

HOUSE BILL NO. 667

INTRODUCED BY J. BACHMEIER

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A PILOT FARM TO SCHOOL GRANT PROGRAM; REQUIRING THE OFFICE OF PUBLIC INSTRUCTION TO ESTABLISH THE PROGRAM; ESTABLISHING GRANT REQUIREMENTS; ESTABLISHING A GRANT PROCESS; PROVIDING PREFERENCES FOR GRANT AWARDS; REQUIRING REPORTING TO THE LEGISLATURE; PROVIDING RULEMAKING AUTHORITY; PROVIDING AN APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Short title.** [Sections 1 through 7] may be cited as the pilot "Farm to School Grant Act".

NEW SECTION. **Section 2. Purpose.** The purpose of [sections 1 through 7] is to provide a pilot farm to school grant program administered by the office of public instruction for farm to school activities.

NEW SECTION. **Section 3. Definitions.** As used in [sections 1 through 7], unless the context requires otherwise, the following definitions apply:

(1) "Farm to school activities" include:

(a) the purchase of Montana-grown fruit, vegetables, meat, legumes, whole grains, eggs, and dairy products for use in school nutrition programs; and

(b) food-based, agriculture-based, and garden-based educational projects in schools.

(2) (a) "Montana-grown" means items grown, raised, or processed in Montana.

(b) At least 51% of the ingredients in a processed food must have been grown, raised, or both in Montana.

(c) Food grown or raised in Montana may be processed outside of Montana in accordance with existing regulations and still be considered to be Montana-grown.

NEW SECTION. **Section 4. Office of public instruction farm to school requirements -- rulemaking.**

1 (1) (a) The office of public instruction shall develop an open, competitive, pilot grant program and related training  
2 for school staff and school food service directors in conjunction with the state farm to school coordinator, the  
3 Montana team nutrition program, the Montana farm to school leadership team established in coordination with  
4 the nutrition program, and the state department of agriculture.

5 (b) Grants must be awarded in accordance with [section 5] for farm to school activities.

6 (2) The office of public instruction may adopt rules necessary to implement a pilot farm to school grant  
7 program. Rules may include but are not limited to:

8 (a) standards for farm to school activities;

9 (b) methods for determining an applicant's progress in implementing farm to school activities;

10 (c) methods for determining compliance with the requirements of [section 5]; and

11 (d) other procedures necessary to administer and implement the grant program.

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13 **NEW SECTION. Section 5. Farm to school grant requirements.** (1) (a) Grants awarded in  
14 accordance with [sections 1 through 7] must be based on a competitive process open to applicants based on  
15 enrollment, geography, grade level, and an applicant's progress in implementing farm to school activities.

16 (b) Applicants must demonstrate compliance with the requirements of subsection (3).

17 (2) Preference must be provided to applicants who:

18 (a) enroll a high percentage of pupils who receive free or reduced-price school meals; and

19 (b) propose farm to school activities that:

20 (i) are well-designed;

21 (ii) incorporate positive change in local food purchasing;

22 (iii) promote healthy food activities;

23 (iv) have clear educational objectives;

24 (v) involve parents or members of the community; and

25 (vi) have high potential for job creation and economic development.

26 (3) (a) Food purchased for farm to school activities with grants must:

27 (i) contain 50% or more Montana-grown and raised ingredients;

28 (ii) be minimally processed; and

29 (iii) be used for food purchases that are otherwise a part of applicants' normal school nutrition programs.

30 (b) Food purchased for farm to school activities may not be used to supplant existing local food

1 purchases by schools that would otherwise be purchased with existing school nutrition funds from other sources.

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3 **NEW SECTION. Section 6. Farm to school special revenue account.** (1) There is a farm to school  
4 special revenue account in the state special revenue fund to the credit of the office of public instruction.

5 (2) The purpose of the account is to:

6 (a) provide funding for farm to school grants awarded in accordance with [sections 1 through 7]; and

7 (b) allow for the administration of the program, subject to subsection (4).

8 (3) There must be deposited in the account:

9 (a) legislative appropriations; and

10 (b) gifts, grants, or donations made for the purposes of [sections 1 through 7].

11 (4) The office of public instruction may retain up to 10% of the money in the account to pay its costs of  
12 administering [sections 1 through 7].

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14 **NEW SECTION. Section 7. Farm to school reporting requirements.** The office of public instruction  
15 shall design and compile evaluation reports from grant recipients and prepare a report for the education interim  
16 committee in accordance with 5-11-210 that describes:

17 (1) the total dollar increase in purchases of Montana-grown fruit, vegetables, and other farm products  
18 by each grant recipient;

19 (2) products purchased, and the total number of businesses from which the products were purchased;

20 (3) the percentage of each grant recipient's total school nutrition budget spent on Montana-grown fruit,  
21 vegetables, and other farm products;

22 (4) the number of students reached through funded educational activities;

23 (5) a trend analysis on Montana-grown fruit, vegetables, and other farm products that are of growing  
24 interest to school food service directors; and

25 (6) recommendations for continuing the farm to school grant program.

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27 **NEW SECTION. Section 8. Appropriation.** There is appropriated \$100,000 from the state general fund  
28 to the office of public instruction for each of fiscal years 2020 and 2021 for the purposes described in [sections  
29 1 through 7].

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