

ONE HUNDRED SEVENTH LEGISLATURE - FIRST SESSION - 2021
COMMITTEE STATEMENT
LB117

Hearing Date: Tuesday February 02, 2021
Committee On: Education
Introducer: Cavanaugh, M.
One Liner: Adopt the Hunger-Free Schools Act

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye: 8 Senators Day, McKinney, Morfeld, Murman, Pansing Brooks, Sanders, Walz, Linehan
Nay:
Absent:
Present Not Voting:

Oral Testimony:

Proponents: Senator Machaela Cavanaugh Eric Savaiano	Representing: Introducer Nebraska Appleseed
Opponents:	Representing:
Neutral:	Representing:

Submitted Written Testimony:

Proponents: Jason Hayes Julie Erickson Jack Moles Ann Hunter-Pirtle Spike Eickholt	Representing: NSEA Voices for Children NRCSA Stand for Schools ACLU of Nebraska
Opponents:	Representing:
Neutral:	Representing:

Summary of purpose and/or changes:

Legislative Bill 117 creates the Hunger-Free Schools Program and outlines the legislative intent for the act to provide each student with the best opportunity for educational success by ensuring that public schools serve meals during the school day at no cost to every student.

LB117 requires every public school which is participating in the federal school breakfast or lunch programs to:

1. Offer breakfast and lunch at no cost to all students that qualify for a free or reduced meal
2. Submit information to the Nebraska Department of Education (NDE) about the number of no-cost meals served
3. Maximize federal reimbursements by operating under the Community Eligibility Provision (CEP) if such school has an identified student percentage of 62.5% or greater

NDE is required to reimburse each such public school as follows:

1. For schools that have adopted the CEP, the difference between the federal reimbursement rate for a free breakfast (or lunch) and the cost of a fully paid breakfast (or lunch) for each breakfast (or lunch) served.
2. For schools that have not adopted the CEP:
 - 30 cents for each eligible breakfast served and 40 cents for each eligible lunch served to a student receiving reduced-price meals
 - The difference between the federal reimbursement rate for a free breakfast (or lunch) and the cost of a fully paid breakfast (or lunch) for each fully paid breakfast (or lunch) served

LB117 states that it is the intent of the Legislature to appropriate money from the General Fund to carry out this Act. Furthermore, it states that nothing in the Act shall prevent a school district from collecting and qualifying income applications for students eligible for free or reduced-price meals.

Explanation of amendments:

The Committee considered and adopted AM421 which substitutes for the bill and revises the language of LB117 as introduced.

AM421 creates the Hunger-Free Schools Program Act and finds that every student deserves access to healthy food during the school day.

The amendment defines terms for the purposes of the act in section 3.

Per the act, every public school which is participating in the federal school breakfast program or the federal school lunch program that has an identified student percentage equal to or greater than 62.5% is required to operate under the community eligibility provision to maximize the federal reimbursement for eligible breakfasts and lunches.

AM421 changes the 5 cent state reimbursement for school breakfasts, pursuant to Neb. Rev. Stat. 79-10,138, from every school breakfast served by a school district to each breakfast served in a public school that is reimbursable, in whole or in part, with federal funds. Payments per this section of the act shall be made according to rules and regulations for disbursements adopted and promulgated by NDE.

Nothing in this act prevents a school district from collecting information from a parent or guardian to determine eligibility for other services.

NDE may adopt and promulgate rules and regulations to carry out the act.

Lynne Walz, Chairperson