

LEGISLATIVE COMMITTEE MINUTES

SB233

Bill as Introduced

SB 233-FN - AS INTRODUCED

2022 SESSION

22-2886

10/08

SENATE BILL **233-FN**

AN ACT relative to water bottle filling stations in schools.

SPONSORS: Sen. Sherman, Dist 24; Sen. Prentiss, Dist 5; Rep. Luneau, Merr. 10; Rep. Porter, Hills. 1; Rep. Myler, Merr. 10

COMMITTEE: Education

ANALYSIS

This bill requires newly constructed public schools and public schools undergoing substantial renovations to incorporate water bottle filling stations to increase access to drinking water on school property. The bill also requires school districts to allow bringing water bottles into classrooms

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to water bottle filling stations in schools.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; School Buildings; Health and Sanitation; Water Bottle Filling Stations. Amend
2 RSA 200 by inserting after section 11-a the following new section:

3 200:11-b Water Bottle Filling Stations in Schools.

4 I. The state board of education shall adopt rules pursuant to RSA 541-A relative to
5 requirements for the installation of water bottle filling stations in newly constructed public schools
6 and in existing public school buildings undergoing substantial renovations.

7 II. All construction or renovation of public school buildings, including any approved project
8 under RSA 198:15-c, shall be equipped with water bottle filling stations meeting the following
9 requirements:

10 (a) A water bottle filling station shall mean a water dispenser accessible to all people in
11 compliance with the American with Disabilities Act (42 U.S.C. 12101 et seq.) that dispenses clean
12 drinking water directly into a bottle or other drinking container.

13 (b) Water bottle filling stations may be touchless for sanitary reasons.

14 (c) Water bottle filling stations installed in public schools under this section shall:

15 (1) Be regularly cleaned to maintain sanitary conditions;

16 (2) Be maintained to ensure they function properly, including replacing filters as
17 recommended by the manufacturers; and

18 (3) Dispense clean, filtered, cooled drinking water.

19 III. The local building inspection authority, pursuant to RSA 155-A, of school districts shall
20 not approve the plans or specifications for a new public school building and for any addition or
21 substantial renovation to an existing public school building unless the plans and specifications
22 provide for:

23 (a) A minimum of one water bottle filling station for every 200 people projected to occupy
24 the building upon completion of the proposed construction.

25 (b) A minimum of one water bottle filling station on each floor or wing of each building.

26 (c) A minimum of one water bottle filling station located near cafeterias, gymnasiums, or
27 outdoor recreation spaces and other high-traffic areas.

28 (d) Water bottle filling stations may be integrated into drinking fountains, at a ratio of 1
29 combination unit for every 200 people.

30 IV. Schools shall permit students to bring and carry in school, including classrooms,
31 approved water bottles that:

SB 233-FN - AS INTRODUCED

- Page 2 -

- 1 (a) Are made of a material that is not easily breakable;
2 (b) Have lids to prevent spills; and
3 (c) Are filled exclusively with water.

4 V. The school board may enact a disciplinary policy regarding the misuse of water bottles by
5 students or employees.

6 VI. School districts shall allow students to bring water bottles into classrooms but may
7 prohibit water bottles brought into certain learning areas such as the library, computer labs, science
8 labs, and other places where it is deemed dangerous to have drinking water.

9 2 Effective Date. This act shall take effect 60 days after its passage.

**SB 233-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to water bottle filling stations in schools.

FISCAL IMPACT: State County Local None

LOCAL:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This bill requires newly constructed public schools and those undergoing substantial renovation to incorporate water bottle filling stations which meet certain requirements. Based on information provided by the Department of Education, water bottle filling station prices start at approximately \$1,000 and regular drinking fountains range between \$400 and \$500. Based on this information, water bottle filling stations are approximately \$500 more expensive than the cost of regular drinking fountains. The increase in local costs as a result of this bill, if any, is indeterminable as specific details of future school construction and renovations are unknown.

AGENCIES CONTACTED:

Department of Education

SB 233-FN - AS AMENDED BY THE SENATE

02/03/2022 0077s

02/03/2022 0414s

2022 SESSION

22-2886

10/08

SENATE BILL **233-FN**

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COMMITTEE: Education

AMENDED ANALYSIS

This bill requires newly constructed public schools and public schools undergoing substantial renovations to incorporate water bottle filling stations to increase access to drinking water on school property.

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SB 233-FN - AS AMENDED BY THE SENATE

02/03/2022 0077s
02/03/2022 0414s

22-2886
10/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

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4 I. The state board of education shall adopt rules pursuant to RSA 541-A relative to
5 requirements for the installation of water bottle filling stations in newly constructed public schools
6 and in existing public school buildings undergoing substantial renovations.

7 II. All construction or renovation of public school buildings, including any approved project
8 under RSA 198:15-c, shall be equipped with water bottle filling stations meeting the following
9 requirements:

10 (a) A water bottle filling station shall mean a water dispenser accessible to all people in
11 compliance with the American with Disabilities Act (42 U.S.C. 12101 et seq.) that dispenses clean
12 drinking water directly into a bottle or other drinking container.

13 (b) Water bottle filling stations may be touchless for sanitary reasons.

14 (c) Water bottle filling stations installed in public schools under this section shall:

15 (1) Be regularly cleaned to maintain sanitary conditions;

16 (2) Be maintained to ensure they function properly, including replacing filters as
17 recommended by the manufacturers; and

18 (3) Dispense clean, filtered, cooled drinking water.

19 III. The local building inspection authority, pursuant to RSA 155-A, of school districts shall
20 not approve the plans or specifications for a new public school building and for any addition or
21 substantial renovation to an existing public school building unless the plans and specifications
22 provide for:

23 (a) A minimum of one water bottle filling station for every 200 people projected to occupy
24 the building upon completion of the proposed construction.

25 (b) A minimum of one water bottle filling station on each floor or wing of each building.

26 (c) A minimum of one water bottle filling station located near cafeterias, gymnasiums, or
27 outdoor recreation spaces and other high-traffic areas.

28 (d) Water bottle filling stations may be integrated into drinking fountains, at a ratio of 1
29 combination unit for every 200 people.

30 IV. Schools shall permit students to bring to school water bottles that:

SB 233-FN - AS AMENDED BY THE SENATE

- Page 2 -

1 (a) Are made of a material that is not easily breakable;

2 (b) Have lids to prevent spills; and

3 (c) Are filled exclusively with water.

4 V. The school board may enact a disciplinary policy regarding the misuse of water bottles by
5 students or employees.

6 2 Effective Date. This act shall take effect 60 days after its passage.

SB 233-FN- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENTS #2022-0077s and #2022-0414s)

AN ACT relative to water bottle filling stations in schools.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This bill requires newly constructed public schools and those undergoing substantial renovation to incorporate water bottle filling stations which meet certain requirements. Based on information provided by the Department of Education, water bottle filling station prices start at approximately \$1,000 and regular drinking fountains range between \$400 and \$500. Based on this information, water bottle filling stations are approximately \$500 more expensive than the cost of regular drinking fountains. The increase in local costs as a result of this bill, if any, is indeterminable as specific details of future school construction and renovations are unknown.

AGENCIES CONTACTED:

Department of Education

LBA
22-2886
Amended 2/8/22

SB 233-FN FISCAL NOTE
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METHODOLOGY:

This bill requires newly constructed public schools and those undergoing substantial renovation to incorporate water bottle filling stations which meet certain requirements. Based on information provided by the Department of Education, water bottle filling station prices start at approximately \$1,000 and regular drinking fountains range between \$400 and \$500. Based on this information, water bottle filling stations are approximately \$500 more expensive than the cost of regular drinking fountains. The increase in local costs as a result of this bill, if any, is indeterminable as specific details of future school construction and renovations are unknown.

AGENCIES CONTACTED:

Department of Education

SB 233-FN FISCAL NOTE
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AGENCIES CONTACTED:

Department of Education

SB 233-FN - AS AMENDED BY THE HOUSE

02/03/2022 0077s
02/03/2022 0414s
4May2022... 1638h

2022 SESSION

22-2886
10/08

SENATE BILL **233-FN**

AN ACT relative to water bottle filling stations in schools.

SPONSORS: Sen. Sherman, Dist 24; Sen. Prentiss, Dist 5; Rep. Luneau, Merr. 10; Rep. Porter,
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COMMITTEE: Education

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SB 233-FN - AS AMENDED BY THE HOUSE

02/03/2022 0077s
02/03/2022 0414s
4May2022... 1638h

22-2886
10/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

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5 requirements for the installation of water bottle filling stations in newly constructed public schools
6 and in existing public school buildings undergoing substantial renovations.

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8 under RSA 198:15-c, shall be equipped with water bottle filling stations meeting the following
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11 compliance with the American with Disabilities Act (42 U.S.C. 12101 et seq.) that dispenses clean
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20 not approve the plans or specifications for a new public school building and for any addition or
21 substantial renovation to an existing public school building unless the plans and specifications
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23 (a) A minimum of one water bottle filling station for every 200 people projected to occupy
24 the building upon completion of the proposed construction.

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29 combination unit for every 200 people.

SB 233-FN - AS AMENDED BY THE HOUSE

- Page 2 -

1 IV. Schools shall permit students to bring to school water bottles that:

2 (a) Are made of a material that is not easily breakable;

3 (b) Have lids to prevent spills; and

4 (c) Are filled exclusively with water.

5 V. The school board may enact a disciplinary policy regarding the misuse of water bottles by
6 students or employees.

7 2 Effective Date. This act shall take effect 90 days after its passage.

SB 233-FN- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENT #2022-1638h)

AN ACT relative to water bottle filling stations in schools.

FISCAL IMPACT: State County Local None

LOCAL:	Estimated Increase / (Decrease)			
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METHODOLOGY:

This bill requires newly constructed public schools and those undergoing substantial renovation to incorporate water bottle filling stations which meet certain requirements. Based on information provided by the Department of Education, water bottle filling station prices start at approximately \$1,000 and regular drinking fountains range between \$400 and \$500. Based on this information, water bottle filling stations are approximately \$500 more expensive than the cost of regular drinking fountains. The increase in local costs as a result of this bill, if any, is indeterminable as specific details of future school construction and renovations are unknown.

AGENCIES CONTACTED:

Department of Education

CHAPTER 149
SB 233-FN - FINAL VERSION

02/03/2022 0077s
02/03/2022 0414s
4May2022... 1638h

2022 SESSION

22-2886
10/08

SENATE BILL **233-FN**

AN ACT relative to water bottle filling stations in schools.

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CHAPTER 149
SB 233-FN - FINAL VERSION

02/03/2022 0077s
02/03/2022 0414s
4May2022... 1638h

22-2886
10/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to water bottle filling stations in schools.

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1 149:1 New Section; School Buildings; Health and Sanitation; Water Bottle Filling Stations.
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4 I. The state board of education shall adopt rules pursuant to RSA 541-A relative to
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24 the building upon completion of the proposed construction.

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27 outdoor recreation spaces and other high-traffic areas.

28 (d) Water bottle filling stations may be integrated into drinking fountains, at a ratio of 1
29 combination unit for every 200 people.

CHAPTER 149
SB 233-FN - FINAL VERSION
- Page 2 -

- 1 IV. Schools shall permit students to bring to school water bottles that:
- 2 (a) Are made of a material that is not easily breakable;
- 3 (b) Have lids to prevent spills; and
- 4 (c) Are filled exclusively with water.
- 5 V. The school board may enact a disciplinary policy regarding the misuse of water bottles by
- 6 students or employees.
- 7 149:2 Effective Date. This act shall take effect 90 days after its passage.

Approved: June 07, 2022
Effective Date: September 05, 2022

Amendments

Senate Education
January 11, 2022
2022-0077s
10/08

Amendment to SB 233-FN

1 Amend RSA 200:11-b, VI as inserted by section 1 of the bill by replacing it with the following:

2

3 VI. School districts may allow students to bring water bottles into classrooms, but may
4 prohibit water bottles brought into certain learning areas such as the library, computer labs, science
5 labs, and other places where it is deemed dangerous to have drinking water.

2022-0077s

AMENDED ANALYSIS

This bill requires newly constructed public schools and public schools undergoing substantial renovations to incorporate water bottle filling stations to increase access to drinking water on school property. The bill also enables school districts to allow bringing water bottles into classrooms.

Sen. Hennessey, Dist 1
Sen. Prentiss, Dist 5
February 1, 2022
2022-0414s
10/04

Floor Amendment to SB 233-FN

1 Amend RSA 200:11-b as inserted by section 1 of the bill by replacing paragraphs IV through VI with
2 the following:

3

4 IV. Schools shall permit students to bring to school water bottles that:

5 (a) Are made of a material that is not easily breakable;

6 (b) Have lids to prevent spills; and

7 (c) Are filled exclusively with water.

8 V. The school board may enact a disciplinary policy regarding the misuse of water bottles by
9 students or employees.

Floor Amendment to SB 233-FN
- Page 2 -

2022-0414s

AMENDED ANALYSIS

This bill requires newly constructed public schools and public schools undergoing substantial renovations to incorporate water bottle filling stations to increase access to drinking water on school property.

Committee Minutes

SENATE CALENDAR NOTICE

Education

Sen Ruth Ward, Chair
Sen Erin Hennessey, Vice Chair
Sen Denise Ricciardi, Member
Sen Jay Kahn, Member
Sen Suzanne Prentiss, Member

Date: December 21, 2021

HEARINGS

Tuesday		01/11/2022
(Day)		(Date)
Education	Legislative Office Building 101	9:00 a.m.
(Name of Committee)	(Place)	(Time)
9:00 a.m.	SB 232 relative to the permissible uses of a school district contingency fund.	
9:15 a.m.	SB 231 relative to an option for students attending an out-of-state school to attend in New Hampshire.	
9:30 a.m.	SB 233-FN relative to water bottle filling stations in schools.	
9:45 a.m.	SB 234 requiring student identification cards to include the National Suicide Prevention Lifeline.	

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

SB 232

Sen. Reagan

Sen. Giuda

Rep. Spillane

SB 231

Sen. Sherman

Rep. Bernardy

SB 233-FN

Sen. Sherman

Rep. Myler

SB 234

Sen. Ward

Sen. Bradley

Sen. Avar

Rep. McGuire

Sen. Watters

Rep. Hobson

Sen. Prentiss

Sen. Hennessey

Sen. D'Allesandro

Sen. Carson

Sen. Soucy

Rep. Cordelli

Rep. Luneau

Rep. Alexander Jr.

Sen. Hennessey

Sen. Gannon

Sen. Kahn

Rep. Porter

Ava Hawkes 271-3266

Ruth Ward
Chairman

Senate Education Committee

Ava Hawkes 271-3266

SB 233-FN, relative to water bottle filling stations in schools.

Hearing Date: January 11, 2022

Time Opened: 9:42 a.m.

Time Closed: 9:52 a.m.

Members of the Committee Present: Senators Ward, Hennessey, Ricciardi, Kahn and Prentiss

Members of the Committee Absent : None

Bill Analysis: This bill requires newly constructed public schools and public schools undergoing substantial renovations to incorporate water bottle filling stations to increase access to drinking water on school property. The bill also enables school districts to allow bringing water bottles into classrooms.

Sponsors:

Sen. Sherman

Sen. Prentiss

Rep. Luneau

Rep. Porter

Rep. Myler

Who supports the bill: Senator Tom Sherman (Senate District 24), Nancy Vaughn (NH American Heart Association)

Who opposes the bill: Yasmin (Member of the public)

Who is neutral on the bill: None

Summary of testimony presented:

Senator Tom Sherman - Senate District 24

- Senator Sherman introduced SB 233-FN.
- This bill was requested by the NH American Heart Association.
- As a doctor, he understands the important role of hydration.
- We are all used to the idea of water fountains in our schools, however, they are petri dishes as cultures taken are usually disgusting.
- These water bottle filling stations would serve various roles for students. Giving students the ability to carry their water bottles with them is one important step.
- As he has worked on the PFAS Commission, we know there are contaminants in water in our school systems as drinking fountains are not filtered.
- This bill is not a retro fit. This concerns the new implementation of filling stations.
- From a healthcare standpoint, this is an awesome way to accomplish more than one goal. From kids staying healthier to less disruption in class time as students won't have to go back and forth for sips of water from a fountain.

- Senator Kahn noted the uptick in use of water bottle filling stations in public places, such as airports. A lot of places have switched from water bubblers to filling stations.
- Senator Kahn asked Senator Sherman where the initiative for filling stations in airports came from.
 - Senator Sherman said he does not know the exact answer but would guess it has to do with the expansive changes in security in airports after 9/11. Folks cannot bring a full water bottle through TSA security.
- It is nice that these stations are hands-free.
- The use of water bottle filling stations has exploded at ski resorts as well.

Nancy Vaughn - Government Relations Director, NH American Heart Association

- They support the bill and echo Senator Sherman's testimony.
- A fact sheet on germs and the helpfulness of water was submitted as testimony.
- The goal is to encourage kids to drink more water.
- By doing so, kids will drink less sugary beverages, which are commonly more accessible.
- Good hydration is great for your overall health, a healthy weight and prevents heart disease and strokes.
- Increased hydration also helps children perform academically.
- This bill would also require schools to allow children to carry water bottles around school, though with parameters. Schools will have the ability to correct any abuse and create rules around this policy. For example, no access in science classes.
- The FN pertains more to local communities as this bill is not retroactive and can only be used for new, major construction.
- Our kids deserve this bill to create good habits with drinking water.
- As we have seen during the COVID-19 pandemic, encouraging overall good health is imperative to help prevent severe complications when ill.
- With water fountains, children only get a sip of water at a time, equivalent to the size of condiment cup. Water bottle filling stations would triple kids' intake of water.
- Senator Kahn asked Ms. Vaughn what the cost difference is between water bubblers and filling stations.
 - Ms. Vaughn said, in the FN, the Department of Education indicated that water fountains cost about \$500 per unit as filling stations cost about \$1,000 per unit.
 - The ratio for water fountains per student is 1 to 40 as where filling stations are 1 to every 200 students. For example, if there are 1,000 students, the school would have five filling stations.
- Senator Ward asked Ms. Vaughn for data on increased hydration correlating to academic performance; Senator Ward has not heard of an issue regarding hydration of children in school so it would be helpful to know if this is a real issue. Ms. Vaughn will follow-up with data.

Speakers

✓

Senate Remote Testify

Education Committee Testify List for Bill SB233 on 2022-01-11

Support: 0 Oppose: 1

<u>Name</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>
..., Yasmin	A Member of the Public	Myself	Oppose

Testimony



American Heart Association
2 Wall Street | Manchester, NH 03101

January 11, 2022

Senate Education Committee

Re: SB 233, An Act relative to water bottle filling stations in schools

Chairman Ward and Education Committee Members;

The American Heart Association (AHA) strongly supports passage of SB 233 which will increase student access to free, clean drinking water throughout the school day by installing water bottle filling stations in public schools under new construction and those undergoing substantial renovations.

Since children spend a large portion of the day in school, proactive policies have the potential to significantly influence water consumption among children. Students are able to consume much more water during the school day with filling stations vs traditional drinking fountains. On average kids drink 2.4 ounces of water when they drink directly from a water fountain (about the size of a condiment cup). When they have access to water jets with cups and bottles, they can increase their water-taking by as much as triple.¹

Another provision of the bill is to allow students to carry water bottles throughout the school day, except in areas where water should not be present for safety. Most U.S. schools- just shy of 75% - allow students to have a water bottle with them on campus during the school day.²

Filling stations also have broad public support. A national survey found that 96% of individuals aged 17 and older supported required access to water throughout the day in schools.³

¹ Kenney EL, Gortmaker SL, Carter JE, Howe MC, Reiner JF, Cradock AL. Grab a Cup, Fill it Up! An intervention to promote the convenience of drinking water and increase student water consumption during school lunch. *Am J Public Health*. 2015; 105:1777-83. doi: [10.2105/AJPH.2015.302645](https://doi.org/10.2105/AJPH.2015.302645).

² Cradock AL, Everett Jones S, Merlo C. Examining differences in the implementation of school water-quality practices and water-access policies by school demographic characteristics. *Prev Med Rep*. 2019; 14:100823. doi: [10.1016/j.pmedr.2019.100823](https://doi.org/10.1016/j.pmedr.2019.100823).

³ Long MW, Gortmaker SL, Patel AI, Onufrak SJ, Cradock AL. Public perception of quality and support for required access to drinking water in schools and parks. *Am J Health Promot*. 2018; 32(1):72-74, doi : [10.1177/0890117116671253](https://doi.org/10.1177/0890117116671253).

BENEFITS OF DRINKING WATER BY CHILDREN:

Water plays an important role in maintaining a child's overall health. Drinking water supports children's muscles, joints and tissues; improves their digestive system; and keeps their growing bodies hydrated.⁴

Adequate water intake can positively impact children's cognitive performance, particularly short-term memory. Drinking water can also improve children's visual attention and fine motor skills.⁵

Access to clean drinking water is a health equity issue. From 2009-2012, more than half of children in the U.S. didn't drink enough water. Inadequate hydration was more prevalent among boys, non-Hispanic black and younger children, compared to girls, non-Hispanic white and older children.⁶

COVID-19 has shown us that people with existing health conditions and compromised immune systems had poorer health outcomes from severe health complications than healthier people. Drinking water, and substituting water for sugary drinks, can help people - children and adults - maintain a healthier weight.⁷ Maintaining a healthy weight can increase overall health and reduce developing high blood pressure, diabetes and obesity.

Drinking water from filling stations can reduce the spread of germs and disease. The American Rescue Plan Act (ARPA) approved the expenditure of ESSER funds by school districts to install these units in existing schools. Traditional drinking fountains have been found to be among the germiest item in schools. In some schools in NH, school drinking water quality or poor access to drinking fountains, has caused the districts to purchase individual bottles of water for students - at a greater cost to taxpayers and our environment! An additional benefit of filling stations, especially for existing buildings, is their filters can remove lead particles from water, a problem many older school buildings have.

The cost of a water refill station compared to a water fountain is nominal in the process of construction, and can save dollars over time. All children, no matter where they live or what grade they are in, deserve to go to a school that provides clean drinking water at no cost. Because SB 233 applies to schools undergoing construction, the expenses for plumbing and water drinking units for students and other building occupants are already included in overall construction costs approved by residents and local governments.

⁴ Centers for Disease Control and Prevention. Water & Nutrition. Updated October 2016. <https://www.cdc.gov/healthywater/drinking/nutrition/index.html>. Accessed October 21, 2018.


Jequier E, Constant F, Water as an essential nutrient: the physiological basis of hydration. *Eur J Clin Nutr.* 2010; 62(2):1 15-23, doi [10.1038/ejcn.2009.111](https://doi.org/10.1038/ejcn.2009.111).

⁵ Masento NA, Golightly M, Field DT, Butler LT, van Reekum CM. Effects of hydration status on cognitive performance and mood. *Br J Nutr.* 2014; 111(10):1841-52, doi: [10.1017/S0007114513004455](https://doi.org/10.1017/S0007114513004455).

Booth P, Taylor B, Edmonds CJ. Water supplementation improves visual attention and fine motor skills in schoolchildren. *Education and Health.* 2012; 30:75-79

⁶ Kenney EL, Long MW, Craddock AL, Gortmaker, SL. Prevalence of inadequate hydration among U.S. children and disparities by gender and race/ethnicity: National Health and Nutrition Examination Survey, 2009-2012. *Am J Public Health.* 2015; 105(8): e113-8, doi: [10.2105/AJPH.2015.302572](https://doi.org/10.2105/AJPH.2015.302572).

⁷ Zheng M, Allman-Farinelli M, Heitmann BL, Rangan A. Substitution of sugar-sweetened beverages with other beverage alternatives: a review of long-term health outcomes. *J Acad Nutr Diet.* 2015; 115(5):767-79, doi: [10.1016/j.jand.2015.01.006](https://doi.org/10.1016/j.jand.2015.01.006).



Thank you for your consideration of SB 233 and the benefits for students' health and academic achievement of water bottle filling stations in newly constructed public schools and schools undergoing substantial renovation.

Submitted by,

Nancy Vaughan

Director of Government Relations, NH

American Heart Association

Nancy.vaughan@heart.org; 603-566-5658



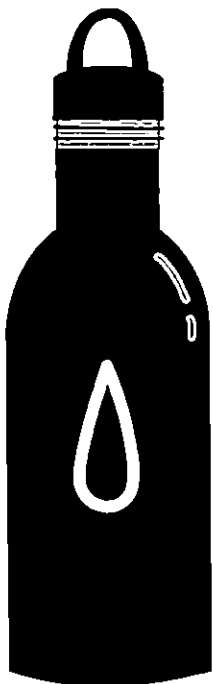
American Heart Association.

Q: WHAT IS THE GERMIEST THING IN A SCHOOL?

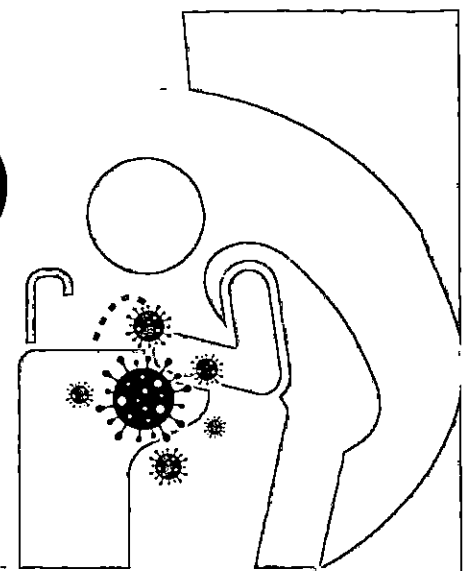
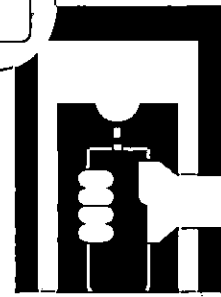
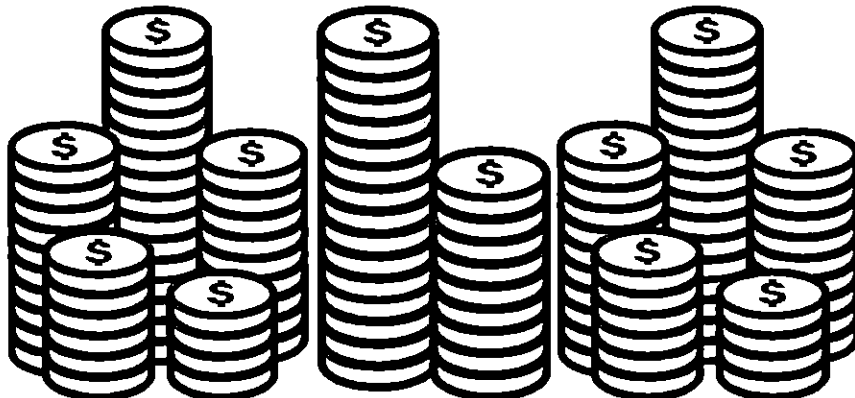
A: THE WATER FOUNTAIN!

During these unprecedented times, water bottle filling stations and personal water bottles may help reduce the spread of germs and disease.

- Amid the COVID-19 pandemic, the CDC now encourages staff and students to bring their own water to minimize use and touching of water fountains.
- In one study, water fountains and manual pencil sharpener handles were determined to be the **germiest surfaces in classrooms.**

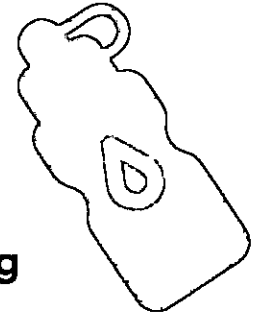


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CDC Guidance for Schools on Coronavirus; The Journal of School Nursing, Occurrence of Bacteria and Viruses on Elementary Classroom Surfaces and the Potential Role of Classroom Hygiene in the Spread of Infectious Diseases, Kelly R. Bright, PhD, Stephanie A. Boone, MPH, PhD, Charles P. Gerba, PhD, 2009; Zheng M, Allman-Farinelli M, Heitmann BL, Rangan A. Substitution of sugar-sweetened beverages with other beverage alternatives: a review of long-term health outcomes. J Acad Nutr Diet. 2015; 115(5):767-79. doi: 10.1016/j.jand.2015.01.006; Robert Wood Johnson Foundation's State of Childhood Obesity Report; Elbel B, Mijanovich T, Abrams C, Cantor J, Dunn L, Nonas C, Coppola K, Onufrak S, Park S. A water availability intervention in New York City public schools: influence on youths' water and milk behaviors. Am J Public Health. 2015; 105(2): 365-72. doi: 10.2105/AJPH.2014.302221; Masento NA, Galgoczy M, Field DJ, Butler LT, van Reekum CM Effects of hydration status on cognitive performance and mood. Br J Nutr. 2014; 111(10):1841-52. doi: 10.1017/S0007114513004455.

WATER REFILL STATIONS FOR HEALTHIER STUDENTS



Water access is hugely important for students during this stage in life.

- Drinking water benefits children's health. It helps children's muscles, joints, and tissues; improves their digestive system; and keeps their bodies hydrated.
- **More than half of children in the U.S. don't drink enough water.** Younger children are less likely to drink enough water compared to older children.
- Drinking water dispensers in schools can **nearly triple** how much water students drink at lunch time, according to one study. Drinking water can also positively impact children's cognitive performance, particularly their short-term memory.

Adopt a Water Bottle Filling Station policy to ensure all newly constructed schools and schools undergoing major renovations have water bottle filling stations!

A Water Bottle Filling Station policy should include:

1. At least one bottle filling station per 200 students
2. At least one bottle filling station on each floor, wing or other building section of a school building
3. One bottle filling station in all school food service areas
4. One bottle filling station near gymnasiums and outdoor learning and activity areas, including playgrounds and athletic facilities
5. Water bottle filling stations should be filtered, cooled and regularly cleaned to encourage consumption by students
6. Policy should address allowance of students to carry water bottles on school campuses, including inside classrooms
7. Policy should encourage touchless bottle filling stations for sanitary reasons
8. Policy may allow bottle filling stations to be integrated into drinking fountains

Put water within reach for our students.

Healthy living + reduced exposure to germs help make carrying water bottles the new normal in public schools. And make them easier to refill!

yourethecure.org/water-access



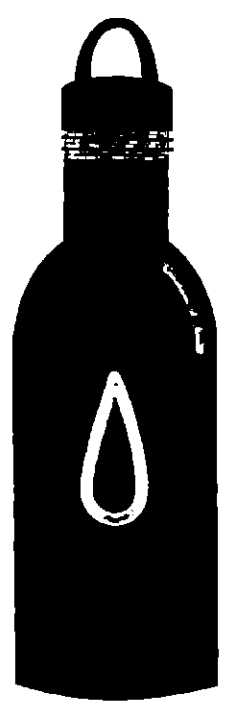
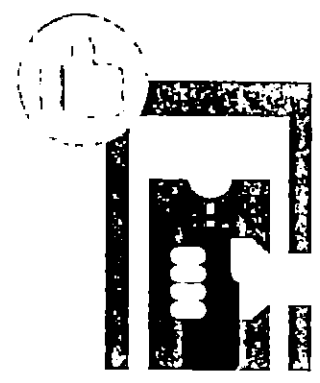
**American
Heart
Association.**



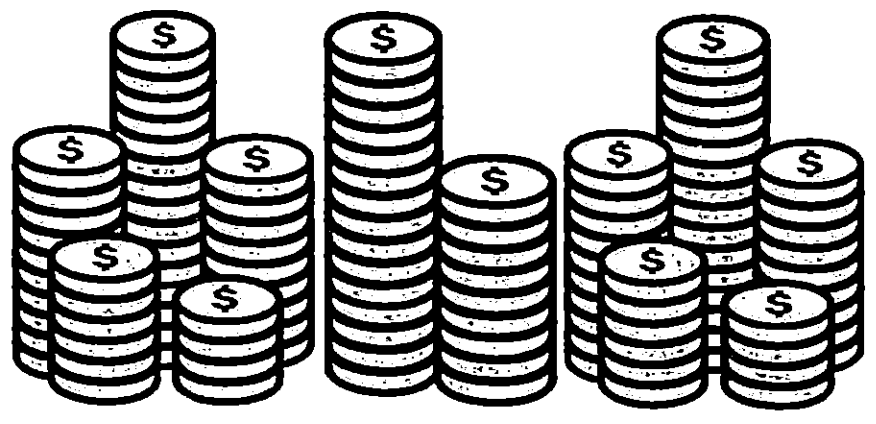
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yourethecure.org/water-access



**American
Heart
Association.**



American Heart Association.

You're the Cure

American Heart Association
2 Wall Street | Manchester, NH 03101

Re: SB 233, An Act relative to water bottle filling stations in school newly constructed or major renovations, Ought To Pass with Amendment, Vote 4-0 Senate Education Committee

The American Heart Association (AHA) strongly supports passage of SB 233 which will increase student access to free, clean drinking water throughout the school day by installing water bottle filling stations in public schools under new construction and those undergoing substantial renovations. **On February 3, we urge all Senators to support this important policy and vote passage of SB 233.**

Since children spend a large portion of the day in school, proactive policies have the potential to significantly influence water consumption among children. Students are able to consume much more water during the school day with filling stations vs traditional drinking fountains. On average kids drink 2.4 ounces of water when they drink directly from a water fountain (about the size of a condiment cup). When they have access to water jets with cups and bottles, they can increase their water-taking by as much as triple.¹

Filling stations also have broad public support. A national survey found that 96% of individuals aged 17 and older supported required access to water throughout the day in schools.²

Water plays an important role in maintaining a child's overall health. Drinking water supports children's muscles, joints and tissues; improves their digestive system; and keeps their growing bodies hydrated.³

Adequate water intake can positively impact children's cognitive performance, particularly short-term memory. Drinking water can also improve children's visual attention and fine motor skills.⁴

¹ Kenney EL, Gortmaker SL, Carter JE, Howe MC, Reiner JF, Cradock AL. Grab a Cup, Fill it Up! An intervention to promote the convenience of drinking water and increase student water consumption during school lunch. *Am J Public Health.* 2015; 105:1777-83. doi: [10.2105/AJPH.2015.302645](https://doi.org/10.2105/AJPH.2015.302645).

² Long MW, Gortmaker SL, Patel AI, Onufrak SJ, Cradock AL. Public perception of quality and support for required access to drinking water in schools and parks. *Am J Health Promot.* 2018; 32(1):72-74, doi : [10.1177/0890117116671253](https://doi.org/10.1177/0890117116671253).

³ Centers for Disease Control and Prevention. Water & Nutrition. Updated October 2016. <https://www.cdc.gov/healthywater/drinking/nutrition/index.html>. Accessed October 21, 2018.

Jequier E, Constant F, Water as an essential nutrient: the physiological basis of hydration. *Eur J Clin Nutr.*2010; 62(2):1 15-23, doi [10.1038/ejcn.2009.111](https://doi.org/10.1038/ejcn.2009.111).

⁴ Masento NA, Golightly M, Field DT, Butler LT, van Reekum CM. Effects of hydration status on cognitive performance and mood. *Br J Nutr.* 2014; 111(10):1841-52, doi: [10.1017/S0007114513004455](https://doi.org/10.1017/S0007114513004455).

Booth P, Taylor B, Edmonds CJ. Water supplementation improves visual attention and fine motor skills in schoolchildren. *Education and Health.* 2012; 30:75-79

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The cost of a water refill station compared to a water fountain is nominal in the process of construction, and can save dollars over time. All children, no matter where they live or what grade they are in, deserve to go to a school that provides clean drinking water at no cost. Because SB 233 applies to schools undergoing construction, the expenses for plumbing and water drinking units for students and other building occupants are already included in overall construction costs approved by residents and local governments.

Thank you for your consideration of these facts on SB 233 and the benefits for students' health and academic achievement with water bottle filling stations in newly constructed public schools and schools undergoing substantial renovation.

For additional information:

Nancy Vaughan
Director of Government Relations, NH
American Heart Association
Nancy.vaughan@heart.org; 603-566-5658

⁵ Zheng M, Allman-Farinelli M, Heitmann BL, Rangan A. Substitution of sugar-sweetened beverages with other beverage alternatives: a review of long-term health outcomes. *J Acad Nutr Diet.* 2015; 115(5):767-79, doi: [10.1016/j.jand.2015.01.006](https://doi.org/10.1016/j.jand.2015.01.006).

Voting Sheets

Senate Education Committee
EXECUTIVE SESSION RECORD
2022-2023 Session

Bill # SB 833 FN

Hearing date: 1/11/22

Executive Session date: 1/11/22

Motion of: OTP Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey, VC	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: P. 2, line 6: strike "shall"; replace w/ "may"
Committee amendment language Vote: 4-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey, VC	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: OTPIA Vote: 4-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey, VC	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reported out by: Sen. Prentiss

Notes: _____

Senate Finance Committee

EXECUTIVE SESSION

Bill # SB 233-FW

Hearing date: N/A

Executive session date: 02/08/22

Motion of: OTP

VOTE: 4-3 *Daniels
Giuda
Morse*

<u>Made by</u> Daniels <input type="checkbox"/>	<u>Seconded</u> Daniels <input type="checkbox"/>	<u>Reported</u> Daniels <input type="checkbox"/>
<u>Senator:</u> Reagan <input checked="" type="checkbox"/>	<u>by Senator:</u> Reagan <input type="checkbox"/>	<u>by Senator:</u> Reagan <input type="checkbox"/>
Giuda <input type="checkbox"/>	Giuda <input type="checkbox"/>	Giuda <input type="checkbox"/>
Rosenwald <input type="checkbox"/>	Rosenwald <input type="checkbox"/>	Rosenwald <input type="checkbox"/>
D'Allesandro <input type="checkbox"/>	D'Allesandro <input type="checkbox"/>	D'Allesandro <input checked="" type="checkbox"/>
Morse <input type="checkbox"/>	Morse <input type="checkbox"/>	Morse <input type="checkbox"/>
Hennessey <input type="checkbox"/>	Hennessey <input checked="" type="checkbox"/>	Hennessey <input type="checkbox"/>

Motion of: _____

VOTE: _____

<u>Made by</u> Daniels <input type="checkbox"/>	<u>Seconded</u> Daniels <input type="checkbox"/>	<u>Reported</u> Daniels <input type="checkbox"/>
<u>Senator:</u> Reagan <input type="checkbox"/>	<u>by Senator:</u> Reagan <input type="checkbox"/>	<u>by Senator:</u> Reagan <input type="checkbox"/>
Giuda <input type="checkbox"/>	Giuda <input type="checkbox"/>	Giuda <input type="checkbox"/>
Rosenwald <input type="checkbox"/>	Rosenwald <input type="checkbox"/>	Rosenwald <input type="checkbox"/>
D'Allesandro <input type="checkbox"/>	D'Allesandro <input type="checkbox"/>	D'Allesandro <input type="checkbox"/>
Morse <input type="checkbox"/>	Morse <input type="checkbox"/>	Morse <input type="checkbox"/>
Hennessey <input type="checkbox"/>	Hennessey <input type="checkbox"/>	Hennessey <input type="checkbox"/>

<u>Committee Member</u>	<u>Present</u>	<u>Yes</u>	<u>No</u>	<u>Reported out by</u>
Senator Daniels, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Senator Reagan, Vice-Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Giuda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Senator Hennessey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Rosenwald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Morse	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Senator D'Allesandro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Amendments: _____

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE

Wednesday, January 12, 2022

THE COMMITTEE ON Education

to which was referred SB 233-FN

AN ACT relative to water bottle filling stations in schools.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 4-0

AMENDMENT # 0077s

Senator Suzanne Prentiss
For the Committee

Ava Hawkes 271-3266

EDUCATION

SB 233-FN, relative to water bottle filling stations in schools.

Ought to Pass with Amendment, Vote 4-0.

Senator Suzanne Prentiss for the committee.

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE

Wednesday, February 9, 2022

THE COMMITTEE ON Finance

to which was referred **SB 233-FN**

AN ACT relative to water bottle filling stations in schools.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 4-3

Senator Lou D'Allesandro
For the Committee

Deb Martone 271-4980

Docket of sb233

12/14/2021	S	To Be Introduced 01/05/2022 and Referred to Education; SJ 1
12/21/2021	S	Hearing: 01/11/2022, Room 101, LOB, 09:30 am; SC 50
01/26/2022	S	Committee Report: Ought to Pass with Amendment # 2022-0077s, 02/03/2022; SC 5
02/03/2022	S	Committee Amendment # 2022-0077s, AA, VV; 02/03/2022; SJ 2
02/03/2022	S	Sen. Hennessey Floor Amendment # 2022-0414s, AA, VV; 02/03/2022; SJ 2
02/03/2022	S	Ought to Pass with Amendments 2022-0077s, and 2022-0414s, MA, VV; Refer to Finance Rule 4-5; 02/03/2022; SJ 2
02/09/2022	S	Committee Report: Ought to Pass, 02/16/2022; SC 7
02/16/2022	S	Ought to Pass: MA, VV; OT3rdg; 02/16/2022; SJ 3
03/23/2022	H	Introduced 03/17/2022 and referred to Education
03/28/2022	H	Public Hearing: 04/06/2022 09:00 am LOB 205-207
04/13/2022	H	Executive Session: 04/19/2022 11:00 am LOB 205-207
04/20/2022	H	Committee Report: Ought to Pass with Amendment # 2022-1638h (Vote 19-0; CC)
05/04/2022	H	Amendment # 1638h: AA VV 05/04/2022 HJ 11
05/04/2022	H	Ought to Pass with Amendment 1638h: MA VV 05/04/2022 HJ 11
05/12/2022	S	Sen. Ward Moved to Concur with the House Amendment, MA, VV; 05/12/2022; SJ 12
05/27/2022	H	Enrolled (in recess of) 05/26/2022 HJ 14
05/27/2022	S	Enrolled Adopted, VV, (In recess 05/26/2022); SJ 13
06/08/2022	S	Signed by the Governor on 06/07/2022; Chapter 0149; Effective 09/05/2022

General Court of New Hampshire - Bill Status System

Docket of SB233

Docket Abbreviations

Bill Title: relative to water bottle filling stations in schools.*Official Docket of SB233.:*

Date	Body	Description
12/14/2021	S	To Be Introduced 01/05/2022 and Referred to Education; SJ 1
12/21/2021	S	Hearing: 01/11/2022, Room 101, LOB, 09:30 am; SC 50
1/26/2022	S	Committee Report: Ought to Pass with Amendment #2022-0077s , 02/03/2022; SC 5
2/3/2022	S	Committee Amendment #2022-0077s , AA, VV; 02/03/2022; SJ 2
2/3/2022	S	Sen. Hennessey Floor Amendment #2022-0414s , AA, VV; 02/03/2022; SJ 2
2/3/2022	S	Ought to Pass with Amendments 2022-0077s, and 2022-0414s, MA, VV; Refer to Finance Rule 4-5; 02/03/2022; SJ 2
2/9/2022	S	Committee Report: Ought to Pass, 02/16/2022; SC 7
2/16/2022	S	Ought to Pass: MA, VV; OT3rdg; 02/16/2022; SJ 3
3/23/2022	H	Introduced 03/17/2022 and referred to Education
3/28/2022	H	Public Hearing: 04/06/2022 09:00 am LOB 205-207
4/13/2022	H	Executive Session: 04/19/2022 11:00 am LOB 205-207
4/20/2022	H	Committee Report: Ought to Pass with Amendment #2022-1638h (Vote 19-0; CC)
5/4/2022	H	Amendment # 1638h: AA VV 05/04/2022 HJ 11
5/4/2022	H	Ought to Pass with Amendment 1638h: MA VV 05/04/2022 HJ 11
5/12/2022	S	Sen. Ward Moved to Concur with the House Amendment, MA, VV; 05/12/2022; SJ 12
5/27/2022	H	Enrolled (in recess of) 05/26/2022 HJ 14
5/27/2022	S	Enrolled Adopted, VV, (In recess 05/26/2022); SJ 13
6/8/2022	S	Signed by the Governor on 06/07/2022; Chapter 0149; Effective 09/05/2022

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: SB 233-FV

Senate Committee: FINANCE

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other submissions ~~handed in at the public hearing~~

Hearing Report

Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

___ - amendment # _____ ___ - amendment # _____

___ - amendment # _____ ___ - amendment # _____

Executive Session Sheet

Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

___ - amendment # _____ ___ - amendment # _____

___ - amendment # _____ ___ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

Enrolled Bill Amendment(s)

Governor's Veto Message

All available versions of the bill: {Clerk's Office}

as amended by the senate

as amended by the house

final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Debra A. Martore
Committee Aide

06/16/22
Date

Senate Clerk's Office JM

Senate Inventory Checklist for Archives

Bill Number: SB 233. FN

Senate Committee: EDU

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: (Legislative Aides)

- Bill version as it came to the committee
- All Calendar Notices
- Hearing Sign-up sheet(s)
- Prepared testimony, presentations, & other submissions handed in at the public hearing
- Hearing Report
- Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: (Legislative Aides)

All amendments considered in committee (including those not adopted):

- amendment # 00775 ___ - amendment # _____
- ___ - amendment # _____ ___ - amendment # _____
- Executive Session Sheet
- Committee Report

Floor Action Documents: (Clerk's Office)

All floor amendments considered by the body during session (only if they are offered to the senate):

- amendment # 04145 ___ - amendment # _____
- ___ - amendment # _____ ___ - amendment # _____

Post Floor Action: (if applicable) (Clerk's Office)

- ___ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):
- ___ Enrolled Bill Amendment(s)
- ___ Governor's Veto Message

All available versions of the bill: (Clerk's Office)

- as amended by the senate ___ as amended by the house
- ___ final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Chris Hawker
Committee Aide

9/28/22
Date

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