



131st MAINE LEGISLATURE

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Legislative Document

No. 947

H.P. 594

House of Representatives, March 2, 2023

**An Act to Support the Distribution of Free Summer Lunches for
Children and to Create a Program to Distribute Leftover School
Food Within Communities**

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 WARREN of Scarborough.
Cosponsored by President JACKSON of Aroostook and
Representatives: CROCKETT of Portland, DODGE of Belfast, GOLEK of Harpswell,
MILLETT of Cape Elizabeth, PLUECKER of Warren, Speaker TALBOT ROSS of Portland,
Senators: DAUGHTRY of Cumberland, RAFFERTY of York.

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

2 **Sec. 1. 20-A MRSA §6602, sub-§5**, as amended by PL 2011, c. 379, §6, is further
3 amended to read:

4 **5. Rules.** The commissioner shall adopt or amend, with the state board's approval,
5 rules under this subchapter, including rules about the qualifications of food service
6 programs' personnel and rules to implement the federal summer food service program for
7 children under subsection 1, paragraph C. To the extent allowed under federal law, rules
8 adopted under this subchapter must allow for the greatest amount of flexibility in meal
9 times and packaging of meals to send home with students.

10 **Sec. 2. 20-A MRSA §6602, sub-§16** is enacted to read:

11 **16. Leftover food.** The department shall develop a school leftover food distribution
12 program to allow schools and food banks to work together to collect whole and packaged
13 school cafeteria surplus or leftover food and distribute it within the community. In
14 developing the program, the department shall consult the food recovery database
15 maintained by the Department of Environmental Protection pursuant to Title 38, section
16 2137-A, including materials relating to the development and implementation of programs
17 for the sharing of surplus or leftover food, relevant guidance provided by the United States
18 Department of Agriculture, Food and Nutrition Service and relevant guidance from the
19 Department of Health and Human Services, Maine Center for Disease Control and
20 Prevention's health inspection program.

21 **SUMMARY**

22 This bill requires that rules adopted to implement school food service programs allow
23 the greatest flexibility allowed under federal law with respect to meal times and packaging
24 of meals to send home with students. The bill also requires the Department of Education
25 to create a program for the distribution of school cafeteria surplus or leftover food within
26 the community.