

One Hundred Third Legislature - First Session - 2013

Introducer's Statement of Intent

LB447

Chairperson: Senator Galen Hadley

Committee: Revenue

Date of Hearing: March 15, 2013

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB447 amends definitions in section 77-2704.24:

2(c) Food and food ingredients means substances, whether in liquid, concentrated, solid, frozen, dried, or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value. Food and food ingredients does not include alcoholic beverages, dietary supplements, soft drinks or tobacco; and

2(f) Soft drinks means nonalcoholic beverages that contain natural or artificial sweeteners. Soft drinks do not include beverages that contain milk or milk products, soy, rice or similar milk substitutes, or one hundred percent vegetable or fruit juice.

LB447 creates the Nebraska Healthy Kids Fund, which shall distribute 67% of proceeds and sales and use taxes derived from the sale of soft drinks and be administered as follows:

First \$500,000 of the Fund to University of Nebraska - Kearney Student Health Initiative Fund to develop and maintain database for collection of statistics relating to student fitness, including training and technical assistance other related expenditures. Information shall be submitted to Legislature & Department of Education on December 31 of each year;

70% to the Department of Education Student Health Initiative Fund, which shall be administered as follows:

First \$100,000 to monitor school compliance, define qualifications for wellness coordinators; \$10,000 to each school district; and remainder distributed pro rata to districts based on most recent fall school membership

30% to Department of Health & Human Services Child Health Initiative Fund, which shall be administered as follows:

\$40,000 to each local health department; and remaining funds distributed to local health departments pro rata based on most recent census data regarding population served

Funds in Education and HHS Initiative Fund accounts shall be adjusted to the CPI as determined by Federal Bureau of Labor Statistics. Any requirements not met by school districts or health departments in accordance with these sections shall result in forfeiture of funds, which shall be credited to the Education or HHS Initiative Funds, respectively.

LB447 creates the Evidence-Based Practice Grant Fund, which shall distribute 33% of proceeds and sales and use taxes derived from the sale of soft drinks and be administered as follows:

The Evidence-Based Practice Grant Fund Committee is created and shall consist of the following members:

Director of Children & Family Services Division of HHS;

Director of Behavioral Health Division of HHS;

Chief Medical Officer;

Chairperson of the Nebraska Children's Commission;

Vice-Chairperson of the Nebraska Children's Commission;

Commissioner of Education;

Probation administrator of the Office of Probation Administration; and

Director of the Nebraska Center for Research on Children, Youth, Families & Schools

The Committee shall provide grants from the Evidence-Based Practice Grant Fund for evidence-based practices for prevention and intervention services for at-risk children in Nebraska. The Committee members shall not be compensated, but shall be reimbursed for actual and necessary costs association with administration of this Act.

Principal Introducer: _____

Senator Bill Avery