

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 577

H.P. 421

House of Representatives, February 5, 2019

**An Act To Increase Access to Nutritious Foods in Schools by
Implementing an After-school Food Program for At-risk Students**

(EMERGENCY)

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

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative BRENNAN of Portland.
Cosponsored by Senator MILLETT of Cumberland and
Representatives: CRAVEN of Lewiston, DOORE of Augusta, FARNSWORTH of Portland,
FECTEAU of Biddeford, HICKMAN of Winthrop, JORGENSEN of Portland, PERRY of
Calais, TALBOT ROSS of Portland.

1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** the health, safety and future success of children are greatly influenced by
4 the children's diet and nutrition beginning at a very young age; and

5 **Whereas,** many families in the State do not have the income or the means to access
6 adequate nutrition and a healthy diet; and

7 **Whereas,** many children who do not receive adequate nutrition at home receive
8 nutritious food at school through various school food service programs; and

9 **Whereas,** this legislation needs to take effect before the expiration of the 90-day
10 period in order for schoolchildren in the State to benefit from the federal child and adult
11 care food program for the 2019-2020 school year; and

12 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
13 the meaning of the Constitution of Maine and require the following legislation as
14 immediately necessary for the preservation of the public peace, health and safety; now,
15 therefore,

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

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

18 D. A school administrative unit shall participate in the federal child and adult care
19 food program established in 42 United States Code, Section 1766 as required under
20 this paragraph. The commissioner shall assist school administrative units subject to
21 the requirements of this paragraph in developing a plan to participate in the federal
22 child and adult care food program to serve at-risk students who attend after-school
23 programming and in obtaining federal, state and private funds to pay for this
24 program. Beginning with the 2019-2020 school year, a school administrative unit
25 with at least one public school in which at least 50% of students qualified for a free or
26 reduced-price lunch during the preceding school year shall participate in the federal
27 child and adult care food program in accordance with 42 United States Code, Section
28 1766 during the school year, subject to the provisions of this paragraph.

29 Notwithstanding other provisions of this paragraph, a school administrative unit that
30 is required to operate a federal child and adult care food program may choose not to
31 operate such a program if it determines by a vote of the governing body of the school
32 administrative unit after notice and a public hearing that operating such a program
33 would be financially or logistically impracticable.

34 **Emergency clause.** In view of the emergency cited in the preamble, this
35 legislation takes effect when approved.

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SUMMARY

This bill provides for the participation in the federal child and adult care food program to serve at-risk students who attend after-school programming by school administrative units that choose to operate the program and have at least one public school in which at least 50% of students qualified for a free or reduced-price lunch during the preceding school year.