

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-TWO

H.P. 419 - L.D. 574

**An Act To Amend the Maine Food Sovereignty Act and To Recognize the
Maine Food Sovereignty Act in Plantations and Unorganized Territories**

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

Sec. 1. 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 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Sec. 2. 7 MRSA §282, sub-§3, as enacted by PL 2017, c. 314, §1, is repealed.

Sec. 3. 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 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 that are governed 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 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 that are governed by the ordinance.

Sec. 4. 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 ~~that adopts or amends, plantation or unorganized territory 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. 5. 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 adopted in accordance with Title 7, chapter 8-F.

Sec. 6. 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 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.