

MAINE STATE LEGISLATURE

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

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 306, L.D. 954, "An Act To Provide Equal Access to the Benefits of the Maine Food Sovereignty Act"

Amend the amendment by striking out all of section 1 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'Sec. 1. 7 MRSA §282, sub-§1, as enacted by PL 2017, c. 314, §1, is repealed.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 §282, sub-§2, as enacted by PL 2017, c. 314, §1, is amended to read:

2. Food or food products. "Food or food products" means ~~food or food~~ any products intended that are grown, produced, processed or prepared for human consumption, including, but not limited to, vegetables, fruit, milk or milk products, meat or meat products, poultry or poultry products, fish or fish products, seafood or seafood products, cider or juice, acidified foods or canned fruits or vegetables.

Sec. 3. 7 MRSA §282, sub-§3, as enacted by PL 2017, c. 314, §1, is repealed.

Sec. 4. 7 MRSA §284, as enacted by PL 2017, c. 314, §1, is amended to read:

§284. Home-rule-authority 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, pursuant to the authority granted to plantations by Title 30-A, section 7051, and notwithstanding any provision of ~~state food law~~ regulating food in this Title or Title 22 to the contrary, except as contained in section 285, a municipality or plantation may adopt ordinances regarding direct producer-to-consumer transactions of food or food products and the State shall recognize such ordinances by not enforcing those ~~state food laws~~ or implementing rules with respect to those direct producer-to-consumer transactions of food or food products that are governed and defined by the ordinance.

Pursuant to the authority granted to county commissioners by Title 30-A, section 7505 and notwithstanding any provision of law regulating food in this Title or Title 22 to the contrary, except as contained in section 285, a county may adopt ordinances regarding direct producer-to-consumer transactions of food or food products within one or more unorganized territories within that county and the State shall recognize such an ordinance by not enforcing those laws or implementing rules with respect to those direct producer-to-

consumer transactions of food or food products that are governed and defined by the ordinance.'

Amend the amendment in section 3 in subsection 11 in the 5th line (page 2, line 7 in amendment) by inserting after the following: "transactions" the following: 'of food or food products'

Amend the amendment by striking out all of section 4 and inserting the following:

'Sec. 4. 30-A MRSA §7505 is enacted to read:

§7505. Ordinances authorized under the Maine Food Sovereignty Act

The county commissioners of each county may adopt ordinances regarding direct producer-to-consumer transactions of food or food products in accordance with Title 7, chapter 8-F. Ordinances adopted by the county commissioners govern and define direct producer-to-consumer transactions of food or food products 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 amendment by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment makes the following changes to the Maine Food Sovereignty Act.

1. It repeals the definition of "direct producer-to-consumer transaction" and provides that "direct producer-to-consumer transaction" may be defined in an ordinance adopted by a municipality, county or plantation.

2. It changes the definition of "food or food products."

3. It repeals the definition of "state food law" and replaces references to this term with references to the laws regulating food in the Maine Revised Statutes, Titles 7 and 22.

4. It clarifies the authority of plantations to adopt ordinances regarding direct producer-to-consumer transactions of food or food products.

SPONSORED BY: 

(Representative O'NEIL, M.)

TOWN: Saco