

## 1 HOUSE BILL NO. 471

2 INTRODUCED BY G. HERTZ

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4 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING THE FARM-TO-SCHOOL GRANT PROGRAM;  
5 REQUIRING THE OFFICE OF PUBLIC INSTRUCTION TO ADMINISTER THE GRANT PROGRAM IN  
6 COORDINATION WITH THE DEPARTMENT OF AGRICULTURE; PROVIDING THAT SCHOOL DISTRICTS  
7 MAY SEEK SUPPORT FOR THE PROCUREMENT OF FOOD PRODUCTS PRODUCED OR PROCESSED IN  
8 MONTANA AND CONTAINING AT LEAST 50% MONTANA-PRODUCED INGREDIENTS; PROVIDING  
9 RULEMAKING AUTHORITY TO THE OFFICE OF PUBLIC INSTRUCTION; PROVIDING AN APPROPRIATION;  
10 AND PROVIDING AN EFFECTIVE DATE."

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

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14 NEW SECTION. **Section 1. Farm-to-school grant program.** (1) A school district may apply to the  
15 office of public instruction for a grant to be used by the school district to:

16 (a) reimburse the school district for costs incurred by the school district in purchasing Montana food  
17 products described in subsection (3); and

18 (b) fund food-based, agriculture-based, and garden-based educational activities in the school district.

19 (2) For a grant received under this section:

20 (a) 85% of the money from the grant must be used for the purpose of subsection (1)(a); and

21 (b) 15% of the money from the grant must be used for educational activities under subsection (1)(b).

22 (3) (a) For the portion of a grant that is allocated for procurement of food products, a school district must  
23 be supported for the costs incurred by the school district in purchasing Montana food products that were:

24 (i) purchased on or after the date the school district received the money for the grant;

25 (ii) produced in Montana or processed in Montana and that contain a percentage of Montana-produced  
26 ingredients equal to at least 50%; and

27 (iii) used in meals that are part of the United States department of agriculture's national school lunch  
28 program.

29 (b) A school district that receives money for the procurement of Montana food products as provided in  
30 subsection (3)(a):

1 (i) shall use the money to purchase foods produced in Montana or processed in Montana that contain  
2 a percentage of Montana-produced ingredients equal to at least 50%; and

3 (ii) may not use the money to supplant purchases of food products with federal money, but may use the  
4 money to pay for the difference in cost between food products that are of higher quality and food products that  
5 are allowed to be purchased with federal money.

6 (4) For the portion of a grant that is allocated for educational activities, a school district shall use the  
7 money for costs directly associated with the educational activities, including staff time, travel costs, and equipment  
8 purchased for the activities.

9 (5) The office of public instruction shall consult with the Montana department of agriculture to determine  
10 the recipients and amounts of grants awarded under this section. Preference must be given to school districts  
11 that:

12 (a) propose farm-to-school projects that:

13 (i) are well designed;

14 (ii) incorporate positive changes in food purchasing;

15 (iii) promote healthy food activities;

16 (iv) have clear educational objectives;

17 (v) involve parents or the community; and

18 (vi) have high potential for job creation;

19 (b) represent a variety of sizes and geographic locations; and

20 (c) serve a high percentage of children who qualify for free or reduced-price school meals under the  
21 United States department of agriculture's national school lunch program.

22 (6) The office of public instruction shall award at least two grants under this section during each  
23 biennium.

24 (7) The office of public instruction shall develop rules and standards related to the grants and may  
25 consult with the department of agriculture with respect to development of those rules and standards.

26 (8) The office of public instruction may expend no more than 2% of all money received for the grant  
27 program for administrative costs.

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29 **NEW SECTION. Section 2. Appropriation.** There is appropriated \$300,000 from the general fund to  
30 the office of public instruction for the biennium beginning July 1, 2013, as a one-time appropriation to commence

1 operation of the farm-to-school grant program under [section 1].

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3 NEW SECTION. **Section 3. Codification instruction.** [Section 1] is intended to be codified as an  
4 integral part of Title 20, chapter 10, and the provisions of Title 20, chapter 10, apply to [section 1].

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6 NEW SECTION. **Section 4. Effective date.** [This act] is effective July 1, 2013.

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