

# House Bill 2649

Sponsored by Representatives KOTEK, CLEM (Presession filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Removes requirement that grant to purchase Oregon food products and to fund certain educational activities be allocated in specified percentage. Removes requirement that at least two grants be awarded per biennium under grant program.

Appropriates moneys from General Fund to Department of Education for grant program.

Declares emergency, effective July 1, 2013.

## A BILL FOR AN ACT

1  
2 Relating to grants awarded to schools for food programs; amending ORS 336.431; appropriating  
3 money; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 336.431 is amended to read:

6 336.431. (1) A school district may apply to the Department of Education for a grant to be used  
7 by the school district to:

8 (a) Reimburse the school district for costs incurred by the school district to purchase Oregon  
9 food products described in subsection [(3)] **(2)** of this section; *and*

10 (b) Fund food-based, agriculture-based and garden-based educational activities in school  
11 districts[.]; **or**

12 **(c) Reimburse and fund any combination of the purposes identified in paragraphs (a) and**  
13 **(b) of this subsection.**

14 [(2) *For a grant received under this section:*]

15 [(a) *87.5 percent of the moneys of the grant must be used for reimbursements as described in sub-*  
16 *section (1)(a) of this section; and*]

17 [(b) *12.5 percent of the moneys of the grant must be used for the educational activities described*  
18 *in subsection (1)(b) of this section.*]

19 [(3)(a)] **(2)(a)** [*For the portion of a grant that is allocated for reimbursements, a*] **If a school dis-**  
20 **trict uses a grant or a portion of a grant received under this section for reimbursements,**  
21 **the school district shall [be reimbursed] use the moneys** for the costs incurred by the school dis-  
22 trict to purchase Oregon food products that were:

23 (A) Purchased on or after the date the school district received the moneys for the grant;

24 (B) Produced or processed in Oregon; and

25 (C) Used in meals that are part of the United States Department of Agriculture's National  
26 School Lunch Program.

27 (b) For Oregon food products that satisfy the requirements of paragraph (a) of this subsection,  
28 reimbursements shall be in an amount that equals the lesser of:

29 (A) The amount paid per meal by the school district to purchase the Oregon food [*product*]  
30 **products; or**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.

1 (B) Fifteen cents for every school lunch **that is served as part of the United States Depart-**  
2 **ment of Agriculture's National School Lunch Program and that uses Oregon food products.**

3 (c) A school district that receives moneys for reimbursement as provided by paragraph (b) of this  
4 subsection:

5 (A) Must use the moneys to purchase foods produced or processed in Oregon; and

6 (B) May not use the moneys to supplant purchases of food products with federal moneys, but  
7 may use the moneys to pay for the difference in cost between food products that are of higher  
8 quality and food products that are allowed to be purchased with federal moneys.

9 [(4)] (3) *[For the portion of a grant that is allocated for educational activities, a]* **If a school dis-**  
10 **trict uses a grant or a portion of a grant received under this section for educational activ-**  
11 **ities, the** school district shall use the moneys for costs directly associated with the educational  
12 activities, including staff time, travel costs and equipment purchased for the activities.

13 [(5)] (4) The Department of Education shall consult with the State Department of Agriculture  
14 to determine the recipients and amounts of grants awarded under this section. Preference shall be  
15 given to school districts that:

16 (a) Propose farm-to-school projects or school garden projects that:

17 (A) Are well designed;

18 (B) Incorporate positive changes in food purchasing;

19 (C) Promote healthy food activities;

20 (D) Have clear educational objectives;

21 (E) Involve parents or the community; and

22 (F) Have high potential for job creation;

23 (b) Represent a variety of sizes and geographic locations; and

24 (c) Serve a high percentage of children who qualify for free or reduced price school meals under  
25 the United States Department of Agriculture's National School Lunch Program.

26 [(6)] *The Department of Education must award at least two grants per biennium under this*  
27 *section.]*

28 [(7)] (5) The Department of Education shall consult with the State Department of Agriculture  
29 to develop rules and standards related to the grants awarded under this section.

30 [(8)] (6) The Department of Education may expend for the administrative costs incurred under  
31 this section no more than two percent of all moneys received by the department for the grant pro-  
32 gram.

33 **SECTION 2. In addition to and not in lieu of any other appropriation, there is appropri-**  
34 **ated to the Department of Education, for the biennium beginning July 1, 2013, out of the**  
35 **General Fund, the amount of \$5,000,000 for the grant program described in ORS 336.431.**

36 **SECTION 3. This 2013 Act being necessary for the immediate preservation of the public**  
37 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**  
38 **July 1, 2013.**

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