

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-ONE

—
S.P. 250 - L.D. 636

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

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

Whereas, school administrative units have an immediate need to provide high-quality, locally grown foods to Maine students, many of whom experience food insecurity; and

Whereas, school administrative units require the ability to access the State's enhanced program providing local foods to public schools in the current fiscal year; 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 enacted by the People of the State of Maine as follows:

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

12. Local Produce Foods Fund. The Local Produce Foods Fund is established within the department. The fund is authorized to receive revenue from public and private sources. The fund must be held separate and apart from all other money, funds and accounts. Any balance remaining in the fund at the end of the fiscal year must be carried forward to the next fiscal year. The fund must be used to match \$1 for every \$3 a school administrative unit pays for produce, value-added dairy, protein or minimally processed foods purchased directly from a farmer, farmers' cooperative or local food hub, local food processor or food service distributor in the State, to a maximum state contribution of ~~\$1,000 per school administrative unit in fiscal year 2019-20 and \$1,500~~ \$5,000 per school administrative unit in fiscal year ~~2020-21~~ 2021-22 and subsequent years or ~~\$2,000~~ \$5,500 per school administrative unit if funding is received and the school administrative unit sends a food service employee to local foods training administered by the department under subsection 13. All foods purchased using the fund must be grown or produced in the State. At the end of the fiscal year, the school administrative unit may provide the department with

receipts documenting purchases pursuant to this subsection during that year. For purposes of this subsection, "minimally processed" means only the washing, cleaning, trimming, peeling, slicing, drying, sorting, refrigerating, freezing and packaging of food items or a combination of those activities. Reimbursement or partial reimbursement to school administrative units may only be made up to the amount available in the fund. Failure to reimburse does not constitute an obligation on behalf of the State to a school administrative unit. The department shall apply for federal grant funding to provide state contributions in excess of ~~\$1,000 per school administrative unit in fiscal year 2019-20 and \$1,500~~ \$5,000 per school administrative unit in fiscal year ~~2020-21~~ 2021-22 and subsequent years pursuant to this subsection if applicable grant funding is available. The department may accept grant funding from hospitals and other sources to provide state contributions in excess of ~~\$1,000 per school administrative unit in fiscal year 2019-20 and \$1,500~~ \$5,000 per school administrative unit in fiscal year ~~2020-21~~ 2021-22 and subsequent years pursuant to this subsection.

Sec. 2. 20-A MRSA §6602, sub-§12-A is enacted to read:

12-A. Local Foods Fund reimbursement. Reimbursement or partial reimbursement to school administrative units may be made only up to the amount appropriated to support the provisions of the Local Foods Fund as established in subsection 12. Funds appropriated for this purpose do not lapse but must be carried forward to the next fiscal year to be used for the same purpose.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

Local Foods N371

Initiative: Transfers funding to support the use of local produce in schools to a newly created Local Foods Fund.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	\$300,813	\$322,500	\$322,500
GENERAL FUND TOTAL	<u>\$300,813</u>	<u>\$322,500</u>	<u>\$322,500</u>

School Finance and Operations Z078

Initiative: Transfers funding to support the use of local produce in schools to a newly created Local Foods Fund.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$300,813)	(\$322,500)	(\$322,500)
GENERAL FUND TOTAL	<u>(\$300,813)</u>	<u>(\$322,500)</u>	<u>(\$322,500)</u>

**EDUCATION, DEPARTMENT OF
DEPARTMENT TOTALS**

	2020-21	2021-22	2022-23
GENERAL FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

DEPARTMENT TOTAL - ALL FUNDS \$0 \$0 \$0

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