

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 484

H. P. 467

House of Representatives, February 22, 1977

Reported by Mrs. Beaulieu from Committee on Education and printed under Joint Rules No. 2.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Amend the School Lunch and Milk Program.

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

20 MRSA § 1053, as last amended by PL 1975, c. 737, is repealed and the following enacted in its place:

§ 1053. Administration

1. Nutrition report. The commissioner may, to the extent that funds are available, conduct appraisals of the nutrition benefits of school lunch programs and report his findings to the State Board of Education.

2. Standards and regulations. The commissioner, with the authorization of the state board, shall establish and maintain nutritional standards and regulations for all school food service programs.

3. Required participation. The commissioner, with the authorization of the state board, shall require all public schools to participate in the National School Lunch Program.

4. Type A meals. A public school shall make available meals that meet nutritional standards established by the United States Department of Agriculture for Type A meals.

5. Advice and assistance. The commissioner may give technical advice and assistance to any school committee or board of directors in connection with the establishment and operation of school food service programs. He may assist in training personnel engaged in the operation of any food service program.

6. Exceptions. The following are exempt from the requirements of subsection 3:

- A. An administrative unit which has been authorized by the commissioner under subsection 7 to postpone the establishment of a National School Lunch Program; and
- B. All high schools limited to students in grades 9, 10, 11 and 12.

7. Application for postponement. An administrative unit which had been authorized by the commissioner as of September 1, 1976, to postpone the establishment of a National School Lunch Program, may apply to the commissioner to postpone the establishment of the program for an additional 5 years. The commissioner, with the authorization of the state board, may grant the requested postponement provided:

- A. The school committee or board of directors of the administrative unit has held a public hearing on its proposed application; and
- B. At least one of the following conditions is met:

- (1) It has been documented to the commissioner's satisfaction that the administrative unit lacks space for the program;
- (2) There is no appropriate alternative source of meals for the students; or
- (3) The lack of a need for the program, as determined by the school committee or board of directors, is documented to the commissioner's satisfaction and was evident at the public hearing.

8. Annual review. The commissioner shall annually review the conditions in each of the administrative units which has been granted a postponement under subsection 7. If he finds that the conditions in an administrative unit have changed so that a postponement is no longer warranted, he may require that the administrative unit establish a National School Lunch Program at the start of the next school year.