



General Assembly

Amendment

February Session, 2006

LCO No. 4339

SB0037304339SD0

Offered by:

SEN. WILLIAMS, 29th Dist.

SEN. GAFFEY, 13th Dist.

SEN. MEYER, 12th Dist.

To: Subst. Senate Bill No. 373

File No. 490

Cal. No. 346

"AN ACT CONCERNING TECHNICAL HIGH SCHOOL WIRING FOR TECHNOLOGY AND HEALTHY FOOD AND BEVERAGES IN SCHOOLS."

1 Strike lines 1 to 136, inclusive, in their entirety and insert the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective July 1, 2006*) (a) Except as otherwise
4 provided in subsection (b) of this section, each local and regional board
5 of education and the governing authority for each state charter school,
6 interdistrict magnet school and endowed academy approved pursuant
7 to section 10-34 of the general statutes, shall permit at schools under its
8 jurisdiction the sale of only the following beverages to students from
9 any source, including, but not limited to, school stores, vending
10 machines, school cafeterias, and any fund-raising activities on school
11 premises, whether or not school sponsored: (1) Milk that may be
12 flavored but contain no artificial sweeteners and no more than four
13 grams of sugar per ounce, (2) nondairy milks such as soy or rice milk,

14 which may be flavored but contain no artificial sweeteners, no more
15 than four grams of sugar per ounce, no more than thirty-five per cent
16 of calories from fat per portion and no more than ten per cent of
17 calories from saturated fat per portion, (3) one hundred per cent fruit
18 juice, vegetable juice or combination of such juices, containing no
19 added sugars, sweeteners or artificial sweeteners, (4) beverages that
20 contain only water and fruit or vegetable juice and have no added
21 sugars, sweeteners or artificial sweeteners, and (5) water, which may
22 be flavored but contain no added sugars, sweeteners, artificial
23 sweeteners or caffeine. Portion sizes of beverages, other than water as
24 described in subdivision (5) of this subsection, that are offered for sale
25 pursuant to this subsection shall not exceed twelve ounces.

26 (b) Each such board of education or governing authority may
27 permit at schools under its jurisdiction, the sale to students of
28 beverages that are not listed in subsection (a) of this section, provided
29 (1) such sale is in connection with an event occurring after the end of
30 the regular school day or on the weekend, (2) such sale is at the
31 location of such event, and (3) such beverages are not sold from a
32 vending machine or school store.

33 Sec. 2. (NEW) (*Effective July 1, 2006*) Not later than August 1, 2006,
34 and January first of each year thereafter, the Department of Education
35 shall publish a set of nutrition standards for food items offered for sale
36 to students at schools. Such standards shall not apply to food sold as
37 part of the National School Lunch Program and School Breakfast
38 Program unless such items are purchased separately from a school
39 lunch or breakfast that is reimbursable under such program.

40 Sec. 3. (NEW) (*Effective July 1, 2006*) (a) Each local and regional
41 board of education, the regional vocational-technical school system,
42 and the governing authority for each state charter school, interdistrict
43 magnet school and endowed academy approved pursuant to section
44 10-34 of the general statutes that participates in the National School
45 Lunch Program shall certify in its annual application to the
46 Department of Education for school lunch funding whether, during

47 the school year for which such application is submitted, all food items
48 made available for sale to students in schools under its jurisdiction and
49 not exempted from the nutrition standards published by the
50 Department of Education pursuant to section 2 of this act will meet
51 said standards. Except as otherwise provided in subsection (b) of this
52 section, such certification shall include food not exempted from said
53 nutrition standards and offered for sale to students at all times, and
54 from all sources, including, but not limited to, school stores, vending
55 machines, school cafeterias, and any fundraising activities on school
56 premises, whether or not school sponsored.

57 (b) Each board of education, the regional vocational-technical school
58 system and each governing authority that certifies pursuant to this
59 section compliance with the department's nutrition standards for food
60 may exclude from such certification the sale to students of food items
61 that do not meet such standards, provided (1) such sale is in
62 connection with an event occurring after the end of the regular school
63 day or on the weekend, (2) such sale is at the location of such event,
64 and (3) such food is not sold from a vending machine or school store.

65 Sec. 4. Section 10-215b of the general statutes is repealed and the
66 following is substituted in lieu thereof (*Effective July 1, 2006*):

67 (a) The State Board of Education is authorized to expend in each
68 fiscal year an amount equal to (1) the money required pursuant to the
69 matching requirements of said federal laws and shall disburse the
70 same in accordance with said laws, and (2) ten cents per lunch served
71 in the prior school year in accordance with said laws by any local or
72 regional board of education, the regional vocational-technical school
73 system or governing authority of a state charter school, interdistrict
74 magnet school or endowed academy approved pursuant to section 10-
75 34 that participates in the National School Lunch Program and certifies
76 pursuant to section 3 of this act that the nutrition standards established
77 by the Department of Education pursuant to section 2 of this act shall
78 be met.

79 (b) The State Board of Education shall prescribe the manner and
80 time of application by [local and regional boards of education] such
81 board of education, the regional vocational-technical school system,
82 such governing authority or controlling authority of the nonpublic
83 schools for such funds, provided such application shall include the
84 certification that any funds received pursuant to subsection (a) of this
85 section shall be used for the program approved. The State Board of
86 Education shall determine the eligibility of the applicant to receive
87 such grants pursuant to regulations provided in subsection (c) of this
88 section and shall certify to the Comptroller the amount of the grant for
89 which the board of education, [or] the regional vocational-technical
90 school system, the governing authority or the controlling authority of a
91 nonpublic school is eligible. Upon receipt of such certification, the
92 Comptroller shall draw an order on the Treasurer in the amount, at the
93 time and to the payee so certified.

94 (c) The State Board of Education may adopt such regulations as may
95 be necessary in implementing sections 10-215 to 10-215b, inclusive.

96 (d) The Commissioner of Education shall establish a procedure for
97 monitoring compliance by boards of education, the regional
98 vocational-technical school system, or governing authorities with
99 certifications submitted in accordance with section 3 of this act and
100 may adjust grant amounts pursuant to subdivision (2) of subsection (a)
101 of this section based on failure to comply with said certification.

102 Sec. 5. Section 10-215a of the general statutes is repealed and the
103 following is substituted in lieu thereof (*Effective July 1, 2006*):

104 Nonpublic schools and nonprofit agencies may participate in the
105 school breakfast, lunch and other feeding programs provided in
106 sections 10-215 to 10-215b under such regulations as may be
107 promulgated by the State Board of Education in conformance with said
108 sections and under the federal laws governing said programs, except
109 that such schools, other than the endowed academies approved
110 pursuant to section 10-34, and agencies shall not be eligible for the

111 funding described in subdivision (2) of subsection (a) of section 10-
112 215b, as amended by this act.

113 Sec. 6. Section 10-221p of the general statutes is repealed and the
114 following is substituted in lieu thereof (*Effective July 1, 2006*):

115 Each local and regional board of education and governing authority
116 for each state charter school, interdistrict magnet school and endowed
117 academy approved pursuant to section 10-34, shall make available in
118 the schools under its jurisdiction for purchase by students enrolled in
119 such schools nutritious [,] and low-fat foods, [and drinks,] which shall
120 include, but shall not be limited to, [low-fat milk, one hundred per cent
121 natural fruit juices and water at all times when drink is available for
122 purchase by students in such schools and] low-fat dairy products and
123 fresh or dried fruit at all times when food is available for purchase by
124 students in such schools during the regular school day."