

March 14, 2024
No. 11A

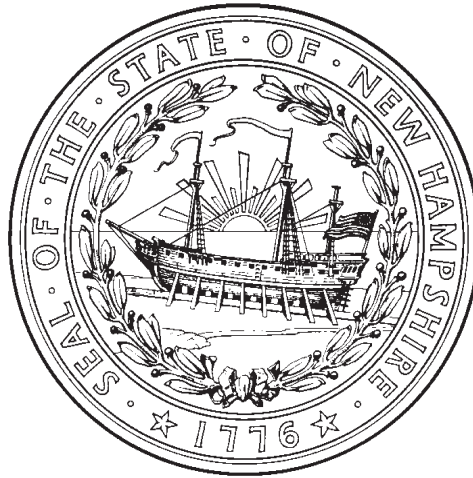
STATE OF NEW HAMPSHIRE

Website Address: <http://gencourt.state.nh.us>

Senate Meeting Schedule Website Address:
<http://gencourt.state.nh.us/senate/schedule/dailyschedule.aspx>

All Standing Committee hearings will be livestreamed on the NH Senate's YouTube channel:
<https://www.youtube.com/NewHampshireSenateLivestream>

Links are also available on the Senate Meeting Schedule.



Second Year of the 168th Session of the
New Hampshire General Court

SENATE CALENDAR ADDENDUM

THE SENATE WILL MEET IN SESSION ON THURSDAY, MARCH 21, 2024 AT 10:00 A.M.

The Senate Session on Thursday, March 21, 2024, in the Senate Chamber
will be live streamed at the following link:

<https://youtube.com/live/BfqIX9gBQgk?feature=share>

Please note, this link will not be live until the Senate Session on
Thursday, March 21, 2024 at 10:00 A.M.

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CONSENT CALENDAR REPORTS

ENERGY AND NATURAL RESOURCES

HB 458, reestablishing the commission to study the assessing of power generation.

Ought to Pass, Vote 5-0.

Senator Birdsell for the committee.

This bill aims to reestablish the commission to study the assessing of power generation. The commission will determine the most accurate methodology for assessing power generation assets. Additionally, it will compare the efficacy of the Department of Revenue Administration's approach with that of municipalities. Furthermore, the commission will seek to understand how other states handle power generation facility assessment for property tax purposes. Lastly, the commission will recommend a unified approach for both entities.

REGULAR CALENDAR REPORTS

FINANCE

SB 499-FN, relative to reduction of hunger for children, older adults, and people with disabilities.

Ought to Pass with Amendment, Vote 7-0.

Senator Birdsell for the committee.

SB 559-FN, relative to the New Hampshire vaccine association.

Ought to Pass, Vote 7-0.

Senator Rosenwald for the committee.

SB 563-FN, relative to federal immigration enforcement.

Ought to Pass, Vote 5-2.

Senator Pearl for the committee.

SB 591-FN-A, modifying definitions, claims procedures, and funding relating to the youth development center settlement fund and claims administration.

Ought to Pass with Amendment, Vote 7-0.

Senator D'Allesandro for the committee.

AMENDMENTS

Senate Finance

March 19, 2024

2024-1230s

11/05

Amendment to SB 499-FN

Amend the bill by replacing all after the enacting clause with the following:

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

I.(a) Each school board shall make ~~[at least one meal]~~ **breakfast and lunch** available during school hours to every pupil under its jurisdiction, ***unless otherwise provided by law***. 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.]~~

(b) The department of education shall reimburse school districts for the initial costs for equipment necessary to implement an alternative breakfast delivery service that provides breakfast after the start of the school day, such as, but not limited to carts, mobile refrigeration, and storage.

(c) An “alternative breakfast delivery service” shall be defined as, but not limited to, a service that provides breakfast after the start of the school day and before any lunch period begins for students at that public school.

(d) Reimbursement for the breakfast after the bell program described in this paragraph shall be available to school districts in which 40 percent or more of the student body are eligible for free or reduced price meals.

2 Schools; Food and Nutrition Programs. Amend RSA 189:11-a, VII to read as follows:

VII.(a) Each school district ~~[which participates]~~ ***shall participate*** in the National School Breakfast Program ***unless the school district implements its own breakfast program or less than 10 percent of enrolled pupils are eligible for free or reduced price lunch in the last academic year, according to the department of education’s statistics.*** Each school district shall maintain annual statistics on the number of breakfast meals served to pupils.

(b) Each school district that participates in the National School Lunch Program shall maintain annual statistics on the number of lunch meals served to pupils.

(c) 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 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 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 school breakfast reimbursements to ensure students eligible for reduced price meals are offered breakfast at no cost. The department of education shall prescribe forms as necessary under this paragraph.

(d) 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 lunch meals to pupils that meet or exceed the United States Department of Agriculture’s child nutrition criteria may apply for and receive a reimbursement for each lunch meal served to a pupil and an additional 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 school lunch reimbursements to ensure students eligible for reduced price meals are offered lunch at no cost. The department of education shall prescribe forms as necessary under this paragraph.

3 New Paragraphs; Schools; Food and Nutrition Programs. Amend RSA 189:11-a by inserting after paragraph VIII the following new paragraphs:

IX. The department of education shall adopt rules under RSA 541-A requiring school districts to offer online and physical free or reduced price school meals applications. The rules shall not prevent school districts from offering other innovative ways to distribute or collect free or reduced price meal applications, in addition to offering online and physical free or reduced price school meals applications.

(a) The department of education shall provide administrative or technical assistance to school districts establishing an online application for free or reduced price school meals and shall include in its biennial budget request under RSA 9:4, funding for costs associated with providing such assistance.

(b) For the biennium ending June 30, 2027, the department of education shall include in its biennial budget request under RSA 9:4, funding for school districts to purchase software to create an online application for free or reduced price school meals.

X. Notwithstanding any provision of law, rule, or regulation to the contrary, there is established a pilot program for school districts with an identified student population above 35 percent. Beginning with the 2024 - 2025 school year and each school year thereafter, for each breakfast and lunch meal that is served at a school participating in the federal community eligibility provision program that is reimbursed at the federal reimbursement rate for a paid meal, the department shall reimburse the school food authority the difference between (a) the combined state and federal reimbursement rate for a paid meal for the current school year and (b) the combined state and federal reimbursement rate for a free meal for the current school year, provided that the total reimbursement rate for each meal served shall equal the combined state and federal reimbursement rate for a free meal for the current school year.

4 New Paragraphs; Human Service; Summer EBT and Elderly Simplified Application. Amend RSA 161:2 by inserting after paragraph XIII-b the following new paragraphs:

XIII-c. Summer EBT. The department shall apply for and meet all deadlines to participate in the federal Summer EBT program so that families whose children are eligible for free and reduced price meals can receive benefits on an EBT card in the summer. The department shall include in its biennial budget request under RSA 9:4 funding for any administrative costs related to administering the federal Summer EBT program.

XIII-d. Elderly Simplified Application. The department shall apply for and participate in the elderly simplified application project within the Supplemental Nutrition Assistance Program. The department shall include in its biennial budget request under RSA 9:4 funding for any administrative costs related to administering Summer EBT and the SNAP Elderly Simplified Application.

5 Appropriations.

I. For the purpose of funding RSA 189:11-a, I, as inserted by section 1 of this act, relative to the breakfast after the bell program, the sum necessary to fund the program is hereby appropriated to the department of education for the biennium ending June 30, 2025, for distribution to eligible school districts. Of this amount, the governor shall determine if any remaining discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-2 or any other federal funds can be used for this purpose and any remainder, not to exceed \$1, shall be general funds. The governor is authorized to draw a warrant for the general fund share of said sum out of any money in the treasury not otherwise appropriated.

II. For the purpose of funding RSA 189:11-a, VII(a), (b), and (c) as inserted by section 2 of this act, the sum necessary to fund the program is hereby appropriated to the department of education for the biennium ending June 30, 2025. Of this amount, the governor shall determine if any remaining discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-2 or any other federal funds can be used for this purpose and any remainder, not to exceed \$1, shall be general funds. The governor is authorized to draw a warrant for the general fund share of said sum out of any money in the treasury not otherwise appropriated.

III. For the purpose of funding RSA 189:11-a, VII(d) as inserted by section 2 of this act, the sum necessary to provide school reimbursement for the free and reduced priced meal program is appropriated to the department of education for the biennium ending June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

IV. For the purpose of funding RSA 189:11-a, IX and X as inserted by section 3 of this act, the sum necessary to fund the program is hereby appropriated to the department of education for the biennium ending June 30, 2025. Of this amount, the governor shall determine if any remaining discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-2 or any other federal funds can be used for this purpose and any remainder, not to exceed \$1, shall be general funds. The governor is authorized to draw a warrant for the general fund share of said sum out of any money in the treasury not otherwise appropriated.

V. For the purpose of funding RSA 161:2, XIII-c and XIII-d, as inserted by section 4 of this act, relative to participation in the summer EBT program and the elderly simplified application for SNAP, the sum necessary to fund the programs is appropriated to the department of health and human services for the biennium ending June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

6 Contingency. Should the appropriations for RSA 189:11-a, I enumerated in section 5, paragraph I, 189:11-a, VII(a), (b), and (c) enumerated in section 5, paragraph II, or 189:11-a, IX and X enumerated in section 5, paragraph IV, be insufficient to fund the directives of the aforementioned paragraphs as amended, the department of education may suspend implementation of said paragraphs.

7 Effective Date.

I. Section 5, paragraph I of this act shall take effect June 30, 2024.

II. The remainder of this act shall take effect July 1, 2024.

Senate Finance
March 19, 2024
2024-1228s
11/08

Amendment to SB 591-FN-A

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 Appropriation. The sum of \$60,000,000 for the biennium ending June 30, 2025, is hereby appropriated to the YDC settlement fund established in RSA 21-M:11-a, II. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.