

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 1548

H.P. 1066

House of Representatives, April 27, 2017

### An Act To Establish the Let's Grow Maine Program

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Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative HAMANN of South Portland.  
Cosponsored by Senator LANGLEY of Hancock and  
Representatives: GATTINE of Westbrook, Speaker GIDEON of Freeport, HICKMAN of  
Winthrop, HIGGINS of Dover-Foxcroft, JORGENSEN of Portland, STANLEY of Medway,  
SYLVESTER of Portland, TIPPING of Orono.

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

2 **Sec. 1. 5 MRSA §12004-I, sub-§6-I** is enacted to read:

3 **6-I.**

4 Economic                      Food Security                      Expenses Only                      10 MRSA §1100-Q  
5 Development                      Council

6 **Sec. 2. 10 MRSA c. 110, sub-c. 7-A** is enacted to read:

7 **SUBCHAPTER 7-A**

8 **LET'S GROW MAINE PROGRAM**

9 **§1100-Q. Let's Grow Maine Program**

10 **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
11 following terms have the following meanings.

12 A. "Committee" means the joint standing committee of the Legislature having  
13 jurisdiction over economic development matters.

14 B. "Council" means the Food Security Council set out in subsection 3.

15 C. "Fund" means the Food and Farm Fund established in subsection 5.

16 D. "Program" means the Let's Grow Maine Program established in subsection 2.

17 **2. Program established; purpose.** The Let's Grow Maine Program is established to  
18 procure fruits and vegetables from farm businesses in the State for distribution to schools,  
19 senior citizens and individuals with low income, through a public and private partnership,  
20 in order to provide hunger relief. The primary function of the program is the purchase of  
21 fruits and vegetables grown in the State at a volume that meets the emergency food  
22 assistance needs in the State, subject to the need to develop effective storage and delivery  
23 capacity for this food.

24 **3. Food Security Council.** The Food Security Council, established in Title 5,  
25 section 12004-I, subsection 6-I, is an advisory council that is responsible for determining  
26 regional emergency food assistance needs and developing a comprehensive strategy to  
27 focus allocation of resources under the program. The council is composed of the  
28 following members:

29 A. Nine voting members representing each of the 9 public health districts described  
30 in Title 22, section 411, appointed by the Governor; and

31 B. Four nonvoting members, as follows:

32 (1) The director of the State's emergency food assistance program, or the  
33 Commissioner of Agriculture, Conservation and Forestry's designee;

1                   (2) A representative of the Department of Health and Human Services, Maine  
2                   Center for Disease Control and Prevention appointed by the Commissioner of  
3                   Health and Human Services; and

4                   (3) Two private sector professionals with expertise in the State's emergency food  
5                   network, one appointed by the President of the Senate and one appointed by the  
6                   Speaker of the House, each appointed to a 2-year term.

7                   **4. Legislative oversight.** The committee has legislative oversight of the council.  
8                   The council shall submit recommendations to the authority no later than February 1st of  
9                   each year. If the council does not submit recommendations to the authority, the  
10                  committee shall develop and report the committee's own recommendations to the  
11                  authority by April 1st of each year. The authority shall submit a report annually, by  
12                  January 15th, to the committee, providing an update on the status of the program and  
13                  expenditures from the fund.

14                  **5. Food and Farm Fund.** The Food and Farm Fund is established as a special fund  
15                  in the State Treasury. The authority shall administer the fund exclusively for the purpose  
16                  of administering the program established by this section, including the costs of fund  
17                  administration. All money in the fund must be deposited, administered and disbursed in  
18                  the same manner and under the same conditions and requirements as are provided by law  
19                  for other special funds. Any unencumbered balance in the fund remaining at the end of  
20                  any fiscal year does not lapse but must be carried forward for continued use in the  
21                  program.

22                  Funds may be used for the purchase of fruits and vegetables, cold storage, storage  
23                  infrastructure, transportation or other purposes as recommended by the council and  
24                  determined by the authority that will help to establish a more efficient and effective  
25                  supply chain of emergency food assistance resources. Funds may also be used for  
26                  culinary and nutrition education and home delivery of resources for homebound  
27                  individuals.

28                  Beginning July 1, 2019 and every July 1st thereafter, the State Controller shall transfer to  
29                  the fund an amount, as certified by the State Tax Assessor, that is equivalent to 1/2 of the  
30                  revenue received from the tax imposed on the sale of noncigarette smoking tobacco  
31                  products pursuant to Title 36, section 4403, subsection 2 in the prior fiscal year.

32                  The authority may accept and deposit in the fund additional funding from any source,  
33                  public or private.

34                  **6. Administration.** The authority shall administer the program. In administering  
35                  the program, the authority shall consider the recommendations submitted by the council  
36                  or the committee pursuant to subsection 4 but is not bound to take any action in response  
37                  to these recommendations. The authority shall administer the program through the use of  
38                  private sector partners selected by issuing and broadly publicizing competitive requests  
39                  for proposals. Requests for proposals may be used for, but are not limited to, purchase of  
40                  physical assets for storage, infrastructure and transportation, programmatic  
41                  recommendations and contracts with farmers in the State to grow certain volumes of  
42                  produce.

