

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND TWENTY-ONE

—  
S.P. 179 - L.D. 437

**An Act To Establish the Maine Healthy Soils Program**

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

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

**CHAPTER 7**

**MAINE HEALTHY SOILS PROGRAM**

**§351. Definitions**

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

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

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

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

**4. Greenhouse gas drawdown.** "Greenhouse gas drawdown" means greenhouse gas emissions source reduction or sequestration.

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

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

B. Continuously improve the capacity of soils to host a diversity of beneficial organisms, grow vigorous crops, enhance agricultural resilience, including, but not limited to, the ability of crops and livestock to tolerate and recover from drought,

temperature extremes, pests and other stressors, and help regulate the global climate by converting organic residue into stable soil organic matter and retaining nutrients, including, but not limited to, nitrogen and phosphorus;

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

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

### **§352. Program established**

The Maine Healthy Soils Program, referred to in this chapter as "the program," is established within the department and is administered by the commissioner. The commissioner shall consult and cooperate with the University of Maine, the University of Maine Cooperative Extension, soil and water conservation districts as defined in section 3, subsection 2 and the United States Department of Agriculture, Natural Resources Conservation Service in the development and administration of the program. The commissioner may consult with the Department of Environmental Protection in carrying out the purpose of the program.

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

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

B. Protect native biological and microbiological diversity, vitality and health and increase the greenhouse gas drawdown provided by the State's agricultural soils;

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

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

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

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

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

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

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

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

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

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

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

**§353. Maine Healthy Soils Fund**

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

**Sec. 2. Appropriations and allocations.** The following appropriations and allocations are made.

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF  
Maine Healthy Soils Fund N358**

Initiative: Provides an allocation to accept grants, bequests, gifts or contributions from any source, public or private, to support the administration of the healthy soils program.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2021-22</b>	<b>2022-23</b>
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>