

# House Bill 2721

Sponsored by Representative CLEM; Representative GILLIAM (Pre-session 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**.

Adjusts percentages by which Department of Education distributes grant moneys for school food programs.

Appropriates moneys for school food programs.

Declares emergency, effective July 1, 2015.

## A BILL FOR AN ACT

1  
2 Relating to school food programs; creating new provisions; amending ORS 336.431; and declaring an  
3 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 for one or more of the following purposes:

8 (a) To reimburse the school district for costs incurred by the school district to purchase Oregon  
9 food products described in subsection (3) of this section; or

10 (b) To fund food-based, agriculture-based and garden-based educational activities in school dis-  
11 tricts.

12 (2) The Department of Education shall distribute grant moneys under this section in a manner  
13 that ensures that:

14 (a) At least [80] \_\_\_\_\_ percent of the moneys distributed are used for reimbursements as de-  
15 scribed in subsection (1)(a) of this section; and

16 (b) At least [10] \_\_\_\_\_ percent of the moneys distributed are used for the educational activ-  
17 ities described in subsection (1)(b) of this section.

18 (3)(a) If a school district receives any grant moneys under this section for reimbursements, the  
19 school district shall use the moneys for the costs incurred by the school district to purchase Oregon  
20 food products that were:

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

22 (B) Produced or processed in Oregon; and

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

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

27 (A) The amount paid per meal by the school district to purchase the Oregon food products; or

28 (B) Fifteen cents for every school lunch that is served as part of the United States Department  
29 of Agriculture's National School Lunch Program and that uses Oregon food products.

30 (c) A school district that receives moneys for reimbursement as provided by paragraph (b) of this

**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 subsection:

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

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

6 (4) If a school district receives any moneys under this section for educational activities, the  
7 school district shall use the moneys for costs directly associated with the educational activities,  
8 including staff time, travel costs and equipment purchased for the activities.

9 (5) The Department of Education shall consult with the State Department of Agriculture to de-  
10 termine the recipients and amounts of grants awarded under this section.

11 (6) The Department of Education may award a grant to a school district under this section only  
12 if the school district can demonstrate that the school district:

13 (a) Has a program to purchase Oregon food products and a program to provide food-based,  
14 agriculture-based or garden-based educational activities; or

15 (b) Is developing the programs described in paragraph (a) of this subsection that the school  
16 district does not have at the time of application.

17 (7) When awarding grants under this section, preference shall be given to school districts that:

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

19 (A) Are well designed;

20 (B) Incorporate positive changes in food purchasing;

21 (C) Promote healthy food activities;

22 (D) Have clear educational objectives;

23 (E) Involve parents or the community; and

24 (F) Have high potential for job creation;

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

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

28 (8) The Department of Education shall consult with the State Department of Agriculture to de-  
29 velop rules and standards related to the grants awarded under this section.

30 (9) The Department of Education may expend for the administrative costs incurred under this  
31 section no more than two percent of all moneys received by the department for the grant program.

32 **SECTION 2. In addition to and not in lieu of any other appropriation, there is appropri-**  
33 **ated to the Department of Education, for the biennium beginning July 1, 2015, out of the**  
34 **General Fund, the amount of \$\_\_\_\_\_, for the grant program described in ORS 336.431.**

35 **SECTION 3. This 2015 Act being necessary for the immediate preservation of the public**  
36 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**  
37 **July 1, 2015.**

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