

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out all of section 4 (page 1, lines 13 to 18 in L.D.) and inserting the following:

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

C. A school administrative unit that the commissioner determines is subject to the requirements of this paragraph must develop a plan to have at least one school 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 the 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 shall 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 shall 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 shall 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 shall 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 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-§2-A is enacted to read:

2-A. Exemptions. The commissioner may exempt a school administrative unit that is otherwise required to participate in the federal summer food service program for children in accordance with subsection 1, paragraph C. The commissioner or the commissioner's designee shall work with each eligible school administrative unit to determine if any of the following criteria apply to exempt the school administrative unit from offering the federal summer food service program:

A. At least one of the schools in the school administrative unit is participating in the federal summer food service program in conjunction with a municipality, county or nonprofit organization;

B. The cost of participating in the federal summer food service program exceeds the financial capacity of the school administrative unit to administer the program within existing budgeted resources or in a manner that is cost-neutral; or

C. The school administrative unit is unable to participate in the federal summer food service program due to an insufficient number of students who are eligible to enroll in or participate in the program.'

Amend the bill by adding after section 6 the following:

'Sec. 7. Appropriations and allocations. The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

School Finance and Operations Z078

Initiative: Provides funds for one 6-month full-time equivalent Education Specialist I position and All Other costs associated with providing training and technical assistance, establishing review schedules and completing reviews for the federal summer food service program for children.

GENERAL FUND	2011-12	2012-13
POSITIONS - FTE COUNT	0.500	0.500
Personal Services	\$32,778	\$34,255
All Other	\$5,627	\$0
GENERAL FUND TOTAL	\$38,405	\$34,255

School Finance and Operations Z078

Initiative: Allocates funds for meal reimbursement to schools participating in the federal summer food service program for children.

FEDERAL EXPENDITURES FUND	2011-12	2012-13
All Other	\$0	\$82,822

FEDERAL EXPENDITURES FUND TOTAL	\$0	\$82,822
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School Finance and Operations Z078

Initiative: Allocates funds for the additional costs of administering the federal summer food service program for children.

FEDERAL EXPENDITURES FUND	2011-12	2012-13
All Other	\$0	\$10,000
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$10,000

EDUCATION, DEPARTMENT OF		
DEPARTMENT TOTALS	2011-12	2012-13
GENERAL FUND	\$38,405	\$34,255
FEDERAL EXPENDITURES FUND	\$0	\$92,822
DEPARTMENT TOTAL - ALL FUNDS	\$38,405	\$127,077

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

SUMMARY

The amendment, which is the majority report of the committee, eliminates the requirement in the bill that a public school in which 40% of the students qualify for a free or reduced-price lunch under federal law participate in the federal summer food service program and instead does the following.

1. It provides that, 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 shall participate in the federal summer food service program.

2. It phases in the requirement that school administrative units participate in the federal summer food service program. For the summer following the 2011-2012 school year, a school administrative unit is required to participate if at least one of the schools within the school administrative unit has a student body at least 75% of which qualifies for a free or reduced-price lunch. For the summer following the 2012-2013 school year, the percentage is 65%. For the summer following the 2013-2014 school year and subsequent school years, the percentage is 50%.

3. It provides the Commissioner of Education with the authority to provide an exemption for a school administrative unit and directs the commissioner or the commissioner's designee to work with each eligible school administrative unit to determine if any of the following criteria apply to exempt the school administrative unit from offering the federal summer food service program:

A. Already participating with a municipality, county or nonprofit organization in the federal summer food service program;

B. Unable to administer the federal summer food service program within existing budgeted resources or in a manner that is cost-neutral; or

C. Unable to participate in the federal summer food service program due to an insufficient number of students who are eligible to enroll or participate in the program.

4. It also adds an appropriations and allocations section to the bill.

FISCAL NOTE REQUIRED
(See attached)