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**COMMITTEE AMENDMENT TO LD 954, AN ACT TO PROVIDE EQUAL ACCESS TO THE BENEFITS OF THE MAINE FOOD SOVEREIGNTY ACT**

Amend the bill in section 1 as follows:

**Sec. 1.** 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, and notwithstanding any provision of state food law to the contrary, except as contained in section 285, a municipality, ~~plantation or unorganized territory~~ 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.

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

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

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

**§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, plantation or unorganized territory that adopts or amends governed by an ordinance authorized 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. 3. 30-A MRSA §7051, sub-§11**, as amended by PL 2019, c. 138, §1, is further amended to read:

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

**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 shall provide or contract for the provision of municipal services to carry out the provisions of Title 7, chapter 8-F may adopt ordinances regarding direct producer-to-consumer transactions in accordance with Title 7, chapter 8-F. Ordinances adopted by the county commissioners govern direct producer-to-consumer transactions 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.

**SUMMARY**

This amendment retains the reference to the Department of Agriculture, Conservation and Forestry having the authority to implement and enforce laws governing preparation of livestock and poultry for human consumption.

The amendment provides that plantations have the same powers and duties, and are subject to the same restrictions, as a municipality with respect to ordinances directing producer-to-consumer transactions under the Maine Food Sovereignty Act.

The amendment also provides that the county commissioners of each county may adopt ordinances regarding direct producer-to-consumer transactions in accordance with the Maine Food Sovereignty Act. The amendment further provides that ordinances adopted by the county commissioners govern direct producer-to-consumer transactions 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.