

MAINE STATE LEGISLATURE

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EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 130, L.D. 167, Bill, "An Act To Prevent Food Shaming in Maine's Public Schools"

Amend the bill by inserting after the title and before the enacting clause the following:

'Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.'

Amend the bill in section 1 in subchapter 11 in §6681 in subsection 1 by striking out all of the last 2 sentences (page 1, lines 13 to 19 in L.D.)

Amend the bill in section 1 in subchapter 11 in §6681 by striking out all of subsections 3 and 4 (page 1, lines 27 to 34 in L.D.) and inserting the following:

'3. Stigmatization. A public school may not openly identify or otherwise stigmatize a student who cannot pay for a meal or who has payments due for previous meals.'

'4. Required communications. A public school's communications about a student's meal debts must be made to the parent or guardian of the student rather than to the student directly except that, if a student inquires about that student's meal debt, the school may answer the student's inquiry. A public school may ask a student to carry to the student's parent or guardian a letter regarding the student's meal debt.'

'5. Debt collection; best practices. The department shall develop guidance for school administrative units relating to the collection of student meal debt, including, but not limited to, best practices and information on how to create an online system for the payment of student meal debt. The department shall post the information under this subsection on its publicly accessible website.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

COMMITTEE AMENDMENT

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SUMMARY

This amendment does the following:

1. It strikes the requirement that a school take certain actions to assist the parent or guardian of a student who requests a meal.
2. It retains the prohibition that a public school may not openly identify or stigmatize a student who cannot pay for a meal or who has payments due for previous meals but strikes specific examples of ways students could be stigmatized.
3. It provides that a public school's communication about a student's meal must be made to the parent or guardian of the student rather than to the student directly except that, if the student inquires about the student's meal debt, the school may answer the student's inquiry.
4. It requires the Department of Education to develop guidance for school administrative units relating to the collection of student meal debt, including, but not limited to, best practices and information on how to create an online system for the payment of student meal debt. The amendment requires the department to post this information on its publicly accessible website.
5. It adds a mandate preamble.

FISCAL NOTE REQUIRED

(See attached)



129th MAINE LEGISLATURE

LD 167

LR 675(02)

An Act To Prevent Food Shaming in Maine's Public Schools

Fiscal Note for Bill as Amended by Committee Amendment *A(H-91)*

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Fiscal Note

Potential State Mandate - Unfunded

State Mandates

Required Activity	Unit Affected	Local Cost
Requires public schools that provide meals to students under the National School Lunch Program or under a program administered by the United States Department of Agriculture to provide such a meal to a student who requests the meal regardless of the student's inability to pay or failure to pay for school meals in the past.	School	Significant statewide

The required local activities in this bill may represent a state mandate pursuant to the Constitution of Maine. If the bill does require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue, the state mandate provisions of the Constitution of Maine require either: (1) General Fund appropriations be provided to fund at least 90% of any additional necessitated local costs of the mandate; or (2) a Mandate Preamble be added to the bill and two-thirds of the members of each House vote to exempt the mandate from the funding requirement. If the bill does represent a state mandate and neither one of these actions occurs, the local units of government will not be required to implement the mandated activities.

Fiscal Detail and Notes

Additional costs to the Department of Education to develop the required guidance for school administrative districts related to the collection of student meal debt can be absorbed within existing budgeted resources.