

MAINE STATE LEGISLATURE

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(New Title)
New Draft of: H. P. 285, L. D. 350
FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1638

H. P. 1436

House of Representatives, May 29, 1979.

Reported by the Majority from Committee on State Government. Printed under
Joint Rules No. 2.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

**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;

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

STATEMENT OF FACT

This new draft:

1. Requires purchasers for state agencies and vocational-technical schools to purchase foodstuffs from in-state producers where the quantity, quality and availability are reasonable similar to those of other foodstuffs, for prices that are at or in excess of the lowest bid submitted according to a schedule;
2. Establishes a program to certify in-state producers, including farmers and fishermen; and
3. Requires publication by the Department of Agriculture of certain information on purchases and potential purchases of foodstuffs from in-state producers.