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Legislative Document

No. 574

H.P. 419

House of Representatives, February 24, 2021

An Act To Clarify the Maine Food Sovereignty Act

Received by the Clerk of the House on February 22, 2021. Referred to the Committee on Agriculture, Conservation and Forestry pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative PLUECKER of Warren.
Cosponsored by Representatives: FAULKINGHAM of Winter Harbor, McCREA of Fort
Fairfield, O'NEIL of Saco, OSHER of Orono, Senator: MAXMIN of Lincoln.

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

2 **Sec. 1. 7 MRSA §282, sub-§1**, as enacted by PL 2017, c. 314, §1, is amended to
3 read:

4 **1. Direct producer-to-consumer transaction.** "Direct producer-to-consumer
5 transaction" means ~~a face-to-face transaction involving~~ an exchange of food or food
6 products ~~at the site of production of those food or food products~~ directly between a producer
7 and a consumer in a manner mutually agreed upon by the producer and the consumer of
8 the food or food products.

9 **Sec. 2. 7 MRSA §284, 2nd ¶** is enacted to read:

10 Pursuant to Title 30-A, section 7501, subsection 10 and notwithstanding any provision
11 of state law regulating food to the contrary, except as contained in section 285, a county
12 may adopt ordinances regarding direct producer-to-consumer transactions and the State
13 shall recognize such an ordinance by not enforcing those state laws with respect to those
14 direct producer-to-consumer transactions that are governed by the ordinance.

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

17 **11. Ordinances.** Chapter 141, but only with respect to animal control ordinances,
18 subject to Title 7, section 3950, direct producer-to-consumer transactions pursuant to Title
19 7, section 284, the sale and use of consumer fireworks within the plantation, subject to Title
20 8, section 223-A, and the accumulation of garbage, refuse, rubbish or trash or unwanted or
21 discarded material of any kind or source on private property.

22 **Sec. 4. 30-A MRSA §7501, sub-§8**, as amended by PL 1999, c. 106, §2, is further
23 amended to read:

24 **8. Enhanced 9-1-1 service.** Assigning and maintaining physical addresses
25 specifically for the purpose of statewide enhanced 9-1-1 service. The county
26 commissioners may enact an ordinance to establish the addressing standards and, pursuant
27 to that ordinance, may assign road names to existing and proposed roads and property
28 numbers to existing and proposed year-round and seasonal dwellings or structures and may
29 install signs designating road names; ~~and~~

30 **Sec. 5. 30-A MRSA §7501, sub-§9**, as enacted by PL 1999, c. 106, §3, is amended
31 to read:

32 **9. Animal control.** Animal control services. The county commissioners may enact an
33 ordinance for the purpose of animal control. The county commissioners shall give 14 days
34 notice of the meeting at which the ordinance is to be proposed in the manner provided for
35 town meetings; ~~and~~

36 **Sec. 6. 30-A MRSA §7501, sub-§10** is enacted to read:

37 **10. Producer-to-consumer transactions.** Regulation of direct producer-to-consumer
38 transactions. The county commissioners may enact ordinances regarding direct producer-
39 to-consumer transactions pursuant to the Maine Food Sovereignty Act.

SUMMARY

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This bill clarifies the Maine Food Sovereignty Act. The bill amends the definition of "direct producer-to-consumer transaction" to mean any exchange of food or food products directly between a producer and a consumer in a manner mutually agreed upon by the producer and consumer of the food or food products rather than face-to-face transactions at the site of production. The bill also provides that counties have the same authority as municipalities to adopt direct producer-to-consumer ordinances under the Maine Food Sovereignty Act.