

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

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Legislative Document

No. 1392

H. P. 1067

House of Representatives, March 7, 1973

Referred to the Committee on Education. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mr. LaPointe of Portland.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-THREE

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**AN ACT** Requiring that the National School Lunch Program be  
Implemented in All Public Schools.

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

**Sec. 1. R. S., T. 20, § 1051, amended.** Section 1051 of Title 20 of the Revised Statutes, as amended by section 6 of chapter 440 of the public laws of 1969, is further amended by adding a new sentence at the end to read as follows:

**All public schools shall establish nonprofit school food services which shall participate in the National School Lunch Program no later than September, 1974.**

**Sec. 2. R. S., T. 20, § 1053, repealed and replaced.** Section 1053 of Title 20 of the Revised Statutes, as repealed and replaced by section 1 of chapter 178 of the public laws of 1969, and as amended, is repealed and the following enacted in place thereof:

**§ 1053. Administration**

**1. Administration of school food services.** The commissioner shall be responsible for the administration of all school food services. He is authorized, to the extent that funds are available for that purpose and in cooperation with other appropriate agencies and organizations, to conduct studies as to the methods of improving and expanding school food service programs promoting nutrition education in the schools, to conduct appraisals of the nutrition benefits of school feeding programs, and to report his findings and recommendations from time to time to the Board of Education. The commissioner

shall establish and maintain minimum nutritional standards for meals in schools and service institutions.

**2. Establishment of school food services.** The commissioner shall ensure that all public schools participate in the National School Lunch Program and shall meet nutritional standards for meals no lower than those established by the United States Department of Agriculture for Type A meals served pursuant to the National School Lunch Program. This section shall become mandatory upon all public schools by September, 1974.

**3. Responsibility of school officials.** The school committee or school directors of any administrative unit must establish, maintain, operate and expand school food services for the pupils in all school buildings under its jurisdiction in conformity with subsection 2. In addition, they may also establish, maintain, operate and expand a school breakfast or special milk program for the pupils in any school building under their jurisdiction, shall make all contracts to provide material, personnel and equipment necessary to carry out the National School Lunch Act and the Child Nutrition Act of 1966, shall maintain complete management and operational responsibility for said non-profit school food services through personnel employed by them, and may use therefor funds disbursed to them under this subchapter, appropriations, moneys received from the State for educational programs, gifts and other moneys received from the sale of meals under these programs. The commissioner may give technical advice and assistance to any school committee or board of school directors in connection with the establishment and operation of school food service programs and may assist in training personnel engaged in the operation of any food service program. The board may, in accordance with such rules and regulations as it prescribes, establish training and educational standards and qualifications for positions of school lunch supervisors, managers, and other school lunch employees.

**4. Right of action.** Any person adversely affected or aggrieved by any act or failure to act under this section is entitled to judicial review thereof.

#### FISCAL NOTE

This extension of the National School Lunch Program would require Maine to expend \$73,872 of state funds, which would produce federal matching funds of \$492,480. In addition, the State would also be eligible to receive \$820,000 which would not require matching funds.

#### STATEMENT OF FACT

The purpose of this bill is to ensure that the National School Lunch Program will be instituted as soon as it is practicable in all public schools within this State so that full advantage may be taken of federal funds made available for meals served under the National School Lunch Program.