



# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 822

S.P. 225

In Senate, March 5, 2021

### **An Act To Affirm That Food Seeds Are a Necessity in Maine**

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Reference to the Committee on Health and Human Services 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  
Representatives: FAULKINGHAM of Winter Harbor, SAMPSON of Alfred.

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

2 **Sec. 1. 10 MRSA §1105, sub-§1, ¶C**, as amended by PL 2019, c. 126, §1, is further  
3 amended to read:

4 C. "Necessities" includes food for human or animal consumption; seeds; potable water;  
5 pharmaceutical products, including prescription medications; wearing apparel; shoes;  
6 building materials; gas and electricity for light, heat and power; ice; fuel of all kinds;  
7 and fertilizer and fertilizer ingredients; together with tools, utensils, implements,  
8 machinery and equipment required for the actual production or manufacture of the  
9 same. "Necessities" includes any other vital or necessary good or service except those:

10 (1) Subject to continuous maximum price regulation under the provisions of any  
11 state or federal law;

12 (2) As to which the State's authority is preempted; or

13 (3) Furnished or provided by:

14 (a) Insurers; or

15 (b) Nonprofit hospitals, medical service organizations or health maintenance  
16 organizations authorized to transact business within the State pursuant to Title  
17 24 and Title 24-A.

18 **Sec. 2. 22 MRSA §4301, sub-§1**, as amended by PL 2019, c. 126, §2, is further  
19 amended to read:

20 **1. Basic necessities.** "Basic necessities" means food, seeds, potable water, clothing,  
21 shelter, fuel, electricity, nonelective medical services as recommended by a physician,  
22 nonprescription drugs, telephone where it is necessary for medical reasons and any other  
23 commodity or service determined essential by the overseer in accordance with the  
24 municipality's ordinance and this chapter. "Basic necessities" do not include security  
25 deposits for rental property, except for emergency purposes. For the purposes of this  
26 subsection, "emergency purposes" means any situation in which no other permanent  
27 lodging is available unless a security deposit is paid.

28 **SUMMARY**

29 This bill adds seeds to the definitions of "necessities" in the law prohibiting profiteering  
30 during supply disruptions and "basic necessities" in the law governing municipal general  
31 assistance.