

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 822

S.P. 225

In Senate, March 5, 2021

An Act To Affirm That Food Seeds Are a Necessity in Maine

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator KEIM of Oxford.
Cosponsored by Representative PLUECKER of Warren and
Representatives: FAULKINGHAM of Winter Harbor, SAMPSON of Alfred.

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

2 **Sec. 1. 10 MRSA §1105, sub-§1, ¶C**, as amended by PL 2019, c. 126, §1, is further
3 amended to read:

4 C. "Necessities" includes food for human or animal consumption; seeds; potable water;
5 pharmaceutical products, including prescription medications; wearing apparel; shoes;
6 building materials; gas and electricity for light, heat and power; ice; fuel of all kinds;
7 and fertilizer and fertilizer ingredients; together with tools, utensils, implements,
8 machinery and equipment required for the actual production or manufacture of the
9 same. "Necessities" includes any other vital or necessary good or service except those:

10 (1) Subject to continuous maximum price regulation under the provisions of any
11 state or federal law;

12 (2) As to which the State's authority is preempted; or

13 (3) Furnished or provided by:

14 (a) Insurers; or

15 (b) Nonprofit hospitals, medical service organizations or health maintenance
16 organizations authorized to transact business within the State pursuant to Title
17 24 and Title 24-A.

18 **Sec. 2. 22 MRSA §4301, sub-§1**, as amended by PL 2019, c. 126, §2, is further
19 amended to read:

20 **1. Basic necessities.** "Basic necessities" means food, seeds, potable water, clothing,
21 shelter, fuel, electricity, nonelective medical services as recommended by a physician,
22 nonprescription drugs, telephone where it is necessary for medical reasons and any other
23 commodity or service determined essential by the overseer in accordance with the
24 municipality's ordinance and this chapter. "Basic necessities" do not include security
25 deposits for rental property, except for emergency purposes. For the purposes of this
26 subsection, "emergency purposes" means any situation in which no other permanent
27 lodging is available unless a security deposit is paid.

28 **SUMMARY**

29 This bill adds seeds to the definitions of "necessities" in the law prohibiting profiteering
30 during supply disruptions and "basic necessities" in the law governing municipal general
31 assistance.