

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-SIX

S.P. 213 - L.D. 473

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

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. This section does not apply to seed potatoes in the form of plantlets or nuclear seed produced under controlled laboratory conditions.

Sec. 2. Department of Agriculture, Conservation and Forestry to amend rules. Resolved: That, on or before May 31, 2026, the Department of Agriculture, Conservation and Forestry shall initiate rulemaking consistent with the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A to align rule Chapter 30: Quarantine (Potato) with Title 7, chapter 409 and to update rule Chapter 30: Quarantine (Potato) based on the

latest science-based data regarding well-known and emerging plant diseases and insect infestations.

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

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

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