

MAINE STATE LEGISLATURE

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L.D. 901

(Filing No. H-451)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
11TH LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "**B**" to H.P. 710, L.D. 901,
Bill, "AN ACT to Extend and Amend the Statute entit-
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

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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 fessionals 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 striking out all of
31 section 3 and inserting in its place the following:

32 'Sec. 3. Allocation. The following funds are
33 allocated from the General Fund to carry out the pur-
34 poses of this Act.

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1

1983-84

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FINANCE AND ADMINISTRATION,

3

DEPARTMENT OF

4

Bureau of Purchases

5

Unallocated

\$9,000

6

These funds are to be

7

used for the position of

8

coordinator within the

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Bureau of Purchases.

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These funds shall not

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lapse but shall be car-

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ried forward from year to

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year to carry out the

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purposes of this Act.'

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Further amend the bill by inserting at the end

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before the statement of fact the following:

17

'Emergency clause. In view of the emergency

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cited in the preamble, this Act shall take effect

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when approved.'

20

STATEMENT OF FACT

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Legislative document 901 was enacted in the First

22

Regular Session of the 111th Legislature, but not

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signed by the Governor because of a concern about

24

competitive bidding. The proposal carries a \$9,000

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allocation which remains unused. This legislation is

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recalled in the early days of the 2nd Regular Session

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and submitted as an emergency measure. The reason

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for acting swiftly is related to the need to hire a

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coordinator in the Bureau of Purchases immediately to

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begin work in advance of this year's growing and mar-

31

keting season.

32

The purpose of this bill is to increase food pur-

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1 chases between state institutions, schools and Maine
2 farmers and other food harvesters. In fiscal year
3 1983, less than \$5,000 worth of business was done be-
4 tween institutional food buyers and Maine farmers,
5 excluding milk and eggs. This figure represents only
6 about 1% of the amount expended by state institutions
7 on food purchased in that time frame, excluding milk
8 and eggs. While there is little comprehensive data
9 to prove the amount of buying between schools in
10 Maine and farmers, evidence collected indicates that
11 statewide very little business is being done.

12 To recapitulate, this bill extends the life of
13 the old institutional marketing law, Title 7, chapter
14 8, and amends the law in several significant re-
15 spects.

16 1. It removes the coordination responsibility
17 from the Department of Agricultural, Food and Rural
18 Resources and transfers the program to the Bureau of
19 Purchases where supplies and foodstuffs are bought
20 for state institutions.

21 2. It establishes spending targets for both
22 state institutions and schools to encourage more pur-
23 chases of food produced or harvested in Maine, ex-
24 cluding milk and eggs:

25 A. 30¢ per day multiplied by the average number
26 of persons in the institution; and

27 B. 7¢ per day multiplied by the total enrollment
28 eating meals at school during the school year.

29 3. It adds a coordination position to the Bureau
30 of Purchases to establish connections between food
31 purchasers and local food producers.

32 4. It recognizes the important role food brokers
33 could play in supplying institutions and schools with
34 food grown locally, and it allows split shipment of
35 food, Maine and non-Maine foods, to meet orders.

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1 5. It clearly states that local food does not
2 have to be purchased if the supply is inadequate, the
3 quality is not acceptable or the price is not compet-
4 itive.

5

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Filed by Rep. Michael of Auburn
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