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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3863

02/15/2024 Authored by Jordan, Virnig, Pursell and Lillie
The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act
1.2 relating to education; requiring schools participating in the state school milk
1.3 program to provide daily milk to students in kindergarten through grade 12;
1.4 prohibiting fees for school milk; modifying the reimbursement rate for school
1.5 milk; appropriating money; amending Minnesota Statutes 2022, section 124D.118.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2022, section 124D.118, is amended to read:

1.8 124D.118 SCHOOL MILK PROGRAM.

1.9 Subdivision 1. Legislative findings. The legislature finds that for best health and
1.10 well-being, school children in the state should receive at least one serving of milk each day.
1.11 The school milk program established in this section is to provide districts in the state with
1.12 added resources so that all ~~kindergarten~~ students in kindergarten through grade 12 in public
1.13 and nonpublic schools may have access to wholesome milk on a daily basis.

1.14 Subd. 2. Establishment; school participation. Each district in the state is encouraged
1.15 to participate in the state-supported school milk program ~~for kindergartners~~. Participating
1.16 districts must provide one serving of milk on each school day to each ~~kindergarten~~ student
1.17 in kindergarten through grade 12 attending a public or nonpublic school in the district. No
1.18 student is required to accept the milk that is provided by the district. The program must be
1.19 promoted and operated under the direction of the commissioner or the commissioner's
1.20 designee.

1.21 Subd. 2a. No fees. A participating district that receives reimbursement under this section
1.22 must make reimbursable milk available without charge and must not deny reimbursable

2.1 milk to any participating student, whether or not that student has an outstanding balance in
 2.2 the student's meals account attributable to a la carte purchases or for any other reason.

2.3 Subd. 3. **Program guidelines; duties of the commissioner.** (a) The commissioner shall:

2.4 (1) encourage all districts to participate in the school milk program ~~for kindergartners;~~

2.5 (2) prepare program guidelines, ~~not subject to chapter 14 until July 1, 1998,~~ which will
 2.6 effectively and efficiently distribute appropriated and donated money to participating
 2.7 districts; and

2.8 (3) seek donations and matching funds from appropriate private and public sources.

2.9 (b) Program guidelines may provide for disbursement to districts through a mechanism
 2.10 of prepayments or by reimbursement for approved program expenses.

2.11 Subd. 4. **Reimbursement.** (a) In accordance with program guidelines, the commissioner
 2.12 shall reimburse each participating public or nonpublic school ~~20 ...~~ cents for each half-pint
 2.13 of milk that is served to ~~kindergarten~~ students in kindergarten through grade 12 and is not
 2.14 part of a school lunch or breakfast reimbursed under section 124D.111 or 124D.1158.

2.15 (b) The reimbursement under this section is limited to one-half pint of milk per student
 2.16 each day.

2.17 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2025 and later.

2.18 Sec. 2. **APPROPRIATION.**

2.19 \$..... in fiscal year 2025 is appropriated from the general fund to the commissioner of
 2.20 education for additional school milk program reimbursement aid under Minnesota Statutes,
 2.21 section 124D.118.