

1 HOUSE BILL NO. 642

2 INTRODUCED BY L. BISHOP

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4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A PILOT FARM TO SCHOOL GRANT
5 PROGRAM; REQUIRING THE OFFICE OF PUBLIC INSTRUCTION TO ESTABLISH AND ADMINISTER THE
6 PROGRAM; ESTABLISHING GRANT REQUIREMENTS; ESTABLISHING A GRANT PROCESS; PROVIDING
7 PREFERENCES FOR GRANT AWARDS; ESTABLISHING REPORTING REQUIREMENTS; PROVIDING
8 DEFINITIONS; PROVIDING RULEMAKING AUTHORITY; PROVIDING AN APPROPRIATION; AND
9 PROVIDING AN EFFECTIVE DATE."

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

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

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16 NEW SECTION. Section 2. Purpose. (1) The purpose of [sections 1 through 7] is to provide a pilot
17 farm to school grant program administered by the office of public instruction for farm to school activities. Farm
18 to school strengthens community connections to fresh, local food by shifting food purchasing and education
19 practices in schools. Farm to school implementation looks different in each community but includes the
20 following elements:

21 (a) procurement of local foods for meals and snacks;

22 (b) student engagement in school gardens; and

23 (c) food-based education.

24 (2) [Sections 1 through 7] create a pilot program to increase the buying power of Montana schools for
25 purchasing locally produced food and for operating educational programs to increase student understanding of
26 and connection to agriculture, food, and gardening, and in doing so, help to bridge the rural-urban divide in the
27 state.

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

3 (1) "Farm to school activities" include:

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

6 (b) food-based, agriculture-based, and garden-based educational projects in school, including but not
7 limited to cooking, nutrition, or garden lessons taught to pupils by school staff and taste tests of new cafeteria
8 menu items.

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

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

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

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

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

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

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

23 (a) standards for farm to school activities;

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

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

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

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28 **NEW SECTION. Section 5. Farm to school grant requirements.** (1) (a) Grants awarded in

1 accordance with [sections 1 through 7] must be based on a competitive process open to applicants based on
2 enrollment, geography, grade level, and an applicant's progress in implementing farm to school activities.

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

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

5 (a) enroll at least 50% of pupils who receive free or reduced-price school meals; and

6 (b) propose farm to school activities that:

7 (i) are well-designed;

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

9 (iii) promote healthy food activities;

10 (iv) have clear educational objectives;

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

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

13 (3) (a) Food purchased for farm to school activities with grant funds must be:

14 (i) Montana-grown and raised food, products, or ingredients; and

15 (ii) used for food purchases that are otherwise a part of an applicant's normal school nutrition program.

16 (b) Food purchased for farm to school activities may not be used to supplant existing local food
17 purchases by schools that would otherwise be purchased with existing school nutrition funds from other
18 sources.

19 (c) A grant recipient may spend up to 25% of the award amount on farm to school educational and
20 promotional activities.

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22 **NEW SECTION. Section 6. Farm to school special revenue account.** (1) There is an account in
23 the state special revenue fund for the farm to school grant program.

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

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

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

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

28 (a) legislative appropriations; and

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

2 (4) The office of public instruction may use up to 10% of the money deposited in the account for
3 administrative costs.

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

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

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

11 (3) the number of students reached through grant-funded educational activities;

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

14 (5) recommendations for continuing the farm to school grant program.

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16 **NEW SECTION. Section 8. Notification to tribal governments.** The secretary of state shall send a
17 copy of [this act] to each federally recognized tribal government in Montana.

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19 **NEW SECTION. Section 9. Appropriation.** There is appropriated \$100,000 from the state general
20 fund to the office of public instruction for each year of the biennium beginning July 1, 2021, for the purposes
21 provided for in [sections 1 through 7].

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23 **NEW SECTION. Section 10. Codification instruction.** [Sections 1 through 7] are intended to be
24 codified as an integral part of Title 20, chapter 10, part 2, and the provisions of Title 20, chapter 10, part 2,
25 apply to [sections 1 through 7].

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27 **NEW SECTION. Section 11. Effective date.** [This act] is effective July 1, 2021.

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