

HOUSE BILL REPORT

HB 2410

As Reported by House Committee On: Capital Budget

Title: An act relating to equipment assistance grants to enhance student nutrition in public schools.

Brief Description: Creating a competitive equipment assistance grant program to enhance student nutrition in public schools.

Sponsors: Representatives Riccelli, Hawkins, Stonier, Santos, Reykdal, Farrell, Bergquist, Senn, Appleton, Ormsby, Parker, Walkinshaw, Robinson, Tharinger, Ryu, Morrell, Stanford, S. Hunt, Gregerson and Freeman.

Brief History:

Committee Activity:

Capital Budget: 1/30/14, 2/4/14, 2/6/14 [DPS].

Brief Summary of Substitute Bill

- Requires the Office of Superintendent of Public Instruction to establish a competitive process to solicit and prioritize applications for the "Apple a Day" program, an equipment assistance grant program, created to enhance student nutrition in public schools.

HOUSE COMMITTEE ON CAPITAL BUDGET

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Dunshee, Chair; Stanford, Vice Chair; DeBolt, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Appleton, Riccelli, Robinson, Senn, Stonier and Warnick.

Minority Report: Do not pass. Signed by 2 members: Representatives Christian and Scott.

Staff: Susan Howson (786-7142).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

As part of the American Recovery and Reinvestment Act (ARRA) of 2009, Washington received a one-time appropriation of approximately \$1.59 million for equipment assistance grants to be distributed competitively to local education agencies (LEAs) that sponsored a National School Lunch Program. The National School Lunch Program, established under the National School Lunch Act in 1946, is a federally assisted meal program operating in public and nonprofit private schools and residential child care institutions to provide nutritionally balanced, low-cost or free lunches to school children. Under the equipment assistance grant program, priority was given to LEAs requesting equipment for schools in which at least 50 percent of the students were eligible for free or reduced-priced meals. The Office of Superintendent of Public Instruction (OSPI) received grant requests from LEAs totaling \$11.6 million.

The Common School Construction Account (CSCA) was established by a constitutional amendment approved by the voters in 1966 for the purpose of financing the construction of facilities for common schools. The primary revenue source to the CSCA is from common school trust land managed by the Department of Natural Resources.

Summary of Substitute Bill:

The "Apple a Day" program, an equipment assistance grant program, is established to enhance student nutrition in public schools. Equipment is defined as articles of nonexpendable, tangible personal property with a useful life of at least 13 years and a per-unit cost of \$1,000, and may include the purchase of new equipment, renovation of existing equipment, or replacement equipment. Minor capital improvements required to accommodate the installation of equipment may also be eligible for state assistance.

The OSPI must establish a competitive process to solicit applications for state assistance and must evaluate and rank applications in consultation with an advisory committee of at least three members of selected organizations concerned with child nutrition, including one Washington School Nutrition Association representative and one representative from east of the crest of the Cascade mountains, using objective criteria. Public school districts and public schools participating in the National School Breakfast Program or the National School Lunch Program are eligible to apply.

The OSPI must require applicants to demonstrate, at a minimum, the following:

- Use of the proposed equipment will enhance nutrition and improve student access to healthier foods. Applicants must submit current school menus and proposed menus using the requested equipment.
- Healthy eating and physical activity are actively promoted to students, parents, teachers, and the community.

In evaluating and ranking applications, the OSPI shall give funding priority to:

- public schools in which at least 50 percent of the students are eligible for free or reduced-priced meals;
- project applications in which equipment purchases will affect menu changes throughout an entire grade group or school district;

- project applications that provide a dollar-for-dollar match from non-state sources;
- public schools that can demonstrate nutrition is integrated into core curriculum areas such as math, science, language arts, physical education, and serving healthy Washington-grown food is incorporated into the schools wellness policy; and
- public schools that are engaged in farm-to-school efforts and support Washington farmers by purchasing Washington grown food when available.

In consultation with the advisory committee, the OSPI must develop and track specific, quantifiable outcome measures of the grant program. A preliminary report on the outcome measures must be submitted to the Legislature by January 1, 2015, and a final report on program outcomes by January 1, 2016.

If specific capital budget funding for this legislation is not provided by June 30, 2014, this act is null and void.

Substitute Bill Compared to Original Bill:

The list of factors that are given funding priority in the evaluation process is expanded. An equipment definition is added. Equipment is defined as articles of nonexpendable, tangible personal property with a useful life of at least 13 years and a per-unit cost of \$1,000. Language requiring a certain percentage of funds be awarded to applicants located east of the crest of Cascade mountain range is removed. The appropriation and restriction on the use for funds for administrative purposes are removed, and a null and void clause is added.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed. However, the bill is null and void unless funded in the budget.

Staff Summary of Public Testimony:

(In support) Providing healthier foods in schools is one approach to help address the generation-long obesity epidemic. A complete reversal of these stubborn trends requires intention and a multi-sector approach. We need all sectors of our society to engage in building healthier communities. How we develop and implement system changes in our public school kitchens to promote healthier eating is a critical part of the obesity prevention toolbox. This bill provides resource support to schools motivated to upgrade their kitchen infrastructure required to meet the growing demand for healthier food in public schools. A major impediment to schools in delivering healthier foods is the lack of equipment infrastructure to support this effort. Scratch cooking or modified scratch cooking can be accomplished at a similar cost with the right equipment.

(Opposed) None.

Persons Testifying: Representative Riccelli, prime sponsor; Jackie Bollinger; Carrie Graves; Logan Brown; Katherine Robinson; Hugh Ewart, Seattle Children's Hospital; Thea Rittenhouse, Washington Sustainable Food and Farming Network; Mitch Denning, Alliance of Education Association; and Leeda Beita, Washington State School Nutrition Association.

Persons Signed In To Testify But Not Testifying: None.