



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1531

H.P. 1114

House of Representatives, April 9, 2019

**An Act To Establish the Maine Food System Investment Program
To Create Quality Jobs and Support Farms, Fisheries and Food-
related Businesses**

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

R. B. Hunt

ROBERT B. HUNT
Clerk

Presented by Representative TALBOT ROSS of Portland.

Cosponsored by Senator MOORE of Washington and

Representatives: HICKMAN of Winthrop, JAVNER of Chester, MAXMIN of Nobleboro,
O'CONNOR of Berwick, O'NEIL of Saco, PLUECKER of Warren, ROBERTS-LOVELL of
South Berwick, Senator: DILL of Penobscot.

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

Sec. 1. 7 MRSA c. 10-C is enacted to read:

CHAPTER 10-C

MAINE FOOD SYSTEM INVESTMENT PROGRAM

§320-A. Maine Food System Investment Program

1. Definitions. As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

A. "Food system" means all processes, infrastructure and persons involved in feeding a population, including growing, harvesting, collecting, processing, packaging, transporting, marketing, selling, consuming and disposing of food and food-related items in the State.

B. "Producer" means a person in the State who produces and provides food directly from the site of the food production, including a person engaged in farming or fishing activities.

C. "Program" means the Maine Food System Investment Program established in subsection 2.

D. "Supply chain" means the chain of distribution by which food products in the State are moved from the producer to the consumer of the food products and may include intermediate entities such as processors, packagers, warehouse operators, distributors, wholesalers and retailers.

E. "Value chain coordination" means an approach to food system development that connects the existing elements within the supply chain and identifies key gaps in the supply chain in existing infrastructure or services and opportunities for effective investment.

2. Program established; purpose. The Maine Food System Investment Program is established. The program is administered by the department, either directly or by contract with a suitable organization, with assistance from the Department of Economic and Community Development. The purpose of the program is to strengthen the food system, including the agriculture, seafood and fisheries and other food sectors and the supply chain, to increase access to new markets and opportunities for producers, processors, small businesses and consumers in the State in the producing, processing, packaging, distribution, marketing, sale and consumption of food products.

3. Outcomes. The intended outcomes of the program are to:

A. Increase sustainable economic development and quality employment in the food system, including the agriculture, seafood and fisheries and processing industries and businesses involved in the transportation, storage and warehousing, distribution and wholesale and retail sale of food:

1 B. Improve soil fertility, water resources and the resiliency of working waterfronts;
2 and

3 C. Increase the availability of healthy foods produced in the State for consumers in
4 the State.

5 **4. Duties.** The program shall:

6 A. Develop and implement a strategic framework that outlines goals and strategies in
7 a 10-year time frame to carry out the purposes of subsection 2 and achieve the
8 outcomes in subsection 3, including:

9 (1) Identifying the highest priority areas for capital investments, technical
10 assistance and value chain coordination in the food system;

11 (2) Recommending where and how private, state and other public investments
12 may be used most effectively to address food production challenges and barriers
13 to food infrastructure and distribution needs;

14 (3) Recommending how State Government, universities, agriculture, seafood and
15 fisheries industries, food-related businesses, nonprofit organizations and industry
16 groups may collaborate to minimize duplication in efforts and programs and
17 bridge gaps in technical assistance, services, education, research and
18 development;

19 (4) Informing agriculture, seafood and fisheries industry and food system lenders
20 and investors of the information collected under this paragraph to facilitate the
21 financing of sectors in the food system;

22 (5) Recommending initiatives that improve regulation, marketing or
23 transportation or distribution systems that enable direct sales of food products
24 from producers to consumers in the State; and

25 (6) Recommending investments, resources or policies to augment or improve
26 state programs, nonprofit organization or industry efforts in building or
27 maintaining value chain coordination and relationships and communication
28 among producers, food processors, distributors, sellers, stakeholders, interest
29 groups and other interested parties.

30 The program shall review and periodically update the strategic framework based
31 upon an ongoing inventory of the agriculture, seafood and fisheries, food processing
32 and food system financial investment and lending sectors; the supply chain; and
33 assets and other components of the food system and food system analyses or related
34 studies;

35 B. Make periodic recommendations regarding rules or legislation to the department
36 and the Legislature to:

37 (1) Establish state investment priorities that support the outcomes in subsection
38 3;

39 (2) Align state policies, rules and resources with each other to support the
40 outcomes in subsection 3; and

(3) Identify additional initiatives, policies and resources necessary to implement the strategic framework under paragraph A, including staffing, provider contracts, the creation of a fund to accept appropriations, allocations, grants, donations and other funds and implementation of a grant or loan program for producers, food businesses and related industries;

C. Coordinate with postsecondary institutions, including the University of Maine System, and private and nonprofit organizations to align food programs, technical assistance, research and investments to avoid duplication and to support the outcomes in subsection 3;

D. Facilitate information sharing and collaboration among farms, seafood and fisheries entities, food businesses and organizations and investors to build opportunities for food products across the supply chain;

E. Develop a list of food system stakeholders and interest groups, including state agencies and other governmental units, private entities, nonprofit organizations and industry groups, to provide input, consultation and collaboration in carrying out the purposes of this chapter and to convene an annual meeting of the stakeholders and interest groups to review the strategic framework under paragraph A, reinforce collaboration and coordination efforts and discuss issues and make recommendations concerning future development and implementation of the framework;

F. Consult and collaborate with community development corporations and financial institutions in the development of food system investment infrastructure to support the outcomes in subsection 3; and

G. Issue an annual report to the commissioner and the joint standing committee of the Legislature having jurisdiction over agriculture matters summarizing the program's activities, developments in implementation and maintenance of the strategic framework under paragraph A and expenditures for the previous year and any planned focus or activities of the program for the next year or following years.

5. Powers. In carrying out the purposes of this chapter, the program may:

- A. Hire or assign staff;
 - B. Seek and accept funds from public and private sources;
 - C. Use technical assistance, loans, grants or other means or resources approved or provided by the department;
 - D. Create or designate an advisory board consisting of food system stakeholders, industry groups and other interested parties to assist in carrying out the provisions of this chapter; and
 - E. Administer funds, grants or programs established with respect to the program by the department or the Legislature.

6. Rules. The department may adopt rules to carry out the purposes of this chapter.

Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

1 **Sec. 2. Report.** The Maine Food System Investment Program established in the
2 Maine Revised Statutes, Title 7, section 320-A shall:

3 1. Upon the completion of the strategic framework in Title 7, section 320-A,
4 subsection 4, paragraph A or within 6 months of the effective date of this Act, whichever
5 comes first, submit a report on the progress and activities of the program to the Joint
6 Standing Committee on Agriculture, Conservation and Forestry; and

7 2. Within one year of the effective date of this Act, submit a report on the progress
8 and activities of the program, including providing a copy of the strategic framework and
9 any measurable outcomes or actions deriving from the program and an accounting of any
10 funds appropriated or expended by the program to the Joint Standing Committee on
11 Agriculture, Conservation and Forestry.

12 **Sec. 3. Program to seek additional funds.** If upon enactment of this Act at
13 least \$100,000 is not made available for the initial implementation of the Maine Food
14 System Investment Program established in the Maine Revised Statutes, Title 7, section
15 320-A, the program may seek other funds from federal, state, public, private and other
16 sources to fulfill the provisions of this Act.

17 **Sec. 4. Appropriations and allocations.** The following appropriations and
18 allocations are made.

19 **AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**
20 **Maine Food System Investment Program N306**

21 Initiative: Provides a one-time appropriation in fiscal year 2019-20 of \$100,000 to
22 implement the Maine Food System Investment Program.

GENERAL FUND	2019-20	2020-21
All Other	\$100,000	\$0
GENERAL FUND TOTAL	\$100,000	\$0

28 **SUMMARY**

29 This bill creates the Maine Food System Investment Program under the Department
30 of Agriculture, Conservation and Forestry to strengthen the food system, including the
31 agriculture, seafood and fisheries and other food sectors and the supply chain, to increase
32 access to new markets and opportunities for producers, processors, small businesses and
33 consumers in the State in the producing, processing, packaging, distribution, marketing,
34 sale and consumption of food products. The duties of the program are to develop and
35 maintain a 10-year strategic framework to carry out the goals of the program by fostering
36 communication, collaboration and coordination among the various sectors of the supply
37 chain, identify gaps in the supply chain and barriers to food infrastructure and distribution
38 needs and work with community development corporations, financial institutions and
39 other investors and lenders in the food system to direct financial investment to the areas

1 of greatest need in the food system. The program is also authorized to make
2 recommendations regarding rules or legislation to the department and the Legislature that
3 will direct investment or establish policies or priorities in carrying out the goals of the
4 program. The program is required to submit a 6-month and a one-year report to the
5 Legislature subsequent to the implementation of the program and an annual report on the
6 progress of and developments regarding the 10-year strategic framework.