

AMENDMENTS TO LB117

Introduced by Education.

1           1. Strike the original sections and insert the following new  
2 sections:

3           Section 1. Sections 1 to 8 of this act shall be known and may be  
4 cited as the Hunger-Free Schools Act.

5           Sec. 2. Section 79-10,137, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

7           ~~79-10,137~~ The Legislature finds that, for Nebraska to compete  
8 effectively in the world, it must have an educated and productive work  
9 force. In order to have an educated and productive work force, it must  
10 prepare its children to learn, and in order to do so the children must be  
11 well-nourished. The Legislature further finds that school breakfast and  
12 lunch programs are integral parts of Nebraska's educational system, and  
13 that every student deserves access to healthy food during the school day.

14           Sec. 3. For purposes of the Hunger-Free Schools Act:

15           (1) Community eligibility provision has the same meaning as in  
16 section 79-101;

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

18           (3) Eligible breakfast means a school breakfast served to a student  
19 which is reimbursable, in total or in part, with federal funds, as  
20 specified under regulations promulgated by the United States Department  
21 of Agriculture pursuant to the federal Child Nutrition Act of 1966, 42  
22 U.S.C. 1771 et seq., as such act and regulations existed on January 1,  
23 2021;

24           (4) Eligible lunch means a school lunch served to a student which is  
25 reimbursable, in total or in part, with federal funds, as specified under  
26 regulations promulgated by the United States Department of Agriculture  
27 pursuant to the federal Richard B. Russell National School Lunch Act, 42

1 U.S.C. 1751 et seq., as such act and regulations existed on January 1,  
2 2021; and

3 (5) Identified student percentage means the identified student  
4 percentage calculated for high-poverty schools as specified under  
5 regulations promulgated by the United States Department of Agriculture  
6 pursuant to the federal Richard B. Russell National School Lunch Act, 42  
7 U.S.C. 1751 et seq., as such act and regulations existed on January 1,  
8 2021;

9 (6) Qualified public school means a school operated by a school  
10 district which is participating in the school breakfast program or the  
11 national school lunch program under the federal Child Nutrition Act of  
12 1966, 42 U.S.C. 1771 et seq., or the federal Richard B. Russell National  
13 School Lunch Act, 42 U.S.C. 1751 et seq., as such acts existed on January  
14 1, 2021.

15 Sec. 4. Each qualified public school that has an identified student  
16 percentage greater than or equal to sixty-two and one-half percent shall  
17 operate under the community eligibility provision to maximize the federal  
18 reimbursement for eligible breakfasts and eligible lunches.

19 Sec. 5. Section 79-10,138, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

21 ~~79-10,138~~ The department ~~State Department of Education~~ shall  
22 reimburse each qualified public school in Nebraska a portion of the cost  
23 of such school's school breakfast program in the amount of five cents per  
24 eligible school breakfast served by such school in the second preceding  
25 school year. Each ~~To qualify,~~ a school district shall ~~operate a school~~  
26 ~~lunch program and shall~~ submit information regarding the number of  
27 eligible breakfasts served by each qualified public school in the school  
28 district in a manner prescribed by the department. The Legislature shall  
29 appropriate money from the General Fund to carry out this section.

30 Sec. 6. Section 79-10,139, Reissue Revised Statutes of Nebraska, is  
31 amended to read:

1           ~~79-10,139~~ Payments pursuant to section 5 of this act ~~79-10,138~~ shall  
2 be made to each school district according to rules and regulations for  
3 disbursements adopted and promulgated by the department ~~State Department~~  
4 ~~of Education~~.

5           Sec. 7. Nothing in the Hunger-Free Schools Act shall prevent a  
6 school district from collecting information from the parent or guardian  
7 of a student to determine eligibility for other services of the school  
8 district.

9           Sec. 8. The department may adopt and promulgate rules and  
10 regulations to carry out the Hunger-Free Schools Act.

11           Sec. 9. Original sections 79-10,137, 79-10,138, and 79-10,139,  
12 Reissue Revised Statutes of Nebraska, are repealed.