

# MAINE STATE LEGISLATURE

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L.D. 1998

Date: 4/1/22

(Filing No. S-555)

MINORITY

AGRICULTURE, CONSERVATION AND FORESTRY

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STATE OF MAINE

SENATE

130TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "B" to S.P. 717, L.D. 1998, "An Act To Establish a Disaster Relief Fund for Potato Farmers Adversely Affected by Drought Conditions"

Amend the bill by striking out the title and substituting the following:

'An Act To Establish a Fund for Farmers Adversely Affected by Drought Conditions'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 7 MRSA c. 8-A, sub-c. 4 is enacted to read:

SUBCHAPTER 4

FARMERS DROUGHT RELIEF GRANT PROGRAM

§220-A. Farmers Drought Relief Grant Program

1. Grant program established. The Farmers Drought Relief Grant Program, referred to in this section as "the program," is established in the department to assist farmers in the State to overcome the adverse effects of drought conditions by providing grants in accordance with this section.

2. Eligibility. A farmer in the State may apply for a grant under the program if the farmer needs to establish a source for irrigation water or needs funding to adopt healthy soils best practices as defined in Title 12, section 351, subsection 5 to alleviate the risk of crop losses due to current or future threat of drought. The source for irrigation water must be sustainable, environmentally sound and affordable.

3. Farmers Drought Relief Grant Program Fund. The Farmers Drought Relief Grant Program Fund is established as a nonlapsing fund to provide funding to achieve the purposes of the program. The fund consists of any funds received from private and public sources. The fund must be held separate and apart from all other money, funds and

**COMMITTEE AMENDMENT**

205

1 accounts. Any balance remaining in the fund at the end of any fiscal year must be carried  
 2 forward to the next fiscal year.

3 4. Rules. The department shall adopt rules to implement the program. The rules must  
 4 include grant eligibility requirements, grant application and award procedures and grant  
 5 funding limits. Rules adopted pursuant to this subsection are routine technical rules as  
 6 defined in Title 5, chapter 375, subchapter 2-A.

7 **Sec. 2. Department of Agriculture, Conservation and Forestry to examine**  
 8 **ways to streamline permitting new sources of water for farmers.** The Department  
 9 of Agriculture, Conservation and Forestry, Bureau of Agriculture, Food and Rural  
 10 Resources shall work with the Department of Environmental Protection and the Maine  
 11 Land Use Planning Commission and other appropriate agencies to examine the permitting  
 12 process for farmers seeking to secure permits for new sources of water for irrigation and to  
 13 develop recommendations, including suggested legislation, to streamline the permitting  
 14 process. No later than January 1, 2023, the department shall submit a report with findings  
 15 and recommendations to the joint standing committee of the Legislature having jurisdiction  
 16 over agriculture, conservation and forestry matters. The joint standing committee may  
 17 submit a bill to the First Regular Session of the 131st Legislature relating to the subject  
 18 matter of the report.

19 **Sec. 3. Appropriations and allocations.** The following appropriations and  
 20 allocations are made.

21 **AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**  
 22 **Bureau of Agriculture 0393**

23 Initiative: Provides one-time funding for contractual services to complete rulemaking,  
 24 coordinate with other state agencies to develop strategies to streamline the irrigation  
 25 permitting process and report back on findings.

26	<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
27	All Other	\$0	\$75,000
28			
29	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$75,000</u>

30 **Farmers Drought Relief Grant Program Fund N947**

31 Initiative: Provides allocations to establish the fund and to allow for acceptance of funding  
 32 from private and public sources.

33	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2021-22</b>	<b>2022-23</b>
34	All Other	\$0	\$500
35			
36	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$500</u>

37  
 38 **AGRICULTURE, CONSERVATION AND**  
 39 **FORESTRY, DEPARTMENT OF**  
 40 **DEPARTMENT TOTALS**

41		<b>2021-22</b>	<b>2022-23</b>
42	<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$75,000</b>
43	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$500</b>

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**DEPARTMENT TOTAL - ALL FUNDS** \$0 \$75,500

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment, which is the minority report of the committee, establishes the Farmers Drought Relief Grant Program to assist farmers in the State to overcome the adverse effects of drought conditions by providing grants, rather than a disaster relief grant program for potato farmers as in the bill. The amendment specifies that a farmer may apply for a grant if the farmer needs to establish a source for irrigation water or adopt healthy soils best practices to alleviate the risk of crop losses due to current or future threat of drought.

The amendment also directs the Department of Agriculture, Conservation and Forestry, Bureau of Agriculture, Food and Rural Resources to work with the Department of Environmental Protection and the Maine Land Use Planning Commission and other appropriate agencies to examine the permitting process for farmers seeking to secure permits for new sources of water for irrigation and to develop recommendations, including suggested legislation, to streamline the permitting process. The department is required to submit a report with findings and recommendations to the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters no later than January 1, 2023. The joint standing committee is authorized to submit a bill to the First Regular Session of the 131st Legislature relating to the subject matter of the report.

**FISCAL NOTE REQUIRED**  
(See attached)



# 130th MAINE LEGISLATURE

LD 1998

LR 2160(03)

## An Act To Establish a Disaster Relief Fund for Potato Farmers Adversely Affected by Drought Conditions

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-505)  
 Committee: Agriculture, Conservation and Forestry  
 Fiscal Note Required: Yes

### Fiscal Note

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
<b>Net Cost (Savings)</b>				
General Fund	\$0	\$75,000	\$0	\$0
<b>Appropriations/Allocations</b>				
General Fund	\$0	\$75,000	\$0	\$0
Other Special Revenue Funds	\$0	\$500	\$500	\$500

#### Fiscal Detail and Notes

This bill creates the Farmers Drought Relief Grant Program and the Farmers Drought Relief Grant Program Fund (FDRGP) within the Department of Agriculture, Conservation and Forestry to provide grants to farmers impacted by the adverse effects of drought conditions or to farmers seeking to establish sources of irrigation water to alleviate drought conditions. The bill also directs ACF to coordinate with the Land Use Planning Commission and the Department of Environmental Protection on strategies to streamline the irrigation permitting process and report these findings by January 1, 2023. The bill includes ongoing allocations of \$500 to establish the FDRGP fund and allow for the acceptance of other funding from public and private sources. ACF has indicated that the scope and timeline of the reporting requirements regarding the irrigation permitting process will require additional contracted resources to complete. The bill includes a one-time appropriation of \$75,000 in fiscal year 2022-23 for contracted services.