

Senate Education Committee

Ryan Meleedy 271-4151

SB 204-FN-A, relative to the responsibility of local school districts to provide meals to students during school hours, reimbursing schools for meals provided to students at no cost, and making an appropriation therefor.

Hearing Date: February 11, 2025

Members of the Committee Present: Senators Ward, Sullivan, Abbas, Prentiss and Altschiller

Members of the Committee Absent : None

Bill Analysis: This bill requires local school districts to provide breakfast and lunch to pupils under their jurisdiction at no cost to children from households with incomes at or below 200 percent of the federal poverty level. It also appropriates funds to reimburse school districts for these costs and to assist schools in establishing an online application process.

Sponsors:

Sen. Fenton

Sen. Lang

Who supports the bill: 160 People signed in support of SB 204-FN. To see the full list of sign-ins, please email the committee aide (ryan.meleedy@gc.nh.gov).

Who opposes the bill: 11 People signed in opposition of SB 204-FN. To see the full list of sign-ins, please email the committee aide (ryan.meleedy@gc.nh.gov).

Who is neutral on the bill: 1 Person signed in neutrality of SB 204-FN. To see the full list of sign-ins, please email the committee aide (ryan.meleedy@gc.nh.gov).

Summary of testimony presented in support:

Senator Fenton

- Senator Fenton introduced Senate Bill 204-FN.
- Senator Fenton explained that the intent of the bill was to help families who are struggling to feed their children, specifically during the school day, while also stripping the burden that taxpayers face of managing uncollectable school meal debt.
- He explained that the bill would increase eligibility for school-provided meals by increasing the threshold to 230% of the established poverty household income.

- He established that the bill would make it easier for families to access the school lunch program by making it easier to apply. The bill would establish that all applications can be made via an easy-to-access website
- Senator Fenton explained that the bill would ensure that families who can afford to pay for their children's lunch are required to do so, and are prohibited from running up school lunch debt. This would allow more access to school lunches for students and their families who are truly in need of assistance.
- Senator Fenton explained that the program is not a mandate and would serve as an opt-in program where schools are given the option to take part in it.
- He explained that if schools opted in to the program, the financial burden would be split between local taxpayers and the state, preventing either entity from facing the full burden.
- Senator Fenton emphasized that if kids are well fed, they statistically perform better in school, and that this bill would help to ensure that more students' nutritional needs are met.

Tim Buehr – Business administrator, Keene, NH School District

- Mr. Buehr testified in support of Senate Bill 204-FN.
- He explained that he had looked at dozens of bills attempting to attack this problem in different ways, and almost all of them are infeasible and unaffordable.
- He expressed that this bill is feasible because it is an opt-in program, so if the legislation isn't workable for whichever local town is considering it, they don't have to change anything, saving the state money in return.
- He explained that the bill does not seek to increase local funding but rather to leverage the preexisting funds to ensure those funds go to families who are struggling the most.
- He expressed that there are people currently living slightly above the current threshold of 185% of the poverty income threshold who still need the assistance that this bill would provide, but are prohibited from receiving it under current law.
- He explained that in the case of Keene, NH, it would cost the state and the city \$18,000, respectively, to implement this program.
- Mr. Buehr explained that the state's concern should be allocating the limited funds to those who need it, explaining that it would be more fiscally responsible and would make sure every child in need of food at school is accounted for.

David Trumble

- Mr. Trumble testified in support of SB 204-FN; however, he expressed that he would wish to see the income threshold raised higher than it is in the bill.
- He detailed statistics showing that food insecurity is rising in New Hampshire and that racial minority families have experienced significant food insecurity in relation to the overall state.
- He cited additional statistics, explaining that 60% of children from low-income families said that they came to school hungry regularly, with the majority saying that it impacts their school performance.
- Mr. Trumble emphasized that if the state has the ability to mitigate these issues through such a bill, it should do so.

Laura Milliken – New Hampshire Hunger Solutions

- Ms. Milliken testified in support of Senate Bill 204-FN.
- She expressed support for making it easier to access school lunch assistance through a website and supported raising the threshold for those eligible for government school lunch assistance.
- She expressed concern that the bill would require districts to provide half the cost of implementing these changes. She explained that school districts comprised of more low-income families would be the ones who need the most assistance yet would have fewer means of funding the program for the very same reason.
- Her concern is that the schools who this program would benefit the most would likely be among the schools that choose not to opt-in to the program.
- She explained that to address this concern, states would have to help cover more of the costs and ensure that each district can afford to opt-in to the program.

Debrah Howes – American Federation of Teachers, New Hampshire

- Ms. Howes testified in support of Senate Bill 204-FN.
- She expressed agreement with Laura Milliken's suggestion of a 100% reimbursement but saw the bill as a good start.
- She reiterated previous testimony that students struggle when hungry in school.
- She recounted an anecdotal story about a child whose mother had limited income, and there was a noticeable difference in the size of his lunches from the beginning of the month to the end. She explained that this bill would help to prevent this from happening.
- Senator Abbas pointed out that the bill expands meal coverage from one to two meals (breakfast and lunch). He asked if Ms. Howes was aware of any potential

scenario where a school could lose eligibility to opt-in to this program because they only provide one meal a day (lunch). Ms. Howes responded that it is an opt-in program, so the schools that only provide one meal would not have to opt in.

- Senator Abbas shared a concern that schools that would benefit from the program and wanted to opt-in would not be eligible to do so because they don't provide two meals in their current structure. Ms. Howes acknowledged Senator Abbas' concern, suggesting that a small amendment could be a fix to this issue, allowing schools with a one-meal structure to opt-in.

Jerry Frew – New Hampshire School Administrators Association

- Mr. Frew testified in support of Senate Bill 204-FN and explained that his organization would be in favor of any bill that provides increased access to school lunches for students in need.
- Mr. Frew explained that he knew of four districts that had \$200,000 in school lunch debt, which this bill would address.
- Mr. Frew brought up past examples of New Hampshire legislators explaining that there are no hungry kids in New Hampshire, which he claimed to be a misguided notion.
- Senator Abbas reiterated his question from Ms. Howes' testimony, asking if Mr. Frew had any data on schools that don't provide two meals who could theoretically be excluded from the program the bill creates. Mr. Frew said his organization does not track which schools offer one meal/two meals. However, he saw the bill as a potential incentive for schools to offer two meals if they don't already.

Summary of testimony presented in opposition:

Aubrey Freedman

- Mr. Freedman testified in opposition to the bill.
- Mr. Freedman explained that federal programs already exist to cover this issue, and therefore, he did not see a need for additional programs. He explained that duplicating these programs would leave the system more susceptible to fraud and other nefarious financial activities.
- He saw the bill as setting a precedent for people's expectation of receiving extensively more government aid, and he viewed feeding one's own children as an issue of personal responsibility.
- He acknowledged that the bill was presented as an opt-in program but explained that he sees it as more of an unfunded mandate, which would violate New Hampshire's constitution.

Neutral Information Presented:

Nancy Vaughan – American Heart Association

- Ms. Vaughn testified in neutrality to Senate Bill 204-FN.
- She expressed that heart disease is the leading cause of death in New Hampshire and that eating habits are the biggest contributor to the disease. She elaborated, saying that eating habits are developed as children and, therefore, warranted the passage of the bill in order to address the nutritional needs of students at a young age.
- She felt that there was a need for the bill to be amended to have the state reimburse 100% of the town's cost.
- Senator Ward expressed concern over her understanding of school meals being unappetizing to children. Ms. Vaughn said that school meals have generally become more appetizing and healthier over recent years and that she no longer sees this as a legitimate concern like it once was.

Kelly Rambeau and Melissa White - Representatives from the Department of Education (Informational testimony/Q&A)

- Senator Sullivan expressed concern that a lot of the food being provided to students is low-quality food with poor nutritional composition
- Ms. Rambeau explained that there are federal regulations that need to be met for nutritional composition (such as sodium and fat content) and that the Department of Education would follow whatever is required by the federal government.
- Senator Abbas asked if they had any statistics on what number of schools do not already offer two meals and asked if eligibility to opt-in to the program would be affected by a school's meal offerings under this bill.
- Ms. Rambeau referenced the revised fiscal note, which had not been drafted by the Legislative Budget Assistant at the time of the hearing. She explained that the updated fiscal note had information regarding the number of schools that offered only lunch, as opposed to lunch and breakfast. She explained that the Department of Education interpreted the bill's language to say that schools would need to offer two meals in order to opt-in to the program. She explained that if a school were to opt-in to the program, they would be required to offer two meals to students. She explained that there are 449 schools that offer school lunch, and 28 of those do not offer school breakfast.
- Ms. White explained that the \$500,000 that is appropriated to the Department of Education for the biennium would not be sufficient funding to operate such a program.

- Senator Ward asked what a sufficient amount of funding would be in order to operate the program, to which the answer was roughly \$2,500,000.