

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Improve Soil Quality and Profits for Maine Farms

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

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

CHAPTER 4-A

MAINE REGENERATIVE AGRICULTURE CERTIFICATION PROGRAM

§ 111. Maine Regenerative Agriculture Certification Program

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

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

- A. Topsoil on the applicant's agricultural land has increased in volume in 3 successive years;
- B. The applicant's farming methods have sequestered carbon in the soil in 3 successive years; or
- C. Soil on the applicant's agricultural land has contained an increasing percentage of organic material in 3 successive years.

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

- A. Total soil carbon test;
- B. Nitrogen tests at 3 soil levels from an amalgamation of 8 sample points within a specified plot of land;
- C. A test for the presence or absence of inorganic carbon;
- D. A test of soil for water infiltration times;
- E. A test for bulk soil density;
- F. A test for percentage of bare ground cover within a specified plot of land; and
- G. A test for diversity of ground cover within a specified plot of land.

4. Certification; marketing. Upon determination by the department that an applicant demonstrated compliance with one or more of the criteria of subsection 2, the commissioner shall certify the applicant's agricultural land as regenerative. The commissioner may issue the certification to a farm that contains agricultural land certified under this section. Upon certification, the applicant may use the Maine Regenerative Agriculture Certification Program seal in the marketing and sale of agricultural products produced on the agricultural land certified as regenerative.

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

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

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

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

SUMMARY

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