



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1353

S.P. 472

In Senate, April 9, 2013

An Act To Further Reduce Student Hunger

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 President ALFOND of Cumberland.
Cosponsored by Representative BECK of Waterville and
Senators: GOODALL of Sagadahoc, HASKELL of Cumberland, JACKSON of Aroostook,
MILLETT of Cumberland, TUTTLE of York, Representatives: CHIPMAN of Portland,
DAUGHTRY of Brunswick, MacDONALD of Boothbay.

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

2 **Sec. 1. 20-A MRS §6602, sub-§1, ¶C**, as enacted by PL 2011, c. 379, §4, is
3 amended to read:

4 C. A school administrative unit ~~may~~ shall participate in the federal summer food
5 service program for children established in 42 United States Code, Section 1761 as
6 required under this paragraph. The commissioner shall assist school administrative
7 units subject to the requirements of this paragraph in developing a plan to participate
8 in the federal summer food service program for children and in obtaining federal,
9 state and private funds to pay for this program. Beginning with the ~~2011-2012~~
10 2013-2014 school year, a school administrative unit with at least one public school in
11 which ~~the percentage at least 50% of students who qualify~~ qualified for a free or
12 reduced-price lunch ~~is determined to be equal to or greater than the minimum~~
13 ~~percentage established for eligibility under the National School Lunch Program~~
14 ~~described in paragraph A~~ may during the preceding school year shall participate in
15 the federal summer food service program for children in accordance with 42 United
16 States Code, Section 1761 during the following summer vacation, subject to the
17 ~~following phase in schedule:~~ provisions of this paragraph.

18 ~~(1) For the summer following the 2011-2012 school year, a school~~
19 ~~administrative unit with at least one public school in which at least 75% of~~
20 ~~students qualified for a free or reduced-price lunch in the 2011-2012 school year~~
21 ~~may participate in the federal summer food service program;~~

22 ~~(2) For the summer following the 2012-2013 school year, a school~~
23 ~~administrative unit with at least one public school in which at least 65% of~~
24 ~~students qualified for a free or reduced-price lunch in the 2012-2013 school year~~
25 ~~may participate in the federal summer food service program; and~~

26 ~~(3) For the summer following the 2013-2014 school year and each subsequent~~
27 ~~school year, a school administrative unit with at least one public school in which~~
28 ~~at least 50% of students qualified for a free or reduced-price lunch in that school~~
29 ~~year may participate in the federal summer food service program.~~

30 A school administrative unit with a public school in which at least 50% of students
31 qualified for a free or reduced-price lunch during the preceding school year shall
32 operate a federal summer food service program in the area served by that public
33 school during the following summer vacation if that public school operates a summer
34 educational or recreational program. The school administrative unit is required to
35 operate the federal summer food service program only on days that the public school
36 operates the summer educational or recreational program. The school administrative
37 unit may collaborate with a service institution to operate the federal summer food
38 service program.

39 A school administrative unit with a public school in which at least 50% of students
40 qualified for a free or reduced-price lunch during the preceding school year that does
41 not operate a summer educational or recreational program shall collaborate with a
42 service institution to operate a federal summer food service program if there is a

1 service institution that provides food service to children in the summer in the area
2 served by the public school.

3 Notwithstanding this paragraph, a school administrative unit that is required to
4 operate a federal summer food service program may choose not to operate such a
5 program if it determines by a vote of the governing body of the school administrative
6 unit after notice and a public hearing that operating such a program would be
7 financially or logistically impracticable. If a school administrative unit chooses not
8 to operate a federal summer food service program, it shall notify parents of children
9 in the school administrative unit of its decision and the reasons for its decision.

10 For purposes of this paragraph, "service institution" means a public or private
11 nonprofit school, a municipal or county government, a public or private nonprofit
12 higher education institution or a private nonprofit summer camp.

13 **SUMMARY**

14 This bill requires a school administrative unit with a public school in which at least
15 50% of students qualified for a free or reduced-price lunch during the preceding school
16 year to operate a federal summer food service program in the area served by that public
17 school during the following summer vacation if that public school operates a summer
18 educational or recreational program. The school administrative unit may collaborate with
19 a service institution such as a local government, higher education institution or summer
20 camp to operate the summer food service program.

21 It also requires such a school administrative unit that does not operate a summer
22 educational or recreational program to collaborate with a service institution to operate a
23 federal summer food service program if there is a service institution that provides food
24 service to children in the summer in the area served by the public school.

25 A school administrative unit required to operate a federal summer food service
26 program may choose not to operate such a program if it determines by a vote of the
27 governing body of the school administrative unit after notice and a public hearing that
28 operating such a program would be financially or logistically impracticable.