

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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

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

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

**4. Rules.** The commissioner shall adopt rules necessary to carry out the provisions of this subchapter. The rules must include, but are not limited to, definitions of "local foods" and "local foods providers" that are consistent with the provisions of this chapter and must establish a method and baseline

to determine the percentage of local foods or food products procured by state institutions based on dollars spent. Rules adopted under this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

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

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

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**

**Division of Quality Assurance and Regulation 0393**

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

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

**Division of Quality Assurance and Regulation 0393**

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

| <b>GENERAL FUND</b>       | <b>2017-18</b> | <b>2018-19</b>  |
|---------------------------|----------------|-----------------|
| All Other                 | \$0            | \$85,000        |
| <b>GENERAL FUND TOTAL</b> | <b>\$0</b>     | <b>\$85,000</b> |

**AGRICULTURE, CONSERVATION AND FORESTRY,  
DEPARTMENT OF**

| <b>DEPARTMENT TOTALS</b>            | <b>2017-18</b> | <b>2018-19</b>   |
|-------------------------------------|----------------|------------------|
| <b>GENERAL FUND</b>                 | <b>\$0</b>     | <b>\$163,532</b> |
| <b>DEPARTMENT TOTAL - ALL FUNDS</b> | <b>\$0</b>     | <b>\$163,532</b> |

**SUMMARY**

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

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