

# MAINE STATE LEGISLATURE

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Date: 3/19/2018

**AGRICULTURE, CONSERVATION AND FORESTRY**

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**STATE OF MAINE**

**SENATE**

**128TH LEGISLATURE**

**SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 557, L.D. 1584, Bill, "An Act To Expand the Local Foods Economy by Promoting Local Foods Procurement"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 7 MRSA c. 8-A, sub-c. 3 is enacted to read:

**SUBCHAPTER 3**

**LOCAL FOODS PROCUREMENT PROGRAM**

**§220. Local foods procurement program; local foods access**

In accordance with this section, the commissioner shall establish and promote a local foods procurement program with the goal that no later than 2025, 20% of all food and food products procured by state institutions be local food or food products.

1. Guidelines. The commissioner shall establish guidelines to assist state institutions to assess their ability to procure local foods or food products while minimizing costs for that procurement.

2. Education and outreach. The commissioner shall provide education and outreach for the purpose of supporting local foods providers, such as farms, farmers' markets, community supported agriculture and seafood providers, to further the goal established in this section.

3. Access to local foods for recipients of benefits. The commissioner shall improve access to local foods for recipients of benefits under any food supplement program administered by the Department of Health and Human Services under Title 22 by:

A. Expanding opportunities for farmers to sell local foods to recipients of food supplement program benefits by promoting the use of electronic benefits transfer

**COMMITTEE AMENDMENT**

R. of S.

1 cards at farmers' markets and, in partnership with a statewide federation of farmers'  
 2 markets, encouraging participation in community supported agriculture by recipients  
 3 of food supplement program benefits;

4 B. Assisting farmers' markets in accepting payments through the electronic benefits  
 5 transfer system by helping them secure equipment, including equipment that does not  
 6 require the use of electricity, for processing payments through the electronic benefits  
 7 transfer system; and

8 C. In partnership with the Commissioner of Health and Human Services, educating  
 9 recipients of food supplement program benefits of the opportunity to use the benefits  
 10 at farmers' markets and the advantages of such use.

11 4. Rules. The commissioner shall adopt rules necessary to carry out the provisions  
 12 of this subchapter. The rules must include, but are not limited to, definitions of "local  
 13 foods" and "local foods providers" that are consistent with the provisions of this chapter  
 14 and must establish a method and baseline to determine the percentage of local foods or  
 15 food products procured by state institutions based on dollars spent. Rules adopted under  
 16 this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter  
 17 2-A.

18 5. Report. The commissioner shall include a description of the progress toward  
 19 reaching the goal under this section in the biennial report submitted to the Legislature  
 20 pursuant to section 2, subsection 5.

21 **Sec. 2. Appropriations and allocations.** The following appropriations and  
 22 allocations are made.

23 **AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**  
 24 **Division of Quality Assurance and Regulation 0393**

25 Initiative: Provides an appropriation for one Planning and Research Associate II position.

26	<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
27	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
28	Personal Services	\$0	\$76,032
29	All Other	\$0	\$2,500
30			
31	<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$78,532</b>

32 **Division of Quality Assurance and Regulation 0393**

33 Initiative: Provides an appropriation for education and outreach, for artwork, printing and  
 34 distribution of promotional material and for data and research to prepare an annual report.

35	<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
36	All Other	\$0	\$85,000
37			

R. of S.

1	GENERAL FUND TOTAL	\$0	\$85,000
2	<b>AGRICULTURE, CONSERVATION AND</b>		
3	<b>FORESTRY, DEPARTMENT OF</b>		
4	<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
5			
6	GENERAL FUND	\$0	\$163,532
7			
8	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$163,532</b>
9			

10 **SUMMARY**

11 This amendment, which is the majority report of the committee, replaces the bill and  
12 directs the Commissioner of Agriculture, Conservation and Forestry to establish and  
13 promote a local foods procurement program with the goal of increasing the percentage of  
14 local foods procured by state institutions to 20% of all food and food products procured  
15 by 2025. The program does not apply to local schools. It directs the commissioner to  
16 establish guidelines to assist state institutions in assessing their ability to procure local  
17 foods while minimizing costs, provide education and outreach for the purpose of  
18 supporting farms, farmers' markets, community supported agriculture and seafood  
19 providers to increase the sale and purchase of local foods and improve access to local  
20 foods for recipients of benefits of any food supplement program administered by the  
21 Department of Health and Human Services. It also directs the commissioner to adopt  
22 major substantive rules to implement the local foods procurement program. It directs the  
23 commissioner to report on the progress towards reaching the local food procurement goal  
24 in the Department of Agriculture, Conservation and Forestry's biennial report. It also  
25 adds an appropriations and allocations section.

26 **FISCAL NOTE REQUIRED**

27 (See attached)



# 128th MAINE LEGISLATURE

LD 1584

LR 1678(02)

## An Act To Expand the Local Foods Economy by Promoting Local Foods Procurement

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-391)  
Committee: Agriculture, Conservation and Forestry

Fiscal Note Required: Yes

### Fiscal Note

	FY 2017-18	FY 2018-19	Projections FY 2019-20	Projections FY 2020-21
<b>Net Cost (Savings)</b>				
General Fund	\$0	\$163,532	\$132,301	\$136,291
<b>Appropriations/Allocations</b>				
General Fund	\$0	\$163,532	\$132,301	\$136,291

### Fiscal Detail and Notes

This bill directs the Department of Agriculture, Conservation and Forestry (ACF) to establish a local foods procurement program to promote and increase the procurement of local foods. The program will establish guidelines to assist state institutions in assessing their ability to procure local foods, provide department education and outreach to farms, farmers markets, community supported agriculture and seafood providers to increase the sale and purchase of local foods by state institutions and food supplement programs administered by the Department of Health and Human Services (DHHS). This bill includes a General Fund appropriation of \$78,532 starting in fiscal year 2018-19 for one full-time Planning and Research Associate II position. It also includes a General Fund appropriation of \$85,000 in fiscal year 2018-19, and \$50,000 thereafter, for education and outreach, for artwork, printing and distribution of promotional material and for data and research to prepare an annual report.

Any additional costs to DHHS to implement the provisions of this bill are expected to be minor and can be absorbed within existing budgeted resources.