

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 809

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S.P. 254

In Senate, March 2, 2017

**An Act To Address Student Hunger with a "Breakfast after the Bell" Program**

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Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator MAKER of Washington.  
Cosponsored by Representative KORNFIELD of Bangor and  
Senators: KATZ of Kennebec, LANGLEY of Hancock, WOODSOME of York,  
Representatives: ALLEY of Beals, PERRY of Calais, PIERCE of Falmouth, SIMMONS of  
Waldoboro, STEWART of Presque Isle.

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

2 **Sec. 1. 20-A MRSA §6602, sub-§1, ¶B-1** is enacted to read:

3 B-1. A school administrative unit with a public school in which at least 50% of  
4 students qualified for a free or reduced-price lunch during the preceding school year  
5 shall operate an alternative breakfast delivery service that provides breakfast after the  
6 start of the school day. A school administrative unit may opt out of the alternative  
7 breakfast delivery service if the governing board of the school administrative unit  
8 holds a public hearing regarding the service and votes in the affirmative that the  
9 service would not be financially or logistically viable. The governing board of the  
10 school administrative unit shall post public notice in each municipality in the unit of  
11 the time and location of the hearing at least 10 days before the hearing. The chair of  
12 the governing board of the school administrative unit shall conduct the hearing.  
13 Within 30 days of the public hearing, the governing board of the school  
14 administrative unit, by majority vote, may determine that an alternative breakfast  
15 delivery service is not financially or logistically viable. The department shall adopt  
16 rules to implement this paragraph. Rules adopted pursuant to this paragraph are  
17 routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

18 **Sec. 2. 20-A MRSA §6602, sub-§4, ¶A,** as enacted by PL 1981, c. 693, §§5 and  
19 8, is amended to read:

20 A. State funds, gifts and appropriations for school food service programs, including  
21 state funds specifically for school administrative units with a public school in which  
22 at least 50% of students qualified for a free or reduced-price lunch during the  
23 preceding school year that operate an alternative breakfast delivery service that  
24 provides breakfast after the start of the school day; and

25 **Sec. 3. Rulemaking regarding alternative breakfast delivery service.** The  
26 Department of Education shall adopt rules to develop an application process and to adopt  
27 standards to address evaluation criteria based on need for the funding of alternative  
28 breakfast delivery services in school administrative units pursuant to the Maine Revised  
29 Statutes, Title 20-A, section 6602, subsection 1, paragraph B-1 and subsection 4,  
30 paragraph A. The department shall adopt procedures to track health and academic  
31 outcomes through evaluation and data collection of students and schools that participate  
32 in alternative breakfast delivery services. Rules adopted pursuant to this section are  
33 routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

34 **Sec. 4. Appropriations and allocations.** The following appropriations and  
35 allocations are made.

36 **EDUCATION, DEPARTMENT OF**

37 Initiative: Provides ongoing funding to school administrative units that operate  
38 alternative breakfast delivery services that provide breakfast after the start of the school  
39 day. 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 qualifies for  
41 funding.

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<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500,000	\$500,000
<b>GENERAL FUND TOTAL</b>	<u>\$500,000</u>	<u>\$500,000</u>

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### **SUMMARY**

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This bill requires a school administrative unit with a public school in which at least 50% of students qualified for a free or reduced-price lunch during the preceding school year to operate an alternative breakfast delivery service that provides breakfast after the start of the school day. It also provides a process for a school administrative unit to opt out of the alternative breakfast delivery service. This bill requires the Department of Education to adopt rules to develop an application process and to adopt standards to address evaluation criteria based on need for funding assistance for alternative breakfast delivery services in school administrative units. It also requires the department to develop a means to track health and academic outcomes of students and schools that participate in alternative breakfast delivery services.