

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 636

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S.P. 250

In Senate, March 3, 2021

### **An Act To Encourage the Purchase of Local Foods for Public Schools**

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Received by the Secretary of the Senate on March 1, 2021. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant".

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator VITELLI of Sagadahoc.  
Cosponsored by Senators: DAUGHTRY of Cumberland, DILL of Penobscot, MOORE of Washington, Representatives: DUNPHY of Old Town, McCREIGHT of Harpswell, MILLETT of Cape Elizabeth, PAULHUS of Bath.

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

2 **Sec. 1. 20-A MRSA §6602, sub-§12**, as amended by PL 2019, c. 511, §1 and  
3 affected by §2, is further amended to read:

4 **12. Local Produce Foods Fund.** The Local Produce Foods Fund is established within  
5 the department. The fund is authorized to receive revenue from public and private sources.  
6 The fund must be held separate and apart from all other money, funds and accounts. Any  
7 balance remaining in the fund at the end of the fiscal year must be carried forward to the  
8 next fiscal year. The fund must be used to match \$1 for every \$3 a school administrative  
9 unit pays for produce, value-added dairy, protein or minimally processed foods purchased  
10 directly from a farmer, farmers' cooperative ~~or~~, local food hub, local food processor or food  
11 service distributor in the State, to a maximum state contribution of ~~\$1,000 per school~~  
12 ~~administrative unit in fiscal year 2019-20 and \$1,500~~ \$7,500 per school administrative unit  
13 in fiscal year ~~2020-21~~ 2021-22 and subsequent years or ~~\$2,000~~ \$10,000 per school  
14 administrative unit if funding is received and the school administrative unit sends a food  
15 service employee to local foods training administered by the department under subsection  
16 13. All foods purchased using the fund must be grown or produced in the State. At the  
17 end of the fiscal year, the school administrative unit may provide the department with  
18 receipts documenting purchases pursuant to this subsection during that year. For purposes  
19 of this subsection, "minimally processed" means only the washing, cleaning, trimming,  
20 peeling, slicing, drying, sorting, refrigerating, freezing and packaging of food items or a  
21 combination of those activities. Reimbursement or partial reimbursement to school  
22 administrative units may only be made up to the amount available in the fund. Failure to  
23 reimburse does not constitute an obligation on behalf of the State to a school administrative  
24 unit. The department shall apply for federal grant funding to provide state contributions in  
25 excess of ~~\$1,000 per school administrative unit in fiscal year 2019-20 and \$1,500~~ \$7,500  
26 per school administrative unit in fiscal year ~~2020-21~~ 2021-22 and subsequent years  
27 pursuant to this subsection if applicable grant funding is available. The department may  
28 accept grant funding from hospitals and other sources to provide state contributions in  
29 excess of ~~\$1,000 per school administrative unit in fiscal year 2019-20 and \$1,500~~ \$7,500  
30 per school administrative unit in fiscal year ~~2020-21~~ 2021-22 and subsequent years  
31 pursuant to this subsection.

32 **SUMMARY**

33 This bill changes the name of the Local Produce Fund within the Department of  
34 Education to the Local Foods Fund and provides that the fund's maximum state match for  
35 the purchase of produce or minimally processed foods is \$7,500 per school administrative  
36 unit in fiscal year 2021-22 and subsequent years or \$10,000 per school administrative unit  
37 if the school administrative unit sends a food service employee to local foods training  
38 administered by the Department of Education. It also provides that the food the fund may  
39 be used to help purchase may include value-added dairy and protein and that food may be  
40 purchased from local food processors and food service distributors.