

# MAINE STATE LEGISLATURE

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(Filing No. S-289)

MAJORITY  
EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE  
SENATE  
132ND LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 728, L.D. 1858, "An Act to Promote Local Seafood in Schools"

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

Sec. 1. 20-A MRSA §6602, sub-§12, as amended by PL 2023, c. 101, §1, is further amended to read:

**12. Local Foods Fund.** The Local Foods Fund is established within the department. The fund is authorized to receive revenue from public and private sources. The fund must be held separate and apart from all other money, funds and accounts. Any balance remaining in the fund at the end of the fiscal year must be carried forward to the next fiscal year. The fund must be used to match \$1 for every \$3 ~~\$2~~ a school administrative unit pays for produce, value-added dairy, protein, including seafood, or processed foods purchased directly from a farmer, person who fishes commercially, aquaculture farmer, farmers' cooperative, aquaculture farmers' cooperative, local food hub, local food processor or food service distributor in the State, to a maximum state contribution of ~~\$5,000~~ \$10,000 per school administrative unit in fiscal year ~~2021-22~~ 2025-26 and subsequent years or ~~\$5,500~~ \$11,000 per school administrative unit if funding is received and the school administrative unit sends a food service employee to local foods training administered by the department under subsection 13. All foods purchased using the fund must be grown, caught or produced in the State, with the exception of processed and value-added food products produced in the State, which must meet standards set by the department. The department shall create standards for allowable processed and value-added food products produced in the State and provide guidance to school administrative units regarding which of those products are allowable for reimbursement under this subsection and subsection 12-A. At the end of the fiscal year, the school administrative unit may provide the department with receipts documenting purchases pursuant to this subsection during that year. Reimbursement or partial reimbursement to school administrative units may only be made up to the amount available in the fund. Failure to reimburse does not constitute an obligation on behalf of the State to a school administrative unit. The department shall apply

for federal grant funding to provide state contributions in excess of \$5,000 per school administrative unit in fiscal year 2021-22 and subsequent years pursuant to this subsection if applicable grant funding is available. The department may accept grant funding from hospitals and other sources to provide state contributions in excess of \$5,000 per school administrative unit in fiscal year 2021-22 and subsequent years pursuant to this subsection. Any available unexpended balance remaining at the end of a fiscal year may be used for training and materials related to the Local Foods Fund programs.

**Sec. 2. 20-A MRSA §6602, sub-§12-A**, as enacted by PL 2021, c. 426, §2, is amended to read:

**12-A. Local Foods Fund reimbursement.** Reimbursement or partial reimbursement to school administrative units may be made only up to the amount appropriated to support the provisions of the Local Foods Fund as established in subsection 12. Funds appropriated for this purpose do not lapse but must be carried forward to the next fiscal year to be used for the same purpose or for training and materials related to the Local Foods Fund programs.

**Sec. 3. 20-A MRSA §6602, sub-§13**, as enacted by PL 2015, c. 267, Pt. 000, §2, is amended by enacting at the end a new last blocked paragraph to read:

Funds received for the purposes of this subsection may be used to contract with 3rd-party entities to provide training.

**Sec. 4. 20-A MRSA §6602, sub-§13-A** is enacted to read:

**13-A. Data collection; annual report to Legislature.** The department shall collect data on the usage of the Local Foods Fund under subsection 12 and the local foods training program under subsection 13 by school administrative units, including the procurement of seafood. Beginning January 1, 2026 and annually thereafter, the department shall report to the joint standing committees of the Legislature having jurisdiction over education matters and marine resources matters on program participation, seafood purchases made by school administrative units and recommendations for program improvement. Each of the joint standing committees may report out legislation related to the content of the report.

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

### SUMMARY

This amendment replaces the bill. The amendment amends the Local Foods Fund within the Department of Education to require the fund to be used to match \$1 for every \$2 a school administrative unit pays for food, including seafood, from a farmer, person who fishes commercially, aquaculture farmer, farmers' cooperative, aquaculture farmers' cooperative, local food hub, local food processor or food service distributor in the State. It changes the maximum state contribution from \$5,000 to \$10,000 per school administrative unit in fiscal year 2025-26 and subsequent years and from \$5,500 to \$11,000 per school administrative unit if funding is received and the school administrative unit sends a food service employee to a local foods training administered by the department. The amendment also allows for unexpended balances remaining at the end of a fiscal year to be used for training and materials related to the Local Foods Fund programs. The amendment also allows for the local foods training program funds to be used to contract with a 3rd-party

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COMMITTEE AMENDMENT "A" to S.P. 728, L.D. 1858 (S-289)

1 entity to provide training. The amendment also requires the department to collect data on  
2 the usage of the Local Foods Fund and the local foods training program and to report  
3 annually to the Legislature beginning January 1, 2026.

4 **FISCAL NOTE REQUIRED**

5 (See attached)

**COMMITTEE AMENDMENT**



# 132nd MAINE LEGISLATURE

LD 1858

LR 1659(02)

## An Act to Promote Local Seafood in Schools

Fiscal Note for Bill as Amended by Committee Amendment "A (5289)"

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

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### Fiscal Note

Increase in maximum state contribution - Local Foods Fund

#### Fiscal Detail and Notes

This bill increases the maximum contribution that a school administrative unit (SAU) may receive from the State for the purchase of produce, value-added dairy, protein, including seafood, or processed foods purchased directly from farmer, a person who fishes commercially, an aquaculture farmer, a farmers' cooperative, an aquaculture farmers' cooperative, local food hub, local food processor or food service distributor in the State from \$5,000 per year to \$10,000 per year and from \$5,500 per year to \$11,000 per year if the SAU sends a food service employee to local foods training. Currently, the Local Foods Fund receives ongoing, nonlapsing General Fund appropriations of \$326,000 per year to fund the grants. Under current law, this funding is sufficient to support an estimated 60 to 65 grants at either \$5,000 or \$5,500 per grant. If this legislation is enacted, the current funding will support between 30 to 33 grants per year at \$10,000 or \$11,000 per grant. This bill also provides that unexpended balances remaining at the end of the fiscal year may be used for training and materials related to the Local Foods Fund programs. The current unexpended balance in the fund is approximately \$1.0 million.

Additional costs to the Department of Education to collect the required data and submit the required report can be absorbed within existing budgeted resources.