

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**October 23, 2017 to November 6, 2017**

**SECOND REGULAR SESSION**  
**January 3, 2018 to May 2, 2018**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**FEBRUARY 5, 2018**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**AUGUST 1, 2018**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Augusta, Maine**  
**2018**

In applying for a cooperative services grant or a capital grant, an eligible applicant must specify the type of qualifying project for which assistance is sought and how the project will reduce demand for property tax revenues.

**Sec. 5. 30-A MRSA §6206**, as amended by PL 2007, c. 662, §5, is further amended by adding after the first paragraph a new paragraph to read:

The department may require an eligible applicant to provide matching funds for a capital grant if suggested by the review panel during consultation required under section 6208, subsection 1.

**Sec. 6. 30-A MRSA §6207, sub-§2**, as enacted by PL 2005, c. 266, §2, is amended to read:

**2. Cooperative services grants; capital grants.** In evaluating and ranking each application for a cooperative services grant or a capital grant, the review panel established under section 6208 shall consider the aggregate reduction in the demand for property tax revenue in the geographical region covered by the municipalities, counties and regional government subdivisions cooperating in the qualifying project, the chance of success of the project and the ability to replicate the efficiency achieved by the project in other regions; and other related factors in accordance with a request for proposals issued by the department under section 6209.

**Sec. 7. 30-A MRSA §6208, sub-§1, ¶C**, as enacted by PL 2005, c. 266, §2, is amended to read:

C. A representative of the Department of ~~Economic and Community Development~~ Administrative and Financial Services, appointed by the Governor;

**Sec. 8. 30-A MRSA §6208, sub-§2**, as enacted by PL 2005, c. 266, §2, is amended to read:

**2. Review panel duties.** The review panel established in subsection 1 shall:

A. Determine whether each eligible applicant for a cooperative services grant, a capital grant or a planning grant meets the eligibility criteria under section 6205 and provide written notice to that applicant of its eligibility determination; and

B. In accordance with the request for proposals issued under section 6209, review and rank proposals from applicants eligible for cooperative services grants, capital grants and planning grants under section 6205 against the funding criteria defined in section 6207 and award cooperative services grants, capital grants or planning grants to proposals that best meet the funding criteria in section 6207 subject to availability of funding.

Prior to issuing the request for proposals as provided in section 6209, the department shall consult with the

review panel, which may suggest criteria for consideration by the department.

**Sec. 9. 30-A MRSA §6209**, as enacted by PL 2005, c. 266, §2, is amended to read:

**§6209. Request for proposals**

No later than November 1st of each year, the department shall issue a request for proposals in accordance with the Department of Administrative and Financial Services, Bureau of General Services Rules, Chapter 110 that includes the schedules for submission and action on applications for grants under this chapter; procedures for scoring and ranking those applications; and procedures and information requirements related to application submissions. The department shall provide reasonable notice to all eligible applicants about the availability of the fund and the solicitation of grant proposals.

See title page for effective date.

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**CHAPTER 314**

**S.P. 605 - L.D. 1648**

**An Act To Amend the Law  
Recognizing Local Control  
Regarding Food Systems and  
Require Compliance with  
Federal and State Food Safety  
Regulations**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas**, in the First Regular Session of the 128th Legislature, the Legislature enacted "An Act To Recognize Local Control Regarding Food Systems," which the Governor, on June 16, 2017, signed and which became Public Law 2017, chapter 215, effective November 1, 2017; and

**Whereas**, under provisions of the Federal Meat Inspection Act and the Federal Poultry Products Inspection Act, the United States Department of Agriculture, Food Safety and Inspection Service has questioned the State's authority under Public Law 2017, chapter 215 to enforce the requirements of the State's meat and poultry products inspection and licensing program set forth in the Maine Revised Statutes, Title 22, chapter 562-A in a manner that is at least equal to the standards imposed and enforced under the federal acts; and

**Whereas**, the Secretary of Agriculture of the United States has notified the Governor that, on or after November 1, 2017, Maine will become a so-called designated state for federal inspection of all the

State's licensed or registered slaughtering and processing establishments, which would threaten the meat and poultry processing infrastructure of our State and potentially cause grave harm to the State's rural economies; and

**Whereas**, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 7 MRSA c. 8-F** is enacted to read:

**CHAPTER 8-F**

**MAINE FOOD SOVEREIGNTY ACT**

**§281. Short title**

This chapter may be known and cited as "the Maine Food Sovereignty Act."

**§282. Definitions**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

**1. Direct producer-to-consumer transaction.** "Direct producer-to-consumer transaction" means a face-to-face transaction involving food or food products at the site of production of those food or food products.

**2. Food or food products.** "Food or food products" means food or food products intended for human consumption, including, but not limited to, 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.

**3. State food law.** "State food law" means any provision of this Title or Title 22 that regulates direct producer-to-consumer transactions.

**§283. Statement of policy; local control and rural economic development**

It is the policy of this State to encourage food self-sufficiency for its citizens. The department shall support policies that:

**1. Local control.** Through local control, preserve the ability of communities to produce, process, sell, purchase and consume locally produced foods;

**2. Small-scale farming and food production.** Ensure the preservation of family farms and traditional foodways through small-scale farming and food production;

**3. Improved health and well-being.** Improve the health and well-being of citizens of this State by reducing hunger and increasing food security through improved access to wholesome, nutritious foods by supporting family farms and encouraging sustainable farming and fishing;

**4. Self-reliance and personal responsibility.** Promote self-reliance and personal responsibility by ensuring the ability of individuals, families and other entities to prepare, process, advertise and sell foods directly to customers intended solely for consumption by the customers or their families; and

**5. Rural economic development.** Enhance rural economic development and the environmental and social wealth of rural communities.

**§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 by the ordinance.

**§285. Departmental authority; livestock and poultry**

Notwithstanding any provision in this chapter to the contrary, the department shall implement and enforce all provisions of Title 22, chapter 562-A and the rules adopted thereunder that are necessary to ensure that the requirements of the State's meat and poultry products inspection and licensing program are at least equal to the applicable requirements specified under applicable federal acts, as defined by the United States Department of Agriculture or other federal agencies, without exception.

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

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

**Sec. 2. 7-A MRSA §101, sub-§2-A**, as enacted by PL 2013, c. 405, Pt. A, §7, is repealed.

**Sec. 3. 7-A MRSA §101, sub-§2-B**, as enacted by PL 2017, c. 215, §1, is repealed.

**Sec. 4. 7-A MRSA §201-A**, as enacted by PL 2013, c. 405, Pt. A, §8, is repealed.

**Sec. 5. 7-A MRSA §201-B**, as enacted by PL 2017, c. 215, §2, is repealed.

**Sec. 6. Authority to report a bill.** The Joint Standing Committee on Agriculture, Conservation and Forestry may report out a bill relating to the Maine Revised Statutes, Title 7, chapter 8-F to the Second Regular Session of the 128th Legislature.

**Sec. 7. Effective date.** Those sections of this Act that repeal the Maine Revised Statutes, Title 7-A, section 101, subsection 2-B and Title 7-A, section 201-B take effect November 1, 2017.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved, except as otherwise indicated.

Effective October 31, 2017, unless otherwise indicated.

**CHAPTER 315  
S.P. 606 - L.D. 1649**

**An Act To Provide Funding for  
Geographic Information  
System Services**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas**, this legislation provides funding to the Department of Administrative and Financial Services, Office of Geographic Information Systems and Maine Library of Geographic Information for the current fiscal year; and

**Whereas**, certain obligations and expenses related to the provision of services by the Department of Administrative and Financial Services, Office of Geographic Information Systems and Maine Library of Geographic Information to state agencies will become due and payable during the current fiscal year; and

**Whereas**, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. Appropriations and allocations.** The following appropriations and allocations are made.

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Revenue Services, Bureau of 0002**

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Geographic Information Systems and Maine Library of Geographic Information.

GENERAL FUND	2017-18	2018-19
All Other	\$263,213	\$265,725
<b>GENERAL FUND TOTAL</b>	<b>\$263,213</b>	<b>\$265,725</b>
<b>ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF</b>		
<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
<b>GENERAL FUND</b>	<b>\$263,213</b>	<b>\$265,725</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$263,213</b>	<b>\$265,725</b>

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**

**Office of the Commissioner 0401**

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Geographic Information Systems and Maine Library of Geographic Information.

GENERAL FUND	2017-18	2018-19
All Other	\$102,512	\$102,921
<b>GENERAL FUND TOTAL</b>	<b>\$102,512</b>	<b>\$102,921</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>		
All Other	\$18,090	\$18,163
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$18,090</b>	<b>\$18,163</b>

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**

DEPARTMENT TOTALS	2017-18	2018-19
<b>GENERAL FUND</b>	<b>\$102,512</b>	<b>\$102,921</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$18,090</b>	<b>\$18,163</b>