

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 2010 to June 29, 2011

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NON-EMERGENCY LAWS IS
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PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2011

**CHAPTER 379
S.P. 264 - L.D. 860**

**An Act To Reduce Student
Hunger**

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

Sec. 1. 20-A MRSA §6601, sub-§1, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

1. The National School Lunch Program Act. The National School Lunch Program Act, enacted June 4, 1946, and applicable amendments; ~~and~~

Sec. 2. 20-A MRSA §6601, sub-§2, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

2. The Child Nutrition Act. The Child Nutrition Act, enacted October 11, 1966, and applicable amendments; ~~and~~

Sec. 3. 20-A MRSA §6601, sub-§3 is enacted to read:

3. Summer food service program for children. The federal summer food service program for children, as established by 42 United States Code, Section 1761.

Sec. 4. 20-A MRSA §6602, sub-§1, ¶C is enacted to read:

C. A school administrative unit may participate in the federal summer food service program for children established in 42 United States Code, Section 1761. The commissioner shall assist school administrative units subject to the requirements of this paragraph in developing a plan to participate in the federal summer food service program for children and in obtaining federal, state and private funds to pay for this program. Beginning with the 2011-2012 school year, a school administrative unit with at least one public school in which the percentage of students who qualify for a free or reduced-price lunch is determined to be equal to or greater than the minimum percentage established for eligibility under the National School Lunch Program described in paragraph A may participate in the federal summer food service program for children in accordance with 42 United States Code, Section 1761, subject to the following phase-in schedule:

(1) For the summer following the 2011-2012 school year, a school administrative unit with at least one public school in which at least

75% of students qualified for a free or reduced-price lunch in the 2011-2012 school year may participate in the federal summer food service program;

(2) For the summer following the 2012-2013 school year, a school administrative unit with at least one public school in which at least 65% of students qualified for a free or reduced-price lunch in the 2012-2013 school year may participate in the federal summer food service program; and

(3) For the summer following the 2013-2014 school year and each subsequent school year, a school administrative unit with at least one public school in which at least 50% of students qualified for a free or reduced-price lunch in that school year may participate in the federal summer food service program.

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

2. Exceptions. The following ~~shall be~~ are exempt from subsection 1, paragraphs A and B:

A. All secondary schools limited to students in grades 9, 10, 11 and 12; and

B. A school administrative unit authorized by the commissioner under subsection 9 to postpone the establishment of the program.

Sec. 6. 20-A MRSA §6602, sub-§5, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

5. Rules. The commissioner shall adopt or amend, with the state board's approval, rules under this subchapter, including rules about the qualifications of food service programs' personnel and rules to implement the federal summer food service program for children under subsection 1, paragraph C.

Sec. 7. Participation in the summer food service program. Each public school shall develop a written plan to enroll students who are eligible to participate in the federal summer food service program pursuant to the Maine Revised Statutes, Title 20-A, section 6602, subsection 1, paragraph C.

See title page for effective date.