

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 921

S.P. 392

In Senate, March 2, 2023

**An Act to Allow the Local Foods Fund for Public Schools to Be Used
for Processed and Value-added Maine Food Products**

Reference to the Committee on Education and Cultural Affairs suggested 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 RENY of Lincoln.
Cosponsored by Senators: POULIOT of Kennebec, RAFFERTY of York, VITELLI of
Sagadahoc.

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 2021, c. 426, §1, is further
3 amended to read:

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

33 **SUMMARY**

34 Current law provides that all foods purchased using the Local Foods Fund established
35 within the Department of Education must be grown or produced in the State. It provides
36 that other than produce, value-added dairy or protein, food purchased must be minimally
37 processed and defines what "minimally processed" means. This bill removes reference to
38 minimally processed foods and the definition. It allows the fund to be used to purchase
39 processed and value-added food products produced in the State, which must meet standards
40 set by the Department of Education. The department is directed to create standards for
41 allowable processed and value-added Maine foods and provide guidance to school
42 administrative units regarding which of those products are allowable for reimbursement.