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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. **2049**

03/02/2017 Authored by Kiel; Anderson, P.; Poppe; Pierson; Mahoney and others
The bill was read for the first time and referred to the Committee on Agriculture Policy
03/16/2017 Adoption of Report: Amended and re-referred to the Committee on Agriculture Finance

1.1 A bill for an act
1.2 relating to agriculture; establishing a farm-to-school program; appropriating money;
1.3 proposing coding for new law in Minnesota Statutes, chapter 17.

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

1.5 Section 1. [17.1019] FARM-TO-SCHOOL ADMINISTRATIVE SUPPORT,
1.6 TECHNICAL ASSISTANCE, TRAINING, AND GRANT PROGRAM.

1.7 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
1.8 the meaning given.

1.9 (b) "Eligible recipient" means a public or private elementary or secondary school, a
1.10 school district, or a child care provider that participates in one or more federal child nutrition
1.11 programs.

1.12 (c) "Federal child nutrition programs" means:

1.13 (1) national school lunch program;

1.14 (2) school breakfast program;

1.15 (3) child and adult care food program;

1.16 (4) fresh fruit and vegetable program; and

1.17 (5) summer food service program.

1.18 (d) "Minnesota grown" means 80 percent or more of the food product was produced and
1.19 processed in Minnesota.

2.1 (e) "Unprocessed or minimally processed food" means an agricultural product that retains
2.2 its inherent character. For purposes of this section, the following food handling and
2.3 preservation techniques do not modify an agricultural product's inherent character: cooling;
2.4 refrigerating; freezing; modifying size by peeling, slicing, dicing, cutting, chopping, shucking,
2.5 or grinding; forming ground products into patties without the addition of additives or fillers;
2.6 drying or dehydration; washing; packaging, vacuum packing, and bagging; adding ascorbic
2.7 acid or other preservatives to produce to prevent oxidation; butchering livestock and poultry;
2.8 cleaning fish; or producing yogurt or cheese from milk.

2.9 Subd. 2. **Establishment.** The farm-to-school administrative support, technical assistance,
2.10 training, and grant program is established to facilitate and increase procurement of Minnesota
2.11 grown unprocessed and minimally processed food by eligible recipients in order to increase
2.12 Minnesota children's access to healthy, fresh, locally produced food and to support the
2.13 farmers and processors who sell their products to eligible recipients.

2.14 Subd. 3. **University of Minnesota Extension.** The commissioner must administer the
2.15 program in consultation with University of Minnesota Extension, who will provide assistance
2.16 to farmers and processors who sell or intend to sell Minnesota grown unprocessed and
2.17 minimally processed food to eligible recipients.

2.18 Subd. 4. **Grants; limitations.** (a) Within the limits of available funding, the commissioner
2.19 must reimburse a participating eligible recipient for the documented cost of Minnesota
2.20 grown unprocessed or minimally processed food purchased.

2.21 (b) The commissioner must not reimburse an eligible recipient for:

2.22 (1) transportation, packaging, or other ancillary costs incurred to acquire the food; or

2.23 (2) costs for which the eligible recipient has received, or will receive, reimbursement
2.24 through another local, state, federal, or private program.

2.25 (c) Each state fiscal year, total funding received by an eligible recipient under this section
2.26 must not exceed an amount equal to five cents multiplied by the number of meals the eligible
2.27 recipient served through the federal child nutrition programs during the prior year. The
2.28 commissioner of education must provide to the commissioner relevant data on the number
2.29 of meals served, which the commissioner must use to calculate the maximum amount of
2.30 grant funding available to a participating eligible recipient.

2.31 Subd. 5. **Application; documentation.** An eligible recipient must submit an application
2.32 to the commissioner in the form required by the commissioner. An eligible recipient must
2.33 satisfy all food documentation or tracking requirements required by the commissioner to

3.1 ensure that grant awards are used by an eligible recipient only as reimbursement for eligible
3.2 food or eligible educational activities.

3.3 Subd. 6. **Eligible uses.** (a) Except as provided in paragraph (b), an eligible recipient
3.4 must use grant funds received under this section to purchase Minnesota grown unprocessed
3.5 or minimally processed food, not including fluid milk, agricultural commodities, or yogurt
3.6 containing artificial sweetener or more than eight ingredients.

3.7 (b) An eligible recipient may use up to 20 percent of grant funds received under this
3.8 section to support educational activities that directly connect children and their families
3.9 with agriculture and food including, but not limited to, school gardens, classroom-based
3.10 gardening or cooking projects, tasting tables, field trips to farms, and chef visits or training.

3.11 **Sec. 2. DEPARTMENT OF AGRICULTURE; APPROPRIATION.**

3.12 \$4,500,000 in fiscal year 2018 and \$4,500,000 in fiscal year 2019 are appropriated from
3.13 the general fund to the commissioner of agriculture for purposes of the farm-to-school
3.14 administrative support, technical assistance, training, and grant program established in this
3.15 act. The commissioner must award grants on a first-come, first-served basis and may give
3.16 preference to eligible recipients with the highest percentage of free and reduced-price meal
3.17 service. The commissioner must use up to \$100,000 of the appropriation each year to:

3.18 (1) administer the program;

3.19 (2) provide, in consultation with University of Minnesota Extension, grant-writing
3.20 assistance, administrative support, technical assistance, and training for participating farmers
3.21 and eligible grant recipients; and

3.22 (3) serve as a statewide coordinator of farm-to-school strategy and programming, in
3.23 consultation with relevant stakeholders.

3.24 **Sec. 3. UNIVERSITY OF MINNESOTA; APPROPRIATION.**

3.25 \$300,000 in fiscal year 2018 and \$300,000 in fiscal year 2019 are appropriated from the
3.26 general fund to the commissioner of agriculture for transfer to the Board of Regents of the
3.27 University of Minnesota for three new agriculture extension positions, two of which must
3.28 be based out of different, noncontiguous extension regions located outside of the Twin
3.29 Cities metropolitan area. These extension positions must provide research-based education
3.30 and technical assistance statewide to beginning, specialty crop, and small to midsize farmers
3.31 and other farmers with demonstrated need in order to facilitate farm-to-school sales. This
3.32 education and technical assistance includes, but is not limited to, education and outreach

- 4.1 on business planning and development, institutional food procurement standards and
4.2 requirements, postharvest handling practices, including the development of food safety and
4.3 good agricultural practices plans, and food production processes.