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Date: (Filing No. H- )

**HOUSING AND ECONOMIC DEVELOPMENT**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
132ND LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1265, L.D. 1894, “An Act to Address Consumer Grocery Pricing Fairness”

Amend the bill by striking out the title and substituting the following:

**'Resolve, to Establish the Commission to Study Consumer Grocery Pricing Fairness'**

Amend the bill by striking out everything after the title and inserting the following:

**'Emergency preamble. Whereas,** acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** this legislation establishes the Commission to Study Consumer Grocery Pricing Fairness; and

**Whereas,** the study must be initiated before the 90-day period expires so that the study may be completed and a report submitted in time for submission to the next legislative session; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

**Sec. 1. Commission established. Resolved:** That the Commission to Study Consumer Grocery Pricing Fairness, referred to in this resolve as "the commission," is established.

**Sec. 2. Commission membership. Resolved:** That, notwithstanding Joint Rule 353, the commission consists of 17 voting members and 3 nonvoting members as follows:

- 1. Nine voting members, appointed by the President of the Senate as follows:
  - A. Two members of the Senate, including one member from each of the 2 parties holding the largest number of seats in the Legislature;

**COMMITTEE AMENDMENT**

1 B. One member who is a small-scale to medium-scale produce farmer in the State with  
2 gross annual sales of less than \$300,000;

3 C. One member who is a large-scale produce farmer in the State with gross annual sales  
4 of more than \$1,000,000;

5 D. One member who is a wholesaler supplier servicing independent grocers in the  
6 State;

7 E. One member representing specialty food stores in the State;

8 F. One member who is a representative of a financial institution supporting agriculture  
9 and food manufacturing businesses in the State;

10 G. One member who is a food distributor based in the State; and

11 H. One member who is an economist with expertise in agriculture and policy in the  
12 State;

13 2. Eight voting members, appointed by the Speaker of the House of Representatives  
14 as follows:

15 A. Two members of the House of Representatives, including one member from each  
16 of the 2 parties holding the largest number of seats in the Legislature;

17 B. One member who is a processor or manufacturer of locally produced, shelf-stable,  
18 packaged food goods;

19 C. One member representing the aquaculture or seafood industry in the State;

20 D. One member who is a representative of an association representing retail and food  
21 manufacturers in the State;

22 E. One member representing independent grocers in the State;

23 F. One member who is a national retailer with local-sourcing initiatives; and

24 G. One member representing an economic development organization supporting  
25 agriculture and food manufacturing in the State; and

26 3. Three nonvoting members:

27 A. The Commissioner of Economic and Community Development or the  
28 commissioner's designee;

29 B. The Commissioner of Agriculture, Conservation and Forestry or the commissioner's  
30 designee; and

31 C. The Attorney General or the Attorney General's designee.

32 **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair  
33 and the first-named House of Representatives member is the House chair of the  
34 commission.

35 **Sec. 4. Appointments; convening of commission. Resolved:** That all  
36 appointments must be made no later than 30 days following the effective date of this  
37 resolve. The appointing authorities shall notify the Executive Director of the Legislative  
38 Council once all appointments have been completed. After the appointment of all  
39 members, the chairs shall call and convene the first meeting of the commission within 45

1 days. If 30 days or more after the effective date of this resolve a majority of but not all  
2 appointments have been made, the chairs may request authority and the Legislative Council  
3 may grant authority for the commission to meet and conduct its business.

4 **Sec. 5. Duties. Resolved:** That the commission shall study the terms and conditions  
5 of sale and other conditions of the grocery supply chain in the State that impact product  
6 availability and price to consumers, the competitiveness and viability of independent  
7 grocery stores, the volume of locally produced products available at retail and market  
8 access of producers in the State. As part of its work, the committee may consider the  
9 following:

10 1. The growth of so-called food deserts in the State and measures that may be  
11 implemented to address or alleviate so-called food deserts;

12 2. Factors in the grocery supply chain that influence affordable access to groceries for  
13 residents of the State, that influence competition or concentration in grocery retail in the  
14 State and that influence the retail availability of products in the State that are produced in  
15 the State; and

16 3. Federal and state antitrust laws and how the enforcement of those laws may affect  
17 the growth of so-called food deserts or the grocery store supply chain factors described in  
18 subsections 1 and 2.

19 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide  
20 necessary staffing services to the commission, except that Legislative Council staff support  
21 is not authorized when the Legislature is in regular or special session.

22 **Sec. 7. Report. Resolved:** That, no later than December 3, 2025, the commission  
23 shall submit a report that includes its findings and recommendations, including suggested  
24 legislation, to the Joint Standing Committee on Housing and Economic Development and  
25 to the Joint Standing Committee on Agriculture, Conservation and Forestry. Both  
26 committees may report out legislation related to the subject matter of the report to the  
27 Second Regular Session of the 132nd Legislature.

28 **Emergency clause.** In view of the emergency cited in the preamble, this legislation  
29 takes effect when approved.'

30 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
31 number to read consecutively.

## 32 SUMMARY

33 This amendment, which is the majority report of the committee, replaces the bill with  
34 a resolve. It establishes the Commission to Study Consumer Grocery Pricing Fairness,  
35 which is directed to study the terms and conditions of sale and other conditions of the  
36 grocery supply chain in the State that impact product availability and price to consumers,  
37 the competitiveness and viability of independent grocery stores, the volume of locally  
38 produced products available at retail and market access of producers in the State. No later  
39 than December 3, 2025, that commission must submit a report that includes its findings and  
40 recommendations, including suggested legislation, to the Joint Standing Committee on  
41 Housing and Economic Development and to the Joint Standing Committee on Agriculture,

COMMITTEE AMENDMENT “ ” to H.P. 1265, L.D. 1894

1 Conservation and Forestry. Both committees may report out legislation related to the  
2 subject matter of the report to the Second Regular Session of the 132nd Legislature.

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**FISCAL NOTE REQUIRED**

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**(See attached)**