



125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 505

H.P. 398

House of Representatives, February 14, 2011

**An Act To Align State Standards Pertaining to Food and Beverages
outside of the School Lunch Program to Federal Standards**

Submitted by the Department of Education pursuant to Joint Rule 204.
Reference to the Committee on Education and Cultural Affairs suggested and ordered
printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative FLOOD of Winthrop.
Cosponsored by Senator LANGLEY of Hancock and
Representatives: EDGECOMB of Caribou, RANKIN of Hiram, Senators: MASON of
Androscoggin, SULLIVAN of York.

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

2 **Sec. 1. 20-A MRSA §6662, sub-§2**, as enacted by PL 2005, c. 435, §1, is
3 amended to read:

4 **2. Food and beverages outside school lunch programs.** The department shall
5 adopt rules to establish standards for food and beverages sold or distributed on school
6 grounds but outside of school meal programs. These standards must include maximum
7 portion sizes, except for portion sizes for milk, that are consistent with ~~single-serving~~
8 ~~standards established by the United States Food and Drug Administration~~ federal school
9 nutrition standards. Rules adopted pursuant to this subsection are major substantive rules
10 as defined in Title 5, chapter 375, subchapter 2-A.

11 Rules adopted pursuant to this subsection do not apply to food and beverages sold or
12 offered at community events or fund-raisers held outside the hours of the normal school
13 day and culinary arts programs provided by career and technical schools and programs.

14 **SUMMARY**

15 This bill amends the law to allow the Department of Education to adopt rules that are
16 consistent with federal school nutrition standards regarding standards for food and
17 beverages sold or distributed on school grounds but outside of school meal programs.

18 The bill also exempts culinary arts programs provided by career and technical schools
19 and programs from the requirements of the rules.