

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1291

Introduced by Conrad, 46; Aguilar, 35; Bostar, 29; Cavanaugh, J., 9;
Cavanaugh, M., 6; Day, 49; Dungan, 26; Hughes, 24;
McKinney, 11; Raybould, 28; Walz, 15; Wayne, 13; Wishart,
27.

Read first time January 16, 2024

Committee:

- 1 A BILL FOR AN ACT relating to education; to amend section 79-10,141,
- 2 Revised Statutes Cumulative Supplement, 2022; to provide legislative
- 3 intent regarding the Summer Electronic Benefits Transfer Program; to
- 4 require the State Department of Education to administer a program to
- 5 provide electronic benefit transfer funds to eligible youth in the
- 6 summer as prescribed; and to repeal the original section.
- 7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-10,141, Revised Statutes Cumulative
2 Supplement, 2022, is amended to read:

3 79-10,141 (1) Because children are susceptible to hunger in the
4 summertime, resulting in negative health effects, the Legislature
5 intends, as a state nutrition and health policy, that (a) the State of
6 Nebraska's participation in the Summer Food Service Program of the United
7 States Department of Agriculture be strengthened where it is needed to
8 provide adequate nutrition for children and (b) the State of Nebraska opt
9 into the provision of the federal Consolidated Appropriations Act of 2023
10 to permanently authorize the Summer Electronic Benefits Transfer Program.

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

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

15 (b) Award grants of up to fifteen thousand dollars on a competitive
16 basis to sponsors approved by the department. Grants awarded under this
17 section may be used for nonrecurring expenses incurred in initiating or
18 expanding services under the Summer Food Service Program, including, but
19 not limited to, the acquisition of equipment, salaries of staff, training
20 of staff in new capacities, outreach efforts to publicize new or expanded
21 services under the Summer Food Service Program, minor alterations to
22 accommodate new equipment, computer point-of-service systems for food
23 service, and the purchase of vehicles for transporting food to sites.
24 Funds may be expended up to the full cost of a qualifying expense
25 incurred by a sponsor in initiating or expanding the services under the
26 Summer Food Service Program, and if the funds are expended solely for the
27 benefit of child nutrition programs administered by the department, no
28 proration of the expense shall be required. Funds shall not be used for
29 food, computers, except point-of-service systems, or capital outlay. The
30 total amount of grants awarded under this section shall be limited to one
31 hundred thousand dollars per fiscal year.

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

3 (a) Sponsors located within the boundaries of school districts in
4 which fifty percent or more of the students apply and qualify for free
5 and reduced-price lunches or located within the boundaries of a census
6 tract in which fifty percent or more of the children fall under the
7 poverty threshold as defined by the United States Department of
8 Agriculture;

9 (b) Sponsors in which health or education activities are emphasized;
10 and

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

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

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

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

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

22 (5) The department shall administer a program to provide electronic
23 benefit transfer funds to eligible youth in the summer consistent with
24 the provisions of the federal Consolidated Appropriations Act of 2023
25 authorizing the Summer Electronic Benefits Transfer Program.

26 Sec. 2. Original section 79-10,141, Revised Statutes Cumulative
27 Supplement, 2022, is repealed.