Forestry pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant".

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BRENNER of Cumberland.
Cosponsored by Representative OSHER of Orono and
Senator: MAXMIN of Lincoln, Representative: PLUECKER of Warren.

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

2 **Sec. 1. 12 MRSA c. 7** is enacted to read:

3 **CHAPTER 7**

4 **MAINE HEALTHY SOILS PROGRAM**

5 **§351. Definitions**

6 As used in this chapter, unless the context otherwise indicates, the following terms
7 have the following meanings.

8 **1. Commissioner.** "Commissioner" means the Commissioner of Agriculture,
9 Conservation and Forestry.

10 **2. Department.** "Department" means the Department of Agriculture, Conservation
11 and Forestry.

12 **3. Greenhouse gas.** "Greenhouse gas" has the same meaning as in Title 38, section
13 574, subsection 1.

14 **4. Greenhouse gas emissions benefits.** "Greenhouse gas emissions benefits" means
15 greenhouse gas emissions source reduction or sequestration.

16 **5. Healthy soils best practices.** "Healthy soils best practices" means agricultural and
17 land management practices that:

18 A. Enhance the continuing capacity of soils to function as a vital, living biological
19 system, increase soil organic matter, improve soil structure, strengthen water holding
20 and nutrient holding capacity, improve nutrient cycling and result in net long-term
21 greenhouse gas emissions benefits;

22 B. Continuously improve the capacity of soils to host a diversity of beneficial
23 organisms, grow vigorous crops, enhance agricultural resilience, including, but not
24 limited to, the ability of crops and livestock to tolerate and recover from drought,
25 temperature extremes, pests and other stressors, and help regulate the global climate
26 by converting organic residue into stable soil organic matter and retaining nutrients,
27 including, but not limited to, nitrogen and phosphorus;

28 C. Continuously improve the health of soils by considering all relevant factors,
29 including, but not limited to, depth of topsoil horizons, water infiltration rate, water
30 holding capacity, organic carbon content, biologically accessible nutrient content, bulk
31 density, biological activity and biological and microbiological diversity; and

32 D. Follow the principles of minimizing soil disturbance and external inputs: keeping
33 soil covered, maximizing biodiversity, maximizing the presence of living roots and
34 integrating animals into land management, including grazing animals, birds, beneficial
35 insects and keystone species, such as earthworms.

36 **§352. Program established**

37 The Maine Healthy Soils Program, referred to in this chapter as "the program," is
38 established within the department and is administered by the commissioner. The

1 commissioner shall consult with the University of Maine, the University of Maine
2 Cooperative Extension, the Department of Environmental Protection and the United States
3 Department of Agriculture, Natural Resources Conservation Service in the development
4 and administration of the program.

5 **1. Purpose.** The purpose of the program is to:

6 A. Improve the health, yield and profitability of the State's diverse agricultural soils
7 and commodities;

8 B. Protect native biological and microbiological diversity, vitality and health and
9 increase the greenhouse gas emissions benefits provided by the State's agricultural
10 soils;

11 C. Promote healthy soils agricultural practices based on indigenous knowledge,
12 current understanding and emerging soil science as determined by the department; and

13 D. Promote and expand the use of healthy soils best practices among farmers and
14 farmland owners in the State.

15 **2. Responsibilities of the commissioner.** To carry out the purposes of the program,
16 the commissioner shall:

17 A. Provide information and educational materials to educate farmers and farmland
18 owners about the benefits of implementing practices that achieve the purposes of the
19 program. The commissioner shall:

20 (1) Increase opportunities for farmer-to-farmer outreach and education by
21 highlighting farmers and farmland owners using healthy soils best practices
22 successfully;

23 (2) Facilitate peer learning opportunities for farmers and farmland owners engaged
24 in a broad range of healthy soils best practices, maintaining an active network of
25 practitioners and technical experts and highlighting related services and
26 programming; and

27 (3) Aggregate and highlight opportunities for grant funding, loan programs and
28 other forms of financial assistance to support the use of healthy soils best practices
29 by farmers and farmland owners;

30 B. Investigate opportunities for market-based levers and promotional activities that
31 incentivize healthy soils best practices;

32 C. Subject to availability of funding, support and make available incentives, such as
33 technical assistance, financial assistance and research support, to implement healthy
34 soils best practices;

35 D. Design the program to equitably distribute incentives to beginning and socially
36 disadvantaged farmers and ranchers as defined by 7 United States Code, Section
37 2279(a); and

38 E. Determine how the program may be implemented to enhance other state and federal
39 programs that provide financial assistance to farmers implementing healthy soils best
40 practices.

41 **§353. Maine Healthy Soils Fund**

1 The Maine Healthy Soils Fund is established as a nonlapsing separate account to be
2 administered by the commissioner. Income from gifts, grants, fees and other sources may
3 be deposited into the fund. All money in the fund and earnings on that money must be used
4 for the purposes of this chapter.

5 **SUMMARY**

6 This bill establishes the Maine Healthy Soils Program within the Department of
7 Agriculture, Conservation and Forestry for the purposes of promoting and expanding the
8 use of healthy soils best practices among farmers and farmland owners.