

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 1090

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 to provide powers and duties for the State Department of
5 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) Service institution means a public or private
3 nonprofit school food authority, local, municipal, or county
4 government, public or private nonprofit higher education institution
5 participating in the National Youth Sports Program, or residential
6 public or private nonprofit summer camp, that develops special summer
7 or school vacation programs providing food service similar to food
8 service made available to children during the school year under the
9 school lunch program or the school breakfast program under the Child
10 Nutrition Act of 1966, 42 U.S.C. 1771 et seq.; and

11 (2) Department means the State Department of Education.

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 school districts concerning
21 the benefits and availability of the Summer Food Service Program; and

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

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

11 (3) In awarding grants under this section, the department
12 shall give preference to:

13 (a) Service institutions that currently participate in
14 the Summer Food Service Program;

15 (b) Service institutions in school districts in which
16 fifty percent or more of the students apply and qualify for free and
17 reduced-price lunches; and

18 (c) Service institutions in school districts in which
19 health and education activities are emphasized.

20 (4) Service institutions may apply for grants under this
21 section by:

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

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

1 (c) Assuring that the expenditure of funds from state and
2 local resources for the maintenance of the school breakfast program
3 or the Summer Food Service Program shall not be diminished as a
4 result of grants received under this section.

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