

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 1090

Final Reading

Introduced by Wallman, 30.

Read first time January 18, 2012

Committee: Education

A BILL

1 FOR AN ACT relating to the State Department of Education; to define
2 terms; to provide for grants and the distribution of
3 information relating to the Summer Food Service Program;
4 and to provide powers and duties for the State Department
5 of Education.

6 Be it enacted by the people of the State of Nebraska,

1 Section 1. For purposes of sections 1 to 3 of this act:

2 (1) Department means the State Department of Education;

3 and

4 (2) Sponsor means a public or private nonprofit school
5 food authority, local, municipal, or county government, public or
6 private nonprofit higher education institution participating in the
7 National Youth Sports Program, or residential public or private
8 nonprofit summer camp that provides food service similar to food
9 service made available to children during the school year under the
10 school lunch program or the school breakfast program under the Child
11 Nutrition Act of 1966, 42 U.S.C. 1771 et seq.

12 Sec. 2. (1) Because children are susceptible to hunger in
13 the summertime, resulting in negative health effects, the Legislature
14 intends, as a state nutrition and health policy, that the State of
15 Nebraska's participation in the Summer Food Service Program of the
16 United States Department of Agriculture be strengthened where it is
17 needed to provide adequate nutrition for children.

18 (2) To encourage participation and utilization of the
19 Summer Food Service Program, the department shall:

20 (a) Provide information to sponsors concerning the
21 benefits and availability of the Summer Food Service Program; and

22 (b) Award grants of up to fifteen thousand dollars on a
23 competitive basis to sponsors approved by the department. Grants
24 awarded under this section may be used for nonrecurring expenses
25 incurred in initiating or expanding services under the Summer Food

1 Service Program, including, but not limited to, the acquisition of
2 equipment, salaries of staff, training of staff in new capacities,
3 outreach efforts to publicize new or expanded services under the
4 Summer Food Service Program, minor alterations to accommodate new
5 equipment, computer point-of-service systems for food service, and
6 the purchase of vehicles for transporting food to sites. Funds shall
7 not be used for food, computers, except point-of-service systems, or
8 capital outlay. The total amount of grants awarded under this section
9 shall be limited to one hundred forty thousand dollars per fiscal
10 year.

11 (3) In awarding grants under this section, the department
12 shall give preference in the following order of priority to:

13 (a) Sponsors located within the boundaries of school
14 districts in which fifty percent or more of the students apply and
15 qualify for free and reduced-price lunches or located within the
16 boundaries of a census tract in which fifty percent or more of the
17 children fall under the poverty threshold as defined by the United
18 States Department of Agriculture;

19 (b) Sponsors in which health or education activities are
20 emphasized; and

21 (c) Sponsors that participate in the Summer Food Service
22 Program at the time of grant application.

23 (4) Sponsors may apply for grants under this section by:

24 (a) Submitting to the department a plan to start or
25 expand services under the Summer Food Service Program;

1 (b) Agreeing to operate the Summer Food Service Program
2 for a period of not less than two years; and

3 (c) Assuring that the expenditure of funds from state and
4 local resources for the maintenance of other child nutrition programs
5 administered by the department shall not be diminished as a result of
6 grants received under this section.

7 Sec. 3. The department shall collect data regarding the
8 number of sponsors, the number of sites utilized by sponsors, and the
9 number of children served as a result of the grants awarded under
10 section 2 of this act. The department shall submit a report to the
11 Education Committee of the Legislature on this data not later than
12 December 1 each year.