

MAINE STATE LEGISLATURE

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Date: 3/13/20

(Filing No. H-761)

AGRICULTURE, CONSERVATION AND FORESTRY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 850, L.D. 1167, Bill, "An Act To Increase Consumption of Maine Foods in State Institutions"

Amend the bill by striking out everything after the enacting clause and inserting the following:

Sec. 1. 7 MRSA §211, as enacted by PL 1983, c. 608, §2, is amended to read:

§211. Statement of policy

It is the policy of the State to encourage the procurement of Maine foods and food products by state institutions to increase the viability of Maine farms and food businesses, thus making a positive contribution to the State's economy and enhancing food self-sufficiency for the State. State institutions and school districts in the State shall purchase food produced by Maine farmers or fishermen, provided that food is available in adequate quantity and meets acceptable quality standards, and is priced competitively.

Sec. 2. 7 MRSA §212, sub-§1, as enacted by PL 1983, c. 608, §2, is repealed.

Sec. 3. 7 MRSA §212, sub-§2, as enacted by PL 1983, c. 608, §2, is amended to read:

2. Maine food producer. "Maine food producer" means any person who is a resident farmer or fisherman, person who fishes commercially or processor of food grown or harvested in the State, or an association of resident farmers or fishermen, persons who fish commercially or food processors in a cooperative or producer group.

Sec. 4. 7 MRSA §212, sub-§3, as amended by PL 1989, c. 443, §18 and PL 2003, c. 20, Pt. OO, §2 and affected by §4, is repealed.

Sec. 5. 7 MRSA §213, as amended by PL 2005, c. 382, Pt. C, §1, is repealed.

Sec. 6. 7 MRSA §214, as amended by PL 2011, c. 655, Pt. EE, §12 and affected by §30, is repealed.

Sec. 7. 7 MRSA §214-A is enacted to read:

COMMITTEE AMENDMENT

1 **§214-A. Maine foods procurement program**

2 In accordance with this section, the commissioner shall establish and promote a
3 Maine foods procurement program with the goal that, no later than 2025, 20% of all food
4 and food products procured by state institutions are Maine food or food products.

5 **1. Institutional market development coordinator.** The commissioner shall
6 designate an employee of the department as an institutional market development
7 coordinator to serve as a representative to assist in the development of connections
8 between state purchasers, Maine food producers, distributors and other institutional
9 stakeholders.

10 **2. Guidelines.** The commissioner shall establish guidelines to assist state
11 institutions to assess their ability to procure Maine foods and food products while
12 minimizing costs for that procurement.

13 **3. Annual meeting.** The institutional market development coordinator may convene
14 an annual meeting that brings together Maine food producers and food service
15 professionals to enhance opportunities for cooperation and expand the purchase of Maine
16 foods and food products by state institutions.

17 **4. Advisory committee.** The commissioner may establish an advisory committee to
18 discuss strategies for expanding purchases of Maine foods and food products by state
19 institutions. The advisory committee may be composed of representatives of state
20 agencies, for-profit and nonprofit institutions and other relevant stakeholders identified
21 by the commissioner.

22 **5. Report.** The commissioner shall include a description of the progress toward
23 reaching the goal under this section in the biennial report submitted to the Legislature
24 pursuant to section 2, subsection 5.

25 **Sec. 8. 7 MRSA §215,** as amended by PL 1989, c. 700, Pt. A, §31, is repealed.

26 **Sec. 9. 7 MRSA §215-A** is enacted to read:

27 **§215-A. Rule-making authority**

28 The commissioner shall adopt rules necessary to carry out the provisions of this
29 subchapter. The rules must establish a method and baseline to determine the percentage
30 of Maine food or food products procured by state institutions based on dollars spent.
31 Rules adopted under this subsection are major substantive rules as defined in Title 5,
32 chapter 375, subchapter 2-A.

33 **Sec. 10. 7 MRSA §218,** as enacted by PL 2005, c. 614, §4, is repealed.

34 **Sec. 11. 7 MRSA §218-A** is enacted to read:

35 **§218-A. Direct producer-to-consumer agriculture market programs**

36 **1. Education and outreach.** The commissioner shall provide education and
37 outreach for the purpose of supporting Maine foods providers, such as farmers' markets,
38 farm stands, community-supported agriculture programs and other direct producer-to-
39 consumer venues to further the goal established in this chapter.



Revised: 03/12/20 *MAC*

129th MAINE LEGISLATURE

LD 1167

LR 2012(02)

An Act To Increase Consumption of Maine Foods in State Institutions

Fiscal Note for Bill as Amended by Committee Amendment

Committee: Agriculture, Conservation and Forestry

Fiscal Note Required: Yes

ACH-761

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Additional costs to the Department of Agriculture, Conservation and Forestry as a result of changes to the rules regarding the procurement of food and foodstuffs are anticipated to be minor and can be absorbed within existing budgeted resources.