MAINE STATE LEGISLATURE

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(Filing No. H-168)	
STATE OF MAINE HOUSE OF REPRESENTATIVES 116TH LEGISLATURE	
FIRST REGULAR SESSION	
COMMITTEE AMENDMENT "A" to H.P. 265, L.D. 343, Bill, Act to Define Farmers' Market"	"An
Amend the bill by striking out everything after the t nd before the statement of fact and inserting in its place ollowing:	
' Emergency preamble. Whereas, Acts of the Legislature do become effective until 90 days after adjournment unless ena as emergencies; and	
Whereas, this Act regulates farm markets, which will operating this summer; and	be
Whereas, in the judgment of the Legislature, these for create an emergency within the meaning of the Constitution Maine and require the following legislation as immedianecessary for the preservation of the public peace, health safety; now, therefore,	ı of tely
Be it enacted by the People of the State of Maine as follows:	
Sec. 1. 7 MRSA §415 is enacted to read:	
§415. Farmers' market	
1. Definitions. As used in this section, unless context otherwise indicates, the following terms have following meanings.	the the
A. "Farmers' market" means a building, structure or pused by 2 or more farmers for the direct sale of farm	

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_	B. "Farm and food products" means any agricultural,
2	horticultural, forest or other product of the soil or water, including, but not limited to, fruits, vegetables, eggs,
4	dairy products, meat and meat products, poultry and poultry products, fish and fish products, grain and grain products,
6	honey, nuts, maple products, apple cider, fruit juice, wine,
8	ornamental or vegetable plants, nursery products, firewood and Christmas trees.
10	2. Prohibitions. The following acts are prohibited.
12	A. A person may not use the term "farmers' market" to describe a market or other sales location that does not meet
14	the terms of the definition set forth in subsection 1.
16	B. A person may not sell farm and food products at a market labeled "farmers' market" unless at least 75% of the product
18	offered by that person was grown or processed by that person
20	or under that person's direction. A product not grown or processed by that person must have been purchased directly from another farmer.
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24	3. Penalty. A person who violates this section commits a civil violation for which a forfeiture of not less than \$100 nor more than \$200 may be adjudged.
26	4. Relationship to farmers' market rules. This section
28	does not prohibit a market from imposing more stringent requirements on its sellers than those imposed by subsection 2,
30	paragraph B.
32	Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.
34	
36	FISCAL NOTE
38	The Department of Agriculture, Food and Rural Resources will incur some minor additional costs to administer the regulation of
40	farmers' markets. These costs can be absorbed within the department's existing budgeted resources.
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44	The additional workload and administrative costs associated with the minimal number of new cases filed in the court system
46	can be absorbed within the budgeted resources of the Judicial Department. The collection of additional fines may increase General Fund revenues by a minor amount.

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STATEMENT OF FACT

This amendment replaces the bill. It defines farmers' market as a place where 2 or more farmers sell farm and food products directly to consumers, and where at least 75% of the product sold by each participant in the market must be grown or processed by that farmer or under that farmer's direction, and the remaining portion purchased directly from another farmer. Advertising a market that does not meet the definition in this bill would be a civil violation. The amendment also adds an emergency clause and emergency preamble.

Reported by the Committee on Agriculture Reproduced and distributed under the directioj of the Clerk of the House April 14, 1993 (Filing No. H-168)

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