

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

Kennebec Journal
Augusta, Maine
1979

PUBLIC LAWS
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except in compliance with life insurance cost disclosure rules which shall be adopted in accordance with the Maine Administrative Procedure Act Title 5, chapter 375, by the superintendent by July 1, 1980.

Effective September 14, 1979

CHAPTER 448

H. P. 1436 — L. D. 1638

AN ACT Relating to State Agency Purchase of Products of Maine Farms and Fisheries.

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

Sec. 1. 7 MRSA c. 8 is enacted to read:

CHAPTER 8

PURCHASE OF FOODSTUFFS FROM MAINE CONCERNS

§ 201. Statement of policy

It is the policy of the State to encourage food self-sufficiency for the State and the production by state institutions of food for use by residents.

§ 202. Preference for in-state producers

1. **Definitions.** As used in this chapter, unless the context indicates otherwise, the following terms shall have the following meanings.

A. "In-state producer" means any resident farmer or fisherman, cooperative or association of farmers or fishermen.

B. "State purchaser" means any person who purchases foodstuffs for any state agency or institution or the vocational-technical institutes.

2. State purchasers to promote the purchase of foodstuffs produced or harvested by in-state producers. Notwithstanding any other provision of law, and assuming reasonable similarity in quality, quantity and availability with other foodstuffs, state purchasers shall purchase foodstuffs from in-state producers at prices at or in excess of the lowest submitted other bid according to the following schedule:

Calendar Year	Percent in excess of lowest other bid
1980	Not to exceed 5%
1981	Not to exceed 4%
1982	Not to exceed 3%

§ 203. Administration by Department of Agriculture

1. **Certification of in-state producer.** The Commissioner of Agriculture shall certify in-state producers. He shall by rule establish standards and procedures for certification. He may charge each producer an annual certification fee not to exceed \$10.

2. **Publication of information on purchases.** At least once each month the commissioner shall publish in "Mainely Agriculture" or its successor publication the following information:

A. A statement of foodstuffs purchased under this chapter for the most recent month for which complete information is available, including the name of the state purchasers and the governmental organization making the purchase, the name of the in-state producer, the foodstuff, the quantity purchased; contractual conditions of delivery and the price; and

B. A list of foodstuffs for which bids shall be sought by state purchasers and which are known to the commissioner, including the name of the foodstuff, the name, address and telephone number of the state purchaser, the quantity sought and other conditions of the bid.

3. **Rule making.** The commissioner shall adopt rules necessary for this chapter.

§ 204. Cooperation by State Government organizations

State agencies and institutions and the vocational-technical institutes shall cooperate with the Commissioner of Agriculture to attain the purposes of this chapter.

§ 205. Termination

This chapter is repealed January 1, 1983.

Sec. 2. Report. The Commissioner of Finance and Administration shall report to the Legislature not later than January 1, 1980 on the feasibility of requiring state government institutions to grow foodstuffs for consumption by residents.

Sec. 3. Appropriation. The following funds shall be appropriated from the

General Fund to carry out the purposes of this Act.

	1979-80	1980-81
AGRICULTURE, DEPARTMENT OF		
All Other	\$1,000	\$1,000

Effective September 14, 1979

CHAPTER 449

H. P. 1440 — L. D. 1642

AN ACT to Clarify Equivalent Instruction as an Alternative to Compulsory Education.

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

20 MRSA § 911, sub-§ 3, as enacted by PL 1977, c. 499, § 1, is repealed and the following enacted in its place:

3. Equivalent instruction; appeal to commissioner.

A. A child shall be excused from attending a public day school if he obtains equivalent instruction in a private school or in any other manner arranged for by the school committee or the board of directors and if the equivalent instruction is approved by the commissioner.

B. If any request to be excused is denied by a local school committee or board of directors, an appeal may be filed with the commissioner. The commissioner shall review the request to be excused to determine whether the local school committee or board of directors has been correct in its finding that no equivalent instruction is available. If the commissioner finds that equivalent instruction is available to the child, he shall approve the request to be excused.

Effective September 14, 1979

CHAPTER 450

H. P. 66 — L. D. 74

AN ACT to Permit Store Owners to Limit the Number of Containers they will Accept from a Single Person or Group at One Time.