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Date: (Filing No. S-)

EDUCATION AND CULTURAL AFFAIRS

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**STATE OF MAINE
SENATE
125TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 264, L.D. 860, Bill, “An Act To Reduce Student Hunger”

Amend the bill by striking out all of section 4 (page 1, lines 13 to 18 in L.D.) and inserting the following:

Sec. 4. 20-A MRS §6602, sub-§1, ¶C is enacted to read:

C. A school administrative unit that the commissioner determines is subject to the requirements of this paragraph must develop a plan to have at least one school participate in the federal summer food service program for children established in 42 United States Code, Section 1761. The commissioner shall assist school administrative units subject to the requirements of this paragraph in developing the plan to participate in the federal summer food service program for children and in obtaining federal, state and private funds to pay for this program. Beginning with the 2011-2012 school year, a school administrative unit with at least one public school in which the percentage of students who qualify for a free or reduced-price lunch is determined to be equal to or greater than the minimum percentage established for eligibility under the National School Lunch Program described in paragraph A shall participate in the federal summer food service program for children in accordance with 42 United States Code, Section 1761, subject to the following phase-in schedule:

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

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

(3) For the summer following the 2013-2014 school year and each subsequent school year, a school administrative unit with at least one public school in which

COMMITTEE AMENDMENT

1 at least 50% of students qualified for a free or reduced-price lunch in that school
2 year shall participate in the federal summer food service program.

3 **Sec. 5. 20-A MRSA §6602, sub-§2**, as enacted by PL 1981, c. 693, §§5 and 8, is
4 amended to read:

5 **2. Exceptions.** The following ~~shall be~~ are exempt from subsection 1, paragraphs A
6 and B:

- 7 A. All secondary schools limited to students in grades 9, 10, 11 and 12; and
- 8 B. A school administrative unit authorized by the commissioner under subsection 9
- 9 to postpone the establishment of the program.

10 **Sec. 6. 20-A MRSA §6602, sub-§2-A** is enacted to read:

11 **2-A. Exemptions.** The commissioner may exempt a school administrative unit that
12 is otherwise required to participate in the federal summer food service program for
13 children in accordance with subsection 1, paragraph C. The commissioner or the
14 commissioner's designee shall work with each eligible school administrative unit to
15 determine if any of the following criteria apply to exempt the school administrative unit
16 from offering the federal summer food service program:

17 A. At least one of the schools in the school administrative unit is participating in the
18 federal summer food service program in conjunction with a municipality, county or
19 nonprofit organization;

20 B. The cost of participating in the federal summer food service program exceeds the
21 financial capacity of the school administrative unit to administer the program within
22 existing budgeted resources or in a manner that is cost-neutral; or

23 C. The school administrative unit is unable to participate in the federal summer food
24 service program due to an insufficient number of students who are eligible to enroll
25 in or participate in the program.'

26 Amend the bill by adding after section 6 the following:

27 **'Sec. 7. Appropriations and allocations.** The following appropriations and
28 allocations are made.

29 **EDUCATION, DEPARTMENT OF**

30 **School Finance and Operations Z078**

31 Initiative: Provides funds for one 6-month full-time equivalent Education Specialist I
32 position and All Other costs associated with providing training and technical assistance,
33 establishing review schedules and completing reviews for the federal summer food
34 service program for children.

35	GENERAL FUND	2011-12	2012-13
36	POSITIONS - FTE COUNT	0.500	0.500
37	Personal Services	\$32,778	\$34,255
38	All Other	\$5,627	\$0

1 the minimum percentage established for eligibility under the National School Lunch
2 Program shall participate in the federal summer food service program.

3 2. It phases in the requirement that school administrative units participate in the
4 federal summer food service program. For the summer following the 2011-2012 school
5 year, a school administrative unit is required to participate if at least one of the schools
6 within the school administrative unit has a student body at least 75% of which qualifies
7 for a free or reduced-price lunch. For the summer following the 2012-2013 school year,
8 the percentage is 65%. For the summer following the 2013-2014 school year and
9 subsequent school years, the percentage is 50%.

10 3. It provides the Commissioner of Education with the authority to provide an
11 exemption for a school administrative unit and directs the commissioner or the
12 commissioner's designee to work with each eligible school administrative unit to
13 determine if any of the following criteria apply to exempt the school administrative unit
14 from offering the federal summer food service program:

15 A. Already participating with a municipality, county or nonprofit organization in the
16 federal summer food service program;

17 B. Unable to administer the federal summer food service program within existing
18 budgeted resources or in a manner that is cost-neutral; or

19 C. Unable to participate in the federal summer food service program due to an
20 insufficient number of students who are eligible to enroll or participate in the
21 program.

22 4. It also adds an appropriations and allocations section to the bill.

23 **FISCAL NOTE REQUIRED**

24
25 **(See attached)**
26