



# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 921

S.P. 392

In Senate, March 2, 2023

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

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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.