

**SENATE  
STATE OF MINNESOTA  
NINETY-THIRD SESSION**

**S.F. No. 2643**

(SENATE AUTHORS: WESTROM)

**DATE**  
03/06/2023

**D-PG**  
1361 Introduction and first reading  
Referred to Education Policy  
See HF2497

**OFFICIAL STATUS**

1.1 A bill for an act  
1.2 relating to education; authorizing Minnesota schools to serve two percent and  
1.3 whole milk to kindergarten students as part of the state-sponsored school milk  
1.4 program; requiring the commissioners of education and agriculture to report to  
1.5 the legislature on additional milk options for participants in the national school  
1.6 meals programs; increasing funding for the kindergarten milk program;  
1.7 appropriating money; amending Minnesota Statutes 2022, section 124D.118.

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

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

1.10 **124D.118 SCHOOL MILK PROGRAM.**

1.11 Subdivision 1. **Legislative findings.** (a) The legislature finds that for best health and  
1.12 well-being, school children in the state should receive at least one serving of milk each day.

1.13 (b) The school milk program established in this section is to provide districts in the state  
1.14 with added resources so that all kindergarten students in public and nonpublic schools may  
1.15 have access to wholesome milk on a daily basis.

1.16 (c) The legislature further finds that milk fats found in whole milk and two percent milk  
1.17 provide health and nutritional benefits for many school children.

1.18 Subd. 2. **Establishment; school participation.** Each district in the state is encouraged  
1.19 to participate in the state-supported school milk program for kindergartners. Kindergarten  
1.20 milk provided under this section may include whole milk and two percent milk as well as  
1.21 one percent milk and skim milk currently authorized under the United States Department  
1.22 of Agriculture's national school meals program. Participating districts must provide one  
1.23 serving of milk on each school day to each kindergarten student attending a public or  
1.24 nonpublic school in the district. No student is required to accept the milk that is provided

2.1 by the district. The program must be promoted and operated under the direction of the  
 2.2 commissioner or the commissioner's designee.

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.** In accordance with program guidelines, the commissioner  
 2.12 shall reimburse each participating public or nonpublic school ~~20~~ 30 cents for each half-pint  
 2.13 of milk that is served to kindergarten students and is not part of a school lunch or breakfast  
 2.14 reimbursed under section 124D.111 or 124D.1158.

2.15 **EFFECTIVE DATE.** This section is effective July 1, 2023.

2.16 Sec. 2. **SCHOOL MILK RECOMMENDATIONS.**

2.17 **Subdivision 1. Commissioners of agriculture and education.** The commissioners of  
 2.18 agriculture and education must evaluate approaches to expand options under the United  
 2.19 States Department of Agriculture's school meals program administered by the Department  
 2.20 of Education to include two percent milk and whole milk in the products served as part of  
 2.21 school meals.

2.22 **Subd. 2. Activities.** The commissioners must consult with milk producers, child nutrition  
 2.23 experts, and legal experts about ways to offer whole milk and two percent milk products as  
 2.24 part of the school meals program.

2.25 **Subd. 3. Report.** By January 15, 2024, the commissioners must prepare and submit a  
 2.26 written report summarizing their findings to the legislative committees having jurisdiction  
 2.27 over agricultural issues and school meals programs. The report must be filed according to  
 2.28 Minnesota Statutes, section 3.195.

2.29 **EFFECTIVE DATE.** This section is effective July 1, 2023.

3.1 Sec. 3. APPROPRIATION; SCHOOL MILK.

3.2 Subdivision 1. Department of Education. The sums indicated in this section are  
3.3 appropriated from the general fund to the Department of Education in the fiscal years  
3.4 designated.

3.5 Subd. 2. Kindergarten milk. For kindergarten milk aid under Minnesota Statutes,  
3.6 section 124D.118:

3.7 \$ ..... .. 2024

3.8 \$ ..... .. 2025