CONSENT CALENDAR

March 6, 2023

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Education to which was referred HB 528-FN,

AN ACT relative to school lunches and establishing the meals for students fund. Having considered the same, report the same with the following resolution:

RESOLVED, that it is INEXPEDIENT TO LEGISLATE.

Rep. Stephen Woodcock

FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

Committee:	**Education**
Bill Number:	**HB 528-FN**
Title:	**relative to school lunches and establishing the meals for students fund.**
Date:	**March 6, 2023**
Consent Calendar:	**CONSENT**
Recommendation:	**INEXPEDIENT TO LEGISLATE**

STATEMENT OF INTENT

This bill contains significant portions of vagueness and poor wording that makes the bill unworkable. Further, the bill is irresolute about the funding source of the program, creating further confusion as to the intent, obligations, and finances of the proposal. Several found that mandating schools to provide both breakfast and lunch programs creates significant complexity, overrides local control, and creates significant costs. The bill further recognized the need to improve food opportunities for students in public school. Currently, there exists a significant population of students K-12 that are food insecure, unable to meet minimum nutritional needs and need an improved school meals program.

Vote 20-0.

Rep. Stephen Woodcock
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Education

HB 528-FN, relative to school lunches and establishing the meals for students fund. **INEXPEDIENT TO LEGISLATE.**

Rep. Stephen Woodcock for Education. This bill contains significant portions of vagueness and poor wording that makes the bill unworkable. Further, the bill is irresolute about the funding source of the program, creating further confusion as to the intent, obligations, and finances of the proposal. Several found that mandating schools to provide both breakfast and lunch programs creates significant complexity, overrides local control, and creates significant costs. The bill further recognized the need to improve food opportunities for students in public school. Currently, there exists a significant population of students K-12 that are food insecure, unable to meet minimum nutritional needs and need an improved school meals program. **Vote 20-0.**

Original: House Clerk
Cc: Committee Bill File

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on HB 528-FN

BILL TITLE: relative to school lunches and establishing the meals for students fund.

DATE: March 6, 2023

LOB ROOM: 205-207

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Belcher Seconded by Rep. Woodcock Vote: 20-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Arlene Quaratiello, Clerk

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on Bill # HB528

BILL TITLE: ... Establish Meals for Student Fund

DATE: 3/6/23

LOB ROOM: 205-207

MOTION: (Please check one box)

☐ OTP ☑ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____ (*if offered*)

☐ Interim Study (2nd year)

Moved by Rep. Belcher Seconded by Rep. Woodcock Vote: 20-0

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____ (*if offered*)

☐ Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____ (*if offered*)

☐ Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____ (*if offered*)

☐ Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: ✓ **YES** ____ **NO**

Minority Report? _____ Yes _____ No If yes, author, Rep: _____ Motion _____

Respectfully submitted: Arlene R Quaratiello

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/6/2023 12:35:36 PM
Roll Call Committee Registers Report

2023 SESSION

Education

Bill #: HB528 Motion: ITL AM #: _____ Exec Session Date: 3/6/23

Members	YEAS	Nays	NV
Ladd, Rick M. Chairman	20		
Cordelli, Glenn Vice Chairman	1		
Lekas, Alicia D.	2		
Ford, Oliver J. Clerk	3		
Belcher, Mike S	4		
~~Drye, Margaret M.~~ Notter, Jeanine	5		
McDonnell, Valerie E	6		
Noble, Kristin	7		
Peternel, Katy	8		
Quaratiello, Arlene	9		
Myler, Mel	10		
Cornell, Patricia	11		
Tanner, Linda L.	12		
Luneau, David J.	13		
Ellison, Arthur S.	14		
Woodcock, Stephen L.	15		
~~Hall, Muriel C.~~ Morton, ~~Brad~~ Jen	16		
Balboni, Peggy	17		
Cascadden, Corinne E	18		
Damon, Hope	19		
TOTAL VOTE:	20	0	

HOUSE COMMITTEE ON EDUCATION

PUBLIC HEARING ON HB 528-FN

BILL TITLE: **relative to school lunches and establishing the meals for students fund.**

DATE: **February 16, 2023**

LOB ROOM: **205-207** **Time Public Hearing Called to Order:** **11:35 am**

Time Adjourned:

Committee Members: Reps. Ladd, Cordelli, A.Lekas, O.Ford, Belcher, Drye, McDonnell, Noble, Peternel, Quaratiello, Myler, Cornell, Luneau, Ellison, Woodcock, Hall, Balboni, Cascadden and Damon

Bill Sponsors:
Rep. Horrigan

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

***Rep. Timothy Horrigan - Prime Sponsor**

- Similar to previous proposed legislation, one change is to provide breakfast; would simplify administration of providing meals by eliminating cost of meals to "reduced" price students; federal funding that is now available would pay the cost.

Respectfully submitted,

Rep. Arlene Quaratiello, Clerk

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill #: HB528-FN Date: 2/16/23

Committee: EDUCATION

**** Please Print All Information ****

Name	Address	Phone	Representing	Pro	Con
Becky Wilson	NHSBA 25 Triangle Pk Concord		NHSBA	✓	

House Remote Testify

Education Committee Testify List for Bill HB528 on 2023-02-16

Support: 69 Oppose: 6 Neutral: 0 Total to Testify: 0

Export to Excel

Name	City, State Email Address	Title	Representing	Position	Testifying	Non-Germane	Signed Up
Smith, Hayden	Hanover, NH hasmith1520@gmail.com	A Member of the Public	Myself	Support	No	No	2/9/2023 1:12 AM
Smith, Julie	Nashua, NH cantdog@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/9/2023 10:30 PM
Davis, Tod	Nashua, NH todc.18@gmail.com	A Member of the Public	Myself	Support	No	No	2/12/2023 7:05 AM
Howland, Curtis	Manchester, NH howland@priss.com	A Member of the Public	Myself	Oppose	No	No	2/12/2023 5:31 PM
Cevasco, Karin	Milford, NH Karin.cevasco@gmail.com	A Member of the Public	Myself	Support	No	No	2/12/2023 10:37 PM
Cote, Lois	Manchester, NH, NH lcote06@outlook.com	A Member of the Public	Myself	Support	No	No	2/12/2023 11:13 PM
RHOADES, CHARLES	Dover, NH chuck.rhoades@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2023 7:50 AM
Damon, Claudia	Concord, NH cordsdamon@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2023 9:12 AM
Koch, Laurie	Concord, NH kochlj@aol.com	A Member of the Public	Myself	Support	No	No	2/13/2023 9:16 AM
Hackmann, Kent	Andover, NH hackmann@uidaho.edu	A Member of the Public	Myself	Support	No	No	2/13/2023 9:28 AM
Spielman, Kathy Sue	Durham, NH jspielman@comcast.net	A Member of the Public	Myself	Support	No	No	2/13/2023 10:29 AM
Jones, Andrew	Pembroke, NH arj11718@yahoo.com	A Member of the Public	Myself	Support	No	No	2/13/2023 10:47 AM
Devore, Gary	Pembroke, NH torin_asheron@yahoo.com	A Member of the Public	Myself	Support	No	No	2/13/2023 10:55 AM

Lindpaintner, Lyn	Concord, NH lynlin@bluewin.ch	A Member of the Public	Myself	Support	No	No	2/13/2023 11:56 AM
Liscord, Barbara	Mont Vernon, NH barbmcklis@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2023 12:17 PM
Rettew, Ann	Concord, NH abrettew@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2023 12:51 PM
Walker, Deborah Klein	Meredith, NH deb.publichealth@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2023 1:07 PM
Perencevich, Ruth	Concord, NH rperence@comcast.net	A Member of the Public	Myself	Support	No	No	2/13/2023 1:10 PM
Quisumbing-King, Cora	Dover, NH CoraQ@comcast.net	A Member of the Public	Myself	Support	No	No	2/13/2023 1:26 PM
Wessels, Susan	RINDGE, NH slwessels2010@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2023 2:00 PM
Wilke, Mary	Concord, NH wilke.mary@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2023 2:01 PM
Hardy, Maureen	Londonderry, NH meaux61@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/13/2023 2:28 PM
Vincent, Laura	Loudon, NH lvlauravincent5@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2023 3:04 PM
Thomas, A	Rindge, NH annekerosie@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2023 3:11 PM
Hershey, Jane	Rindge, NH janelhershey@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2023 3:11 PM
Martin, Patricia	Rindge, NH pmartin2894@yahoo.com	A Member of the Public	Myself	Support	No	No	2/13/2023 3:11 PM
Bissex, Hannah	Rindge, NH hannahinrindge@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2023 3:12 PM
Moore, Susan	Franconia, NH susan.moore.franconia@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2023 4:01 PM
mattlage, linda	Concord, NH l.mattlage@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2023 4:08 PM
MacGregor, Leslie	Grantham, NH lsmacgregor@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2023 6:44 PM
Koch, Helmut	Concord, NH helmut.koch.2001@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2023 8:07 PM

Bracy, Sue	Dunbarton, NH marysuebracy@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2023 9:17 PM
berk, bruce	Pittsfield, NH bruce.berk.nh@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2023 9:24 PM
Richman, Susan	Durham, NH susan7richman@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2023 9:54 PM
Clifford, Virginia	Candia, NH vstmartin@comcast.net	A Member of the Public	Myself	Support	No	No	2/14/2023 6:29 AM
Medeiros, Jesse	Plainfield, NH bgtrck458@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/14/2023 7:44 AM
Friedman, Richard	Bedford, NH friedman946@yahoo.com	A Member of the Public	Myself	Support	No	No	2/14/2023 8:53 AM
Raspiller, Cindy	Mont Vernon, NH raspicl@hotmail.com	A Member of the Public	Myself	Oppose	No	No	2/14/2023 9:30 AM
Brown, Howard	Mont Vernon, NH hobro39@hotmail.com	An Elected Official	Myself	Support	No	No	2/14/2023 9:35 AM
Phillips, Chuck	Bethlehem, NH chuckpnh@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2023 9:43 AM
Phillips, Betsey	Bethlehem, NH bphill36@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2023 9:43 AM
Dube, Priscilla	Concord, NH Priscilla2NH@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2023 9:44 AM
Liberman, Sheryl	Merrimack, NH saml54@comcast.net	A Member of the Public	Myself	Support	No	No	2/14/2023 12:22 PM
Torpey, Jeanne	Concord, NH jtorp51@comcast.net	A Member of the Public	Myself	Support	No	No	2/14/2023 3:12 PM
Meserve, Barbara	Jackson, NH Allsnowdays@yahoo.com	A Member of the Public	Myself	Support	No	No	2/14/2023 6:58 PM
Horrigan, Timothy	Durham, NH timothy.horrigan@leg.state.nh.us	An Elected Official	Strafford 10 (Durham). Prime sponsor of the bill.	Support	No	No	2/14/2023 10:01 PM
Bishop, Nancy	Plaistow, NH nanbis71@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2023 12:27 AM
Fudge, Kim Marie	NORTH CONWAY, NH kimfudge20@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2023 12:52 PM
Richardson, Daniel	Nashua, NH daniel6_22@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/15/2023 2:04 PM

Istel, Claudia	Acworth, NH cistel79@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2023 4:27 PM
Redmond-Scura, Maureen	Concord, NH mscura@comcast.net	A Member of the Public	Myself	Support	No	No	2/15/2023 5:00 PM
Poinier, Liza	Concord, NH Liza@thefloweroutfit.com	A Member of the Public	Myself	Support	No	No	2/15/2023 6:44 PM
Brennan, Nancy	Weare, NH burningnan14@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2023 6:44 PM
Spencer, Louise	Concord, NH lpskentstreet@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2023 8:31 PM
FRIEDRICH, ED	Loudon, NH erfriedrich@yahoo.com	A Member of the Public	Myself	Support	No	No	2/15/2023 8:38 PM
Anderson, Sarah-Elizabeth	Concord, NH sarah_elizabeth@mac.com	A Member of the Public	Myself	Support	No	No	2/15/2023 10:39 PM
Ellermann, Maureen	Concord, NH ellermannf@aol.com	A Member of the Public	Myself	Support	No	No	2/16/2023 5:56 AM
Racusin, Sharon	Hanover, NH sdracusin@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2023 8:18 AM
Taylor, David	Plainfield, NH dstaylor342@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2023 8:19 AM
Doherty, David	Pembroke, NH, NH ddoherty0845@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2023 8:25 AM
Lamphier, Regan	Nashua, NH reganburkelamphier@gmail.com	An Elected Official	Myself	Support	No	No	2/16/2023 9:02 AM
Hinebauch, Mel	Concord, NH melhinebauch@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2023 9:32 AM
Oxenham, Lee	Plainfield, NH leeoxenham@comcast.net	A Member of the Public	Myself	Support	No	No	2/16/2023 10:36 AM
Chase, Karen	Hanover, NH kpchase@verizon.net	A Member of the Public	Myself	Support	No	No	2/16/2023 10:50 AM
Ufford, Letitia	Hanover, NH letitia.ufford@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2023 12:24 PM
Rand, Cindy	Hanover, NH cynthiarand@comcast.net	A Member of the Public	Myself	Support	No	No	2/16/2023 2:03 PM
morgan, meredith	hanover, NH meredithm@kahres.org	A Member of the Public	Myself	Support	No	No	2/16/2023 3:00 PM

DeMark, Richard	Meredith, NH demarknh114@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2023 5:09 PM
DeMark, Harriet	Meredith, NH demarknh114@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2023 5:09 PM
Farkas, Catharine	Sanbornton, NH cafarkas@hotmail.com	A Member of the Public	Myself	Support	No	No	2/16/2023 5:55 PM
Hoeh, Sandra	Hanover, NH Suhoeh@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2023 6:40 PM
Miles, Nancy	Hanover, NH nmiles3342@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2023 9:07 PM
Holcombe, Susan	Hanover, NH shholcombe@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2023 10:00 PM
Howes, Debrah	Bow, NH president@aft-nh.org	A Lobbyist	American Federation of Teachers - NH	Support	No	No	2/16/2023 11:09 PM
boudman, roberta	wolfeboro, NH boudwoman2@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2023 11:15 PM

Testimony in Favor of HB 528-FN:
"relative to school lunches and establishing the meals for students fund."

Rep. Timothy Horrigan (Strafford 6); February 16, 2023

House Education Committee

HB 528-FN (2023) is virtually identical to HB 1660-FN (2022) which came within a few votes of passing last year. The big difference is the effective date, which this time around coincides with the beginning of a biennial budget cycle.

HB 528 would make two changes to RSA 189:11-a, which deals with food and nutrition programs in public schools. The first change, in Section 1, requires all schools to provide both breakfast and lunch. This would be a permanent change.

The second change is in Sections 2 through 4. It would apply only until July 1, 2025, a little over two years from now. That date is the beginning of the the state's FY 2026 fiscal year.

This bill, if passed into law, would reduce qualifying families' copay for a reduced price meal to zero from the current 30 cents/day for breakfast and 40 cents/day for lunch. The existing distinction between "free lunch" and "reduced-price lunch" families would stay in place, along with all the bureaucratic procedures associated with that distinction. The key difference. if this bill becomes law, would be that the 5000-plus students in the reduced-price category would going forward get free lunches (and breakfasts.)

Section 4 of the bill is identical to existing law. This is a somewhat convoluted way to change the law for two years before changing back to the way it is right now.

The rationale for changing the law for just two years is because federal funding appears to be readily available, through the Biden Administration's economic stimulus and pandemic relief packages, to finance the expanded program in Section 2. The federal funding would go into a new Meals for Students fund. This new dedicated fund could receive money from any source, not just from the "Feds" but also from the private sector or even from the state government itself.

If the expansion of no-cost school lunches proves to be popular and feasible, then that expansion could be made permanent and/or expanded two years from now in the spring of 2025 as part of the 2026-2027 biennial budget.

This proposal would cost about $375,000/year above and beyond what our state government and our public schools are already spending. I am confident that federal funding can be found. Even in the absence of outside funding, this is a good and relatively inexpensive program which would be well worth spending our own money on. Some schools may have start-up costs if this is passed, but my intention would be to pay for those start-up costs through the Meals for Student fund. I believe such costs would legitimately qualify as "unreimbursed cost[s] of breakfast and lunch meals."

linda mattlage

This is a safety issue pure and simple. How would we know the drivers are adequately screened and have had the proper training? Who will monitor this? Maybe some of these drivers should be recruited to drive school buses and get the required training.

Priscilla Dube

I strongly support HB 528. Children who have empty stomachs cannot cerebrate. Give them a chance!

Testimony in Favor of HB 528-FN:
"relative to school lunches and establishing the meals for students fund."

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Rep. Horrigan, Straf. 10
February 14, 2023
2023-0517h
09/05

Amendment to HB 528-FN

Amend RSA 189:11-a, VII(b) as inserted by section 2 of the bill by replacing it with the following:

(b) Such school which demonstrates to the department of education that an approved school wellness policy, as required under the Healthy, Hunger-Free Kids Act of 2010, Public Law 111-296, and the Richard B. Russell National School Lunch Act, 42 U.S.C. section 1758b is in effect, and that such school is providing breakfast [~~meals~~] ***and lunch*** to pupils that meet or exceed the United States Department of Agriculture's child nutrition criteria may apply for and receive a 3 cent reimbursement for each breakfast [~~meal~~] ***and lunch*** served to a pupil and an additional [~~27~~] ***37*** cent reimbursement for each meal served to students eligible for a reduced price meal. The department of education shall [~~request biennial appropriations in an amount sufficient to meet projected~~] ***provide funding from the meals for*** students fund for school breakfast ***and lunch*** reimbursements to ensure students eligible for reduced price meals are offered breakfast and lunch at no cost to the students. The department of education shall prescribe forms as necessary under this paragraph.

Amend RSA 189:11-a, VII(b) as inserted by section 4 of the bill by replacing it with the following:

(b) Such school which demonstrates to the department of education that an approved school wellness policy, as required under the Healthy, Hunger-Free Kids Act of 2010, Public Law 111-296, and the Richard B. Russell National School Lunch Act, 42 U.S.C. section 1758b is in effect, and that such school is providing breakfast and lunch to pupils that meet or exceed the United States Department of Agriculture's child nutrition criteria may apply for and receive a 3 cent reimbursement for each breakfast and lunch served to a pupil and an additional 37 cent reimbursement for each meal served to students eligible for a reduced price meal. The department of education shall [~~provide funding from the meals for students fund for~~] ***request biennial appropriations in an amount sufficient to meet projected*** school breakfast and lunch reimbursements to ensure students eligible for reduced price meals are offered breakfast and lunch at no cost to the students. The department of education shall prescribe forms as necessary under this paragraph.

HB 528-FN - AS INTRODUCED

2023 SESSION

23-0748
09/10

HOUSE BILL ***528-FN***

AN ACT relative to school lunches and establishing the meals for students fund.

SPONSORS: Rep. Horrigan, Straf. 10

COMMITTEE: Education

ANALYSIS

This bill requires schools to make free or reduced cost breakfast and lunch available to children who meet federal eligibility guidelines and provides for reimbursement to schools for offering meals at no cost to eligible students. The requirement is repealed in 2025.

- -

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

23-0748
09/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to school lunches and establishing the meals for students fund.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 School Boards; Food and Nutrition Programs.. Amend RSA 189:11-a, I to read as follows:

I. Each school board shall make [~~at least one meal~~] ***breakfast and lunch*** available during school hours to every pupil under its jurisdiction. Such meals shall be served without cost or at a reduced cost to any child who meets federal income eligibility guidelines. The state board of education shall ensure compliance with this section and shall establish minimum nutritional standards for such meals as well as income guidelines set for the family size used in determining eligibility for free and reduced price meals. [~~Nothing in this section shall prohibit the operation of both a breakfast and lunch program in the same school~~].

2 School Boards; Food and Nutrition Programs. Amend RSA 189:11-a, VII(b) to read as follows:

(b) Such school which demonstrates to the department of education that an approved school wellness policy, as required under the Healthy, Hunger-Free Kids Act of 2010, Public Law 111-296, and the Richard B. Russell National School Lunch Act, 42 U.S.C. section 1758b is in effect, and that such school is providing breakfast [~~meals~~] ***and lunch*** to pupils that meet or exceed the United States Department of Agriculture's child nutrition criteria may apply for and receive a 3 cent reimbursement for each breakfast [~~meal~~] ***and lunch*** served to a pupil and an additional 27 cent reimbursement for each meal served to students eligible for a reduced price meal. The department of education shall [~~request biennial appropriations in an amount sufficient to meet projected~~] ***provide funding from the meals for*** students fund for school breakfast ***and lunch*** reimbursements to ensure students eligible for reduced price meals are offered breakfast and lunch at no cost to the students. The department of education shall prescribe forms as necessary under this paragraph.

(c) There is established the meals for students fund for the purpose of providing funding for the unreimbursed cost of breakfast and lunch meals of students eligible for reduced price meals. The fund shall be nonlapsing and continually appropriated to the department of education. The fund may receive money from any available state, federal, or private source.

3 New Subparagraph; Application of Receipts; Dedicated Funds. Amend RSA 6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the meals for students fund under RSA 189:11-a, VII(c).

4 Food and Nutrition Programs; 2025. Amend RSA 189:11-a, VII(b) and (c) to read as follows:

(b) Such school which demonstrates to the department of education that an approved school wellness policy, as required under the Healthy, Hunger-Free Kids Act of 2010, Public Law 111-296, and the Richard B. Russell National School Lunch Act, 42 U.S.C. section 1758b is in effect, and that such school is providing breakfast and lunch to pupils that meet or exceed the United States Department of Agriculture's child nutrition criteria may apply for and receive a 3 cent reimbursement for each breakfast and lunch served to a pupil and an additional 27 cent reimbursement for each meal served to students eligible for a reduced price meal. The department of education shall [~~provide funding from the meals for students fund for~~] ***request biennial appropriations in an amount sufficient to meet projected*** school breakfast and lunch reimbursements to ensure students eligible for reduced price meals are offered breakfast and lunch at no cost to the students. The department of education shall prescribe forms as necessary under this paragraph.

[~~(c) There is established the meals for students fund for the purpose of providing funding for the unreimbursed cost of breakfast and lunch meals of students eligible for reduced price meals. The fund shall be nonlapsing and continually appropriated to the department of education. The fund may receive money from any available state, federal, or private source.~~]

5 Repeal. RSA 6:12, I(b)(383), relative to the meals for students fund, is repealed.

6 Effective Date.

I. Sections 4 and 5 of this act shall take effect July 1, 2025.

II. The remainder of this act shall take effect July 1, 2023.

LBA
23-0748
1/5/23

HB 528-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to school lunches and establishing the meals for students fund.

FISCAL IMPACT: [X] State [ ] County [X] Local [ ] None

	Estimated Increase / (Decrease)			
STATE:	**FY 2023**	**FY 2024**	**FY 2025**	**FY 2026**
Appropriation	$0	$0	$0	$0
Revenue	$0	$0	$0	$0
Expenditures	$0	Indeterminable Increase	Indeterminable Increase	$0
Funding Source:	[X] General	[ ] Education	[ ] Highway	[ ] Other

LOCAL:

Revenue	$0	Indeterminable Increase	Indeterminable Increase	$0
Expenditures	$0	Indeterminable Increase	Indeterminable Increase	$0

METHODOLOGY:

This bill requires local school boards to provide both breakfast and lunch (currently only one meal is required) and intends the Department of Education to provide reimbursement to districts to ensure students eligible for reduced priced meals are offered breakfast and lunch at no cost to students (currently only breakfast is covered). The entirety of this bill applies only to FY 2024 and FY 2025, with a prospective repeal date of July 1, 2025.

The Department of Education states this bill would increase state expenditures and local school district revenue relative to the required reimbursements, however, the amount is indeterminable at this time as the bill's text and intent appear to not align. The bill appears to intend to have no out-of-pocket costs for students, however for lunch meals, the full reimbursement amount is $0.40, not the stated $0.30 in the bill ($0.30 is the breakfast rate). For informational purposes, the Department states based on 2021-2022 data, there are approximately 5,200 reduced priced meal eligible students. Therefore, full $0.40 reimbursement for 5,200 students would be approximately $374,400 per year ($0.40 x 5,200 x 180 school days/meals).

It should be noted this bill establishes a dedicated fund, however no appropriation or source of funding is provided.

Lastly, this bill may increase local school district expenditures, to the extent all school boards would be required to make both breakfast and lunch available each day. Amounts would vary across districts.

AGENCIES CONTACTED:

Department of Education