

MAINE STATE LEGISLATURE

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L.D. 901

(Filing No. H-448)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
111TH LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "A" to H.P. 710, L.D. 901,
Bill, "AN ACT to Extend and Amend the Statute enti-
tled Purchase of Foodstuffs from Maine Concerns."

Amend the bill by inserting before the enacting
clause the following:

'Emergency preamble. Whereas, Acts of the Legis-
lature do not become effective until 90 days after
adjournment unless enacted as emergencies; and

Whereas, it is imperative to provide the authori-
ty to increase institutional and school purchases of
food produced and harvested in Maine; and

Whereas, it is necessary to establish an adminis-
trative capability within State Government to accom-
plish this purpose in advance of the year's growing
season; and

Whereas, this bill advances the objectives which
are promulgated in a proposed food policy for the
State; and

Whereas, in the judgment of the Legislature,
these facts create an emergency within the meaning of
the Constitution of Maine and require the following
legislation as immediately necessary for the preser-
vation of the public peace, health and safety; now,
therefore, '

Further amend the bill in section 2, in that part
designated "§213." in the first paragraph, 4th and
5th lines by striking out the underlined words "with-
out competitive bidding"

Further amend the bill in section 2, in that part

HOUSE AMENDMENT "A" to H.P. 710, L.D. 901

1 designated "§213." in the first paragraph by insert-
2 ing at the end the following new sentence:

3 'In the event that more than one producer, broker or
4 wholesaler can supply a given foodstuff, the institu-
5 tional or school purchaser may require competitive
6 bidding.'

7 Further amend the bill in section 2, in that part
8 designated "§213." subsection 2, by striking out all
9 of the 2nd sentence and inserting in its place the
10 following: 'Savings in unit meal costs, as a result
11 of buying foodstuffs from Maine food producers, may
12 remain in the school district's food service account
13 and be used for the same purposes specified in sub-
14 section 1 with the approval of the superintendent.'

15 Further amend the bill in section 2, in that part
16 designated "§214." by inserting after subsection 1
17 the following:

18 '2. Annual meeting. The coordinator shall cause
19 to be held an annual meeting which brings together
20 producers, wholesalers, buyers and food service pro-
21 professionals to enhance opportunities for cooperation
22 and expand the purchase of local foodstuffs by state
23 institutions and public schools.'

24 Further amend the bill in section 2, in that part
25 designated "§215." in subsection 4 by striking out in
26 the first line the underlined word "Food" and insert-
27 ing in its place the following: 'In the event that
28 foodstuffs of Maine origin are not available in suf-
29 ficient quantities to meet demand, food'

30 Further amend the bill by inserting at the end
31 the following:

32 'Emergency clause. In view of the emergency
33 cited in the preamble, this Act shall take effect
34 when approved.'

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STATEMENT OF FACT

2 Legislative document 901 was enacted in the First
3 Regular Session of the 111th Legislature, but not
4 signed by the Governor because of a concern about
5 competitive bidding. The legislation will be re-
6 called in the early days of the 2nd Regular Session
7 and submitted for recommendation as an emergency.
8 The reason for acting swiftly on this legislative
9 measure is related to the need to hire a coordinator
10 in the Bureau of Purchases immediately to begin work
11 in advance of this year's growing and marketing sea-
12 son.

13 The purpose of this bill is to increase food pur-
14 chases between state institutions, schools and Maine
15 farmers and other food harvestors. In fiscal year
16 1983, less than \$5,000 worth of business was done be-
17 tween institutional food buyers and Maine farmers,
18 excluding milk and eggs. This figure represents only
19 about 1% of the amount expended by state institutions
20 on food purchased in that time frame, excluding milk
21 and eggs. While there is little comprehensive data
22 to prove the amount of buying between schools in
23 Maine and farmers, evidence collected indicates that
24 statewide very little business is being done.

25 To recapitulate, this bill extends the life of
26 the old institutional marketing law, Title 7, chapter
27 8, and amends the law in several significant re-
28 spects.

29 1. It removes the coordination responsibility
30 from the Department of Agricultural, Food and Rural
31 Resources to the Bureau of Purchases where supplies
32 and foodstuffs are bought for state institutions.

33 2. It establishes spending targets for both
34 state institutions and schools to encourage more pur-
35 chases of food produced or harvested in Maine, ex-
36 cluding milk and eggs:

