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Date: (Filing No. S-)

AGRICULTURE, CONSERVATION AND FORESTRY

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**STATE OF MAINE
SENATE
132ND LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 213, L.D. 473, “An Act to Support Agriculture, Conservation and Forestry in Maine”

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

'Resolve, Directing the Department of Agriculture, Conservation and Forestry to Enter into Rulemaking Regarding Rule Chapter 30: Quarantine (Potato)'

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

'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the potato industry is a cornerstone of Maine's agricultural heritage, contributing over \$1,300,000,000 annually to the State's economy, supporting more than 6,500 local jobs and driving agricultural innovation; and

Whereas, an uncontrolled outbreak of dangerous plant disease or invasive insect pests would result in irreparable economic loss, jeopardize food security and undermine the stability of our rural communities, and it is necessary that this resolve take effect immediately to safeguard Maine's agricultural future; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Temporary moratorium. Resolved: That the Department of Agriculture, Conservation and Forestry may not allow the importation of seed potatoes from the State of Colorado until the department has finally adopted an amended version of rule Chapter 30: Quarantine (Potato), a routine technical rule of the Department of Agriculture, Conservation and Forestry, in accordance with section 2.

Sec. 2. Department of Agriculture, Conservation and Forestry to amend rules. Resolved: That, on or before May 31, 2026, the Department of Agriculture,

COMMITTEE AMENDMENT

1 Conservation and Forestry shall initiate rulemaking consistent with the Maine Revised
2 Statutes, Title 5, chapter 375, subchapter 2-A to align rule Chapter 30: Quarantine (Potato)
3 with Title 7, chapter 409 and to update rule Chapter 30: Quarantine (Potato) based on the
4 latest science-based data regarding well-known and emerging plant diseases and insect
5 infestations.

6 **Sec. 3. Department of Agriculture, Conservation and Forestry to**
7 **collaborate with potato industry. Resolved:** That the Department of Agriculture,
8 Conservation and Forestry shall continue to collaborate with representatives of the potato
9 industry to prevent, to the extent practicable, the introduction of harmful potato pests that
10 may affect the health, yield and marketability of the State's potato crops.

11 **Sec. 4. Report by Department of Agriculture, Conservation and Forestry.**
12 **Resolved:** That, no later than February 2, 2027, the Department of Agriculture,
13 Conservation and Forestry shall submit a report to the joint standing committee of the
14 Legislature having jurisdiction over agriculture, conservation and forestry matters on
15 current standards for certification of seed potatoes in the State, including, but not limited
16 to, importation requirements, testing requirements and existing quarantines prohibiting or
17 restricting the transportation of seed potatoes capable of carrying plant disease or insect
18 infestation. The joint standing committee may submit legislation to the 133rd Legislature
19 in 2027 based on the subject matter of the report.

20 **Emergency clause.** In view of the emergency cited in the preamble, this legislation
21 takes effect when approved.'

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

24 SUMMARY

25 This amendment replaces the bill, which is a concept draft, with a resolve that directs
26 the Department of Agriculture, Conservation and Forestry to temporarily prohibit the
27 importation of seed potatoes from the State of Colorado until the department has finally
28 adopted an amended version of rule Chapter 30: Quarantine (Potato), a routine technical
29 rule of the Department of Agriculture, Conservation and Forestry. The amendment directs
30 the department to initiate rulemaking on or before May 31, 2026. The amendment also
31 directs the department to continue to collaborate with representatives of the potato industry
32 to prevent, to the extent practicable, the introduction of harmful potato pests that may affect
33 the health, yield and marketability of the State's potato crops.

34 The amendment requires the department to submit a report, no later than February 2,
35 2027, to the joint standing committee of the Legislature having jurisdiction over
36 agriculture, conservation and forestry matters on current standards for certification of seed
37 potatoes in the State, including, but not limited to, importation requirements, testing
38 requirements and existing quarantines prohibiting or restricting the transportation of seed
39 potatoes capable of carrying plant disease or insect infestation. The amendment authorizes
40 the joint standing committee to submit legislation to the 133rd Legislature in 2027 based
41 on the subject matter of the report.

