

# MAINE STATE LEGISLATURE

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SAR  
ROS.

L.D. 124

Date: 5/27/25

(Filing No. S- 162)

## AGRICULTURE, CONSERVATION AND FORESTRY

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### STATE OF MAINE

### SENATE

### 132ND LEGISLATURE

### FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 50, L.D. 124, "An Act to Protect the Right to Food"

Amend the bill by inserting after section 19 the following:

'Sec. 20. 30-A MRSA §7505, as enacted by PL 2021, c. 625, §6, is amended to read:

#### §7505. Ordinances authorized under the Maine Food Sovereignty Act

The county commissioners of each county may adopt ordinances regarding traditional foodways and direct producer-to-consumer transactions in accordance with Title 7, chapter 8-F. Ordinances adopted by the county commissioners govern traditional foodways and direct producer-to-consumer transactions in any unorganized territory within the county whose residents have opted, in a manner prescribed by the county commissioners, to have the ordinance apply in that unorganized territory.'

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

### SUMMARY

This amendment clarifies that each county may adopt ordinances regarding traditional foodways in addition to direct producer-to-consumer transactions in accordance with the Maine Food Sovereignty Act.

The fiscal note on the amendment identifies certain requirements in the amendment as a potential state mandate. In order to be a mandate pursuant to the Constitution of Maine, a provision must require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue. The committee finds that the section of the amendment relating to the Maine Vegetable Garden Protection Act, the

# COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to S.P. 50, L.D. 124 (5-162)

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provision the fiscal note identifies as potentially a mandate, does not require any expansion or modification of activities so as to necessitate additional expenditures from local revenue.

**FISCAL NOTE REQUIRED**

(See attached)

**COMMITTEE AMENDMENT**



# 132nd MAINE LEGISLATURE

LD 124

LR 43(02)

## An Act to Protect the Right to Food

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-162)  
Committee: Agriculture, Conservation and Forestry  
Fiscal Note Required: Yes

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### Fiscal Note

Potential State Mandate - Unfunded

Potential future biennium revenue increase - Other Special Revenue Funds

#### State Mandates

Required Activity	Unit Affected	Local Cost
Requires municipalities to review ordinances for compliance with the Maine Vegetable Garden Protection Act.	Municipality	Insignificant statewide

The required local activities in this bill may represent a state mandate pursuant to the Constitution of Maine. If the bill does require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue, the state mandate provisions of the Constitution of Maine require either: (1) General Fund appropriations be provided to fund at least 90% of any additional necessitated local costs of the mandate; or (2) a Mandate Preamble be added to the bill and two-thirds of the members of each House vote to exempt the mandate from the funding requirement. If the bill does represent a state mandate and neither one of these actions occurs, the local units of government will not be required to implement the mandated activities.

#### Fiscal Detail and Notes

The bill allows the Department of Agriculture, Conservation and Forestry to lease land in parks, historic sites, nonreserved public land and public reserved land for certain uses. Some potential leases will involve certain constitutional requirements for real estate held by the state. These leases will require legislative approval and will result in additional Other Special Revenue Funds revenue to the department.