

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 954

S.P. 306

In Senate, March 9, 2021

An Act To Provide Equal Access to the Benefits of the Maine Food Sovereignty Act

Reference to the Committee on Agriculture, Conservation and Forestry 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
Senator: MAXMIN of Lincoln, Representatives: FAULKINGHAM of Winter Harbor, O'NEIL
of Saco.

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

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

3 **§284. Home rule authority Authority**

4 Pursuant to the home rule authority granted to municipalities by Title 30-A, section
5 3001 and by the Constitution of Maine, Article VIII, Part Second, and notwithstanding any
6 provision of state food law to the contrary, ~~except as contained in section 285~~, a
7 municipality, plantation or unorganized territory may adopt ordinances regarding direct
8 producer-to-consumer transactions and the State shall recognize such ordinances by not
9 enforcing those state food laws with respect to those direct producer-to-consumer
10 transactions that are governed by the ordinance.

11 Pursuant to Title 30-A, section 7501, subsection 6 and by the Constitution of Maine,
12 Article VIII, Part Second, and notwithstanding any provision of state food law to the
13 contrary, a county shall provide the direct producer-to-consumer provisions of this chapter
14 for residents of the unorganized territories.

15 **Sec. 2. 7 MRSA §286**, as enacted by PL 2017, c. 314, §1, is amended to read:

16 **§286. Compliance with food safety regulations**

17 An individual who grows, produces, processes or prepares food or food products for
18 purposes other than direct producer-to-consumer transactions in a municipality, plantation
19 or unorganized territory that adopts or amends an ordinance pursuant to section 284 shall
20 grow, produce, process or prepare the food or food products in compliance with all
21 applicable state and federal food safety laws, rules and regulations.

22 **Sec. 3. 30-A MRSA §7051, sub-§11**, as amended by PL 2019, c. 138, §1, is further
23 amended to read:

24 **11. Ordinances.** Chapter 141, but only with respect to animal control ordinances,
25 subject to Title 7, section 3950, the sale and use of consumer fireworks within the
26 plantation, subject to Title 8, section 223-A, ~~and~~ the accumulation of garbage, refuse,
27 rubbish or trash or unwanted or discarded material of any kind or source on private property
28 and ordinances regarding direct producer-to-consumer transactions adopted pursuant to
29 Title 7, section 284.

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

31 **§7505. Maine Food Sovereignty Act**

32 The county commissioners of each county shall provide or contract for the provision
33 of municipal services to carry out the provisions of Title 7, chapter 8-F.

34 **SUMMARY**

35 This bill includes plantations and unorganized territories under the municipal home
36 rule authority and compliance provisions of the Maine Food Sovereignty Act. This bill also
37 authorizes plantations to enact ordinances under the Maine Food Sovereignty Act and
38 directs counties to provide for the unorganized territories the services under the Act that
39 municipalities provide.