

## 7 §162. DESIGNATION OF "FARMING FOR MAINE" FARMS

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The commissioner shall establish a process for designating "Farming for Maine" farms. This designation provides farmers an opportunity to declare their commitment to commercial agriculture and to increase public awareness of farming in the State. [ 2009 , c . 356 , Pt . A , §1 (NEW) . ]

**1. Application.** An applicant for designation as a "Farming for Maine" farm shall submit a completed application that has been verified in accordance with subsection 3 to the clerk for the municipality in which the farm is located and a copy of the application to the department. If the land is within an area under the jurisdiction of the Maine Land Use Planning Commission, the applicant shall submit the verified application to the executive director of the commission and a copy to the department. The department shall develop an application form and make the form available through the offices of the soil and water conservation districts and private organizations and public agencies that support or represent farmers in the State.

[ 2009 , c . 356 , Pt . A , §1 (NEW) ; 2011 , c . 682 , §38 (REV) . ]

**2. Eligibility.** A farm is eligible for designation under this section if the following criteria are met:

A. The farm consists of land classified as prime farmland, land of statewide or local importance or unique farmland by the Natural Resources Conservation Service within the United States Department of Agriculture. In counties where land of local importance has not been identified, land that is actively farmed may be eligible as provided in rules adopted under subsection 4; [ 2009 , c . 356 , Pt . A , §1 (NEW) . ]

B. The land is used for the commercial production of agricultural products; and [ 2009 , c . 356 , Pt . A , §1 (NEW) . ]

C. Additional criteria established in rules adopted under subsection 4. [ 2009 , c . 356 , Pt . A , §1 (NEW) . ]

A farm that is farmed under a lease may be designated as long as the landowner and the lessee sign the application.

[ 2009 , c . 356 , Pt . A , §1 (NEW) . ]

**3. Verification of eligibility.** An applicant for designation as a "Farming for Maine" farm shall submit a completed application form together with support materials as required in rules adopted under subsection 4 to a soil and water conservation district office. Upon receipt of an application, a district office shall verify the eligibility of the farm or notify the applicant of the reasons why verification is denied. Upon request, the department shall assist a district in determining eligibility.

[ 2009 , c . 356 , Pt . A , §1 (NEW) . ]

**4. Rules; recognition.** The commissioner may adopt rules to further define the verification process and establish additional eligibility criteria as needed for designation of "Farming for Maine" farms. The commissioner shall provide signs or certificates or develop other means of recognizing a farm that has attained designation as a "Farming for Maine" farm. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[ 2009 , c . 356 , Pt . A , §1 (NEW) . ]

**5. Fee.** A municipality may charge a fee of not more than \$20 for filing a verified designation application under this section.

[ 2009, c. 356, Pt. A, §1 (NEW) . ]

SECTION HISTORY

2009, c. 356, Pt. A, §1 (NEW). 2011, c. 682, §38 (REV).

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