

MAINE STATE LEGISLATURE

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SAC
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L.D. 574

Date: 6-3-21

(Filing No. H-402)

MINORITY

AGRICULTURE, CONSERVATION AND FORESTRY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 419, L.D. 574, "An Act To Clarify the Maine Food Sovereignty Act"

Amend the bill by striking out everything after the enacting clause and inserting the following:

Sec. 1. 7 MRSA §282, sub-§1, as enacted by PL 2017, c. 314, §1, is repealed.

Sec. 2. 7 MRSA §284, as enacted by PL 2017, c. 314, §1, is amended to read:

§284. Home rule authority

Pursuant to the home rule authority granted to municipalities by Title 30-A, section 3001 and by the Constitution of Maine, Article VIII, Part Second, and notwithstanding any provision of state food law to the contrary, except as contained in section 285, a municipality may adopt ordinances regarding direct producer-to-consumer transactions and the State shall recognize such ordinances by not enforcing those state food laws with respect to those direct producer-to-consumer transactions that are governed and defined by the ordinance.

Sec. 3. 7 MRSA §415, sub-§4, as enacted by PL 1993, c. 138, §1, is amended to read:

4. Relationship to farmers' market rules. This section does not prohibit a farmers' market, including a farmers' market in a municipality that adopts or amends an ordinance pursuant to section 284, from imposing more stringent requirements on its sellers than those imposed by subsection 2, paragraph B.'

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

SUMMARY

This amendment, which is the minority report of the committee, strikes and replaces the bill. The amendment strikes the current definition of "direct producer-to-consumer transaction" in state law and provides that "direct producer-to-consumer transaction" may

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1 be defined by municipal ordinances. The amendment also clarifies that a farmers' market
2 in a municipality that adopts or amends an ordinance pursuant to the Maine Food
3 Sovereignty Act may impose more stringent requirements on its sellers.