

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2006

Legislative Document

No. 2107

H.P. 1497

House of Representatives, April 11, 2006

An Act To Establish a Food Policy for Maine

Reported by Representative PIOTTI of Unity for the Joint Standing Committee on Agriculture, Conservation and Forestry pursuant to Public Law 2005, chapter 382, Part C, section 6.

Millicent M. MacFarland

MILLCENT M. MacFARLAND

Clerk

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

Sec. 1. 5 MRSA §12004-I, sub-§1-B is enacted to read:

<u>1-B.</u>	<u>Maine Food</u>	<u>Expenses</u>	<u>7 MRSA</u>
<u>Agriculture</u>	<u>Policy</u>	<u>Only Upon</u>	<u>§216</u>
	<u>Council</u>	<u>Request and</u>	
		<u>Determination</u>	
		<u>of Financial</u>	
		<u>Hardship</u>	

Sec. 2. 7 MRSA §2-A, as amended by PL 2003, c. 414, Pt. B, §11 and affected by c. 614, §9, is repealed.

Sec. 3. 7 MRSA c. 8-A, as amended, is further amended by repealing the chapter headnote and enacting the following in its place:

CHAPTER 8-A

FOOD AND FOOD POLICY

SUBCHAPTER 1

PURCHASE OF FOODSTUFFS FROM MAINE

Sec. 4. 7 MRSA c. 8-A, sub-c. 2 is enacted to read:

SUBCHAPTER 2

FOOD POLICY

§216. Maine Food Policy Council

The Maine Food Policy Council established in Title 5, section 12004-I, subsection 1-B is referred to in this subchapter as "the council." Membership and duties of the council are as provided in this section.

1. Members. The council consists of 15 members appointed as follows:

A. Two members of the joint standing committee of the Legislature having jurisdiction over agricultural matters, one appointed by the President of the Senate and one appointed by the Speaker of the House;

B. One member of the joint standing committee of the Legislature having jurisdiction over matters pertaining to marine fisheries appointed by the President of the Senate;

2 C. One member of the joint standing committee of the
4 Legislature having jurisdiction over matters of health and
 nutrition appointed by the Speaker of the House;

6 D. One representative of each of the following state
8 agencies appointed by the commissioner or director of the
 agency:

10 (1) The Department of Agriculture, Food and Rural
12 Resources;

14 (2) The Department of Marine Resources;

16 (3) The Department of Health and Human Services; and

18 (4) The Executive Department, State Planning Office;

20 E. Three members representing consumers, including at least
22 one representing an organization that provides food
 assistance and one receiving food assistance, appointed by
 the Governor;

24 F. Three members representing the food industry, including
26 producers, distributors, processors or retailers, appointed
 by the Governor; and

28 G. One representative of the University of Maine System who
30 is from the Cooperative Extension or the University of
32 Maine, Department of Food Science and Human Nutrition or who
 is a director of dining services within the University of
 Maine System, appointed by the Chancellor of the University
 of Maine System.

34 2. Legislative members. No more than 2 Legislators with
36 the same party affiliation may be appointed to serve as members
38 during a term. The terms of legislative members expire the
 first Wednesday in December of odd-numbered years.

40 3. Terms. Except for legislative members, each member of
42 the council serves for a term of 3 years or until the member's
44 successor is appointed. If a member is unable to complete the
46 term, the appointing authority shall appoint a person to serve
 out the remainder of the unexpired term. Except for members
 appointed under subsection 1, paragraph D, a member may not serve
 for more than 2 consecutive terms.

48 4. Chair. The council shall annually elect a chair and
 vice-chair from its membership.

2 5. Meetings and attendance. The council may meet up to 4
times a year. If a member of the council is absent from more
4 than one meeting without notice to the chairs, the original
appointing authority may appoint a replacement.

6
8 6. Quorum; actions. A quorum is a majority of the members of
the council. An affirmative vote of the majority of the members
present at a meeting is required for any action.

10
12 7. Duties. The council shall develop:

14 A. A food policy for the State that recognizes that it is
in the best interest of the State to ensure the availability
of an adequate supply of safe, wholesome and nutritious food
to its citizens; and

16
18 B. A strategic plan for implementation of the state food
policy under paragraph A. The strategic plan must include
20 benchmarks and criteria for measuring progress in achieving
food policy objectives. The council shall assess and revise
22 the strategic plan every 5 years. To support implementation
of the strategic plan, the council shall:

24 (1) Advise the Governor, Legislature, state agencies
and the public on programs to increase food
26 self-sufficiency for the State and enhance the vitality
of agriculture in the State;

28 (2) Conduct research and analyze issues of state
significance relating to food production, distribution
30 and consumption;

32 (3) Solicit public input through public hearings and
informational meetings;

34 (4) Review state programs, practices and regulatory
systems affecting the food supply system and make
36 recommendations to resolve conflicts, remove burdensome
requirements, improve the efficiency, safety and
38 productivity of the State's food system and increase
40 consumer access to food;

42 (5) Coordinate and develop collaborative relationships
between private and public entities involved in food
44 production and delivery and with the advisory committee
established under section 214, subsection 3; and

46 (6) Coordinate the efforts of state agencies relating
to food to ensure that state programs are conducted in
48
50

2 a manner that optimizes their effectiveness, promotes
3 locally grown foods and ensures consistency with the
4 state food policy developed under paragraph A.

5 **8. Formation of subcommittees.** The council shall invite a
6 broad base of individuals and representatives of advocacy and
7 stakeholder groups to participate in the strategic planning
8 process under subsection 7, paragraph B through the formation of
9 subcommittees and working groups to address issues identified by
10 the council as needing further study or particular expertise.

11 **9. Staff assistance.** The department shall provide staff to
12 the council.

13 **10. Fund.** A separate nonlapsing account is established
14 within the department known as the food policy development and
15 implementation fund. The commissioner shall administer the
16 nonlapsing fund on behalf of the council. The council may seek
17 and accept gifts, donations and grants from any public or private
18 source for deposit in the fund to carry out the purposes of this
19 subchapter.

20 **11. Reimbursement for travel expenses.** A member of the
21 council not compensated by that member's employer or the entity
22 that the member represents may request reimbursement from the
23 department for necessary travel expenses incurred for attendance
24 at authorized meetings of the council. The department shall
25 reimburse travel expenses from the fund established under
26 subsection 10 or from existing departmental resources upon
27 determining that travel expenditures are a financial hardship for
28 the requesting member. The commissioner shall develop a standard
29 for determining what is a financial hardship for the purposes of
30 this subsection and Title 5, section 12004-I, subsection 1-B.

31 **12. Report.** The council shall submit a biennial report on
32 the activities of the council to the joint standing committee of
33 the Legislature having jurisdiction over agricultural matters by
34 December 15th of odd-numbered years. The report must include an
35 update on the strategic plan developed under subsection 7,
36 paragraph B, an account of progress made in achieving the goals
37 of the council and a description of actions necessary to
38 implement the recommendations of the council.

39 **§217. Hunters for the Hungry Program; acceptance**
40 **of donations**

41 The department and those recipient agencies participating in
42 the department's food assistance distribution programs may accept
43 wild game meat from persons participating in the Hunters for the
44 Hungry Program established under Title 12, section 10108. The

department may facilitate the acceptance of that meat by its recipient agencies through coordination with the Department of Inland Fisheries and Wildlife and may undertake educational and promotional efforts on behalf of the program.

§218. Farmers' Market Program

The department shall cooperate with the Commissioner of Health and Human Services or the commissioner's designee to promote the purchase of state-grown and processed food products at local farmers' markets and farmstands by nutritionally at-risk groups through programs administered by the Department of Health and Human Services under Title 22, chapter 851.

Sec. 5. 7 MRSA c. 101, sub-c. 2-B, as amended, is repealed.

Sec. 6. Staggered terms. Notwithstanding the Maine Revised Statutes, Title 7, section 216, subsection 2, of the 3 initial appointments to the Maine Food Policy Council made pursuant to Title 7, section 216, subsection 1, paragraph E and of the 3 initial appointments made pursuant to Title 7, section 216, subsection 1, paragraph F, one member must be appointed to a term of one year, one member must be appointed to a term of 2 years and one member must be appointed to a term of 3 years.

Sec. 7. Directive to Maine Food Policy Council. The state food policy developed by the Maine Food Policy Council under the Maine Revised Statutes, Title 7, section 216, subsection 7 must be designed to support a food supply system that:

1. Ensures Maine residents have a safe and stable food supply free of interruption by natural or human events;

2. Enhances the access, availability, affordability and quality of food for all its citizens;

3. Maintains a safety net to ensure security from hunger for the State's most vulnerable citizens;

4. Recognizes that the regular consumption of a balanced diet of nutritious foods can improve health and reduce health care costs;

5. Is economically and environmentally sustainable;

6. Reflects that Maine is a unique place with land, soil, a climate and fisheries conducive to the production of a wide array of food products;

7. Promotes a fair return to all participants, provides entrepreneurial freedom and allows access to opportunity to participate in the food supply system;

8. Increases food self-reliance through increasing production of food in Maine and increasing the consumption of Maine-produced fish and farm products;

9. Is recognized as a vital sector of the Maine economy, enhances rural economic development and contributes positively to Maine's rural quality of life;

10. Is supported by an adequate supply of farmland and access to working waterfronts to sustain Maine's food and fisheries industries and provide for their future growth;

11. Is accompanied by public and consumer information on the value of a proper diet and healthy lifestyle and the benefits of Maine-produced agricultural and fish products; and

12. Is supported by stable and consistent state policies and programs.

Sec. 8. Development of strategic plan. In developing an initial strategic plan as required under the Maine Revised Statutes, Title 7, section 216, subsection 7, the Maine Food Policy Council shall build on the goals and recommendations of the food policy working group convened pursuant to Public Law 2005, chapter 382 by the Commissioner of Agriculture, Food and Rural Resources in 2005 and articulated in Section II and Appendix C of that group's report submitted to the Joint Standing Committee on Agriculture, Conservation and Forestry in January of 2006.

SUMMARY

This bill is submitted by the Joint Standing Committee on Agriculture, Conservation and Forestry pursuant to Public Law 2005, chapter 382, Part C, section 6. It establishes the Maine Food Policy Council and charges the council with developing and implementing a strategic plan to support a food supply system for Maine. The council is directed to build on the report of the food policy working group convened by the Commissioner of Agriculture, Food and Rural Resources in 2005.

2 This bill also moves 2 sections in the Maine Revised
3 Statutes, Title 7 relating to food policy into the new subchapter
4 on food policy proposed in this legislation.

6 **FISCAL NOTE REQUIRED**
 (See attached)



122nd MAINE LEGISLATURE

LD 2107

LR 3147(01)

An Act to Establish a Food Policy for Maine

Fiscal Note for Committee Bill

Committee: Agriculture, Conservation and Forestry

Fiscal Note Required: Yes

Fiscal Note

Current Costs - Legislative Study

Current biennium revenue increase - Other Special Revenue Funds

Current biennium cost increase - Other Special Revenue Funds

Minor cost increase - General Fund

Legislative Study

The projected cost for four legislators to serve as members of the ongoing Maine Food Policy Council is \$1,680 annually beginning in fiscal year 2006-07. The Legislature's budget includes \$20,000 in fiscal year 2006-07 for legislative studies. Whether that amount is sufficient to fund all studies will depend on the number of studies authorized by the Legislative Council and the Legislature.

Fiscal Detail and Notes

The establishment of an Other Special Revenue Funds account within the Department of Agriculture, Food and Rural Resources may result in increased revenue collected by the department as well as increased expenditures; the amounts will depend on any funds collected from public and private sources and can not be determined at this time.