



STATE OF MAINE
DEPARTMENT OF EDUCATION
23 STATE HOUSE STATION
AUGUSTA, ME 04333-0023

JANET T. MILLS
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COMMISSIONER

April 5, 2023

Senator Rafferty, Senate Chair
Representative Brennan, House Chair
Members of the Joint Standing Committee on Education and Cultural Affairs

Senator Rafferty, Representative Brennan, and Distinguished Members of the Education and Cultural Affairs Committee:

LD 1128, An Act to Address Student Hunger and Nutrition Through Expanded Access to Free Milk in Schools (EMERGENCY), proposes changing the school food service program laws to require participating public schools to provide free milk to all students, regardless of whether they receive a lunch through the program or bring their own lunch. The bill also requires the Department of Education's rules and standards about food and beverages outside school lunch programs to reflect the requirement for free milk.

The Maine Department of Education's Child Nutrition team provides oversight, technical assistance and support for school administrative units (SAUs) participating in the National School Lunch Program (NSLP). Meals within the NSLP consist of five (5) components, meat/meat alternative, fruit, vegetables, a grain and milk. Consuming a meal with all five components remains the best way for students to meet daily [National Dietary guidelines](#). Federal Regulations require that students take three components for the meal to qualify as a reimbursable meal. The State of Maine is currently funding (paying) for each student to receive that reimbursable meal, free of charge. We want to encourage families to participate in the program to normalize the lunch experience and eliminate stigma in our schools.

School administrative units currently use the federal guidelines called [Smart Snacks](#). There are no State of Maine guidelines. These regulations address the sale of food and beverage outside of the NSLP on school grounds during the school day, are required to be implemented by any NSLP, and should be incorporated into each school's local wellness policy. Under these regulations, schools are permitted to sell milk to students.

Currently, SAUs receive reimbursement for NSLP complete meals through CNPWeb, the Child Nutrition team's reimbursement system. The Department currently does not collect ala cart information from SAU's. Transitioning to serving milk as part of the Maine program would require an enhancement to the claims system (approximately \$20,000) in addition to a minimum, forty plus (40+) hours of planning, development, and testing of revised functionality. Due to current system enhancements and the system development timeline, these enhancements would not be available until the 2025-2026 school year. In addition to the system enhancements costs

listed, an estimated cost to the state to reimburse districts for one white milk would be \$250,000 per year based on the current state-wide average cost of milk at \$.33.

The Department will be available to provide additional information on LD 1128 and respond to any questions during the upcoming work session.

Sincerely,

DocuSigned by:
Jane McLucas
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Jane McLucas
Director, Child Nutrition

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