

# SENATE BILL REPORT

## EHB 1551

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As of April 3, 2017

**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, Smith, Johnson, Gregerson, Stonier, Peterson, Doglio, Pettigrew, Reeves, Sells, Ryu, Macri, Farrell, Clibborn, Tarleton, Santos, Lovick, Senn, Slatter, McBride, Orwall, Pollet, Dolan, Hudgins, Stanford, Haler, DeBolt, Appleton, Fitzgibbon, Goodman, Bergquist, Vick, Tharinger, Sawyer, Ormsby and Cody.

**Brief History:** Passed House: 2/27/17, 94-3.

**Committee Activity:** Early Learning & K-12 Education: 3/21/17, 3/27/17 [DP-WM].  
Ways & Means: 4/03/17.

### Brief Summary of Bill

- Establishes a competitive equipment assistance grant program to enhance student nutrition in public schools.
- Requires the Office of Superintendent of Public Instruction (OSPI) to establish a process to solicit and prioritize grant applications.

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Majority Report:** Do pass and be referred to Committee on Ways & Means.

Signed by Senators Zeiger, Chair; Fain, Vice Chair; Rolfes, Ranking Minority Member; Billig, Mullet, Rivers and Warnick.

**Staff:** Ailey Kato (786-7434)

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### SENATE COMMITTEE ON WAYS & MEANS

**Staff:** Jeffrey Mitchell (786-7438)

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*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.*

**Background:** School breakfast and lunch programs are subsidized by the U.S. Department of Agriculture, the state, and student co-pays based on family income. In order for students to qualify for free meals, their families' income must be at or below 130 percent of the federal poverty level. Students whose families have income between 130 percent and 185 percent of the federal poverty level are eligible for reduced price meals. For the period of July 1, 2016, to June 30, 2017, 130 percent of the poverty level is \$31,590 for a family of four; 185 percent is \$44,955.

In 2015, the Legislature appropriated \$5 million in the 2015-17 capital budget to OSPI to provide grant funding to school districts for projects to improve children's health. The funding could be used to purchase and install water bottle filling stations, fitness playground equipment, garden related structures and greenhouses, and kitchen equipment or upgrades.

**Summary of Bill:** A competitive equipment assistance grant program to be known as the Apple a Day program is established to enhance overall student nutrition in public schools. Equipment means articles of nonexpendable, tangible personal property with a useful life of at least 13 years and a per unit acquisition cost of at least \$1,000 and may include the purchase of new equipment, renovation of equipment, or replacement of equipment. Minor capital improvements required to accommodate the installation of equipment may also be eligible for state assistance.

OSPI must establish a competitive process to prioritize applications for state assistance. OSPI must conduct a statewide solicitation of project applications from public school districts for common schools and public schools participating in the National School Breakfast or the National School Lunch program.

OSPI 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.

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; and
- healthy eating and physical activity are actively promoted to students, parents, teachers, and the community.

In evaluating and ranking applications, OSPI must 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 nonstate sources—nonstate match may include cash and in-kind contributions, and may be applied to the equipment purchase, labor costs associated with equipment installation or renovation, disposal of old equipment, minor capital improvements required to accommodate the equipment, and staff training costs;

- public schools that can demonstrate nutrition is integrated into core curriculum areas such as math, science, language arts, and physical education, and serving healthy Washington grown food is incorporated into the school's wellness policy; and
- public schools that are engaged in farm to school efforts and support Washington farmers by purchasing Washington grown food when available.

If specific capital budget funding for this legislation is not provided by June 30, 2017, the act is null and void.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony (Early Learning & K-12 Education):** PRO: This bill builds on previous grant funding for kitchen equipment. Kitchen equipment will help provide healthy and fresh meals to students, which is especially important given the obesity and diabetes epidemic. Increased nutrition means increased productivity. There are barriers to using fresh produce. Space and equipment are needed to store and prepare fresh produce and avoid food waste. Many schools have been gutted of the equipment necessary for scratch cooking rather than just re-heating food. There are private and public partners throughout the community that can help.

**Persons Testifying (Early Learning & K-12 Education):** PRO: Representative Marcus Riccelli, Prime Sponsor; Nathan Bambilla, citizen; Christina Wong, Northwest Harvest; Mitch Denning, Alliance of Educational Associations.

**Persons Signed In To Testify But Not Testifying (Early Learning & K-12 Education):** No one.