

HB

70

26-LS0284S
Bannister
3/25/09

CS FOR HOUSE BILL NO. 70(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY THE HOUSE RESOURCES COMMITTEE

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES GATTO, Ramras

A BILL

FOR AN ACT ENTITLED

1 **"An Act establishing the farm-to-school program in the Department of Natural**
2 **Resources, and relating to school gardens, greenhouses, and farms."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 03.05.010(a) is amended to read:

5 (a) The commissioner of natural resources shall

6 (1) direct, administer, and supervise promotional and experimental
7 work, extension services, and agricultural projects for the purpose of promoting and
8 developing the agricultural industry within the state including such fields as
9 horticulture, dairying, cattle raising, fur farming, grain production, vegetable
10 production, and development of other agricultural products;

11 (2) procure and preserve all information pertaining to the development
12 of the agricultural industry and disseminate that information to the public;

13 (3) assist prospective settlers and others desiring to engage in the
14 agricultural industry in the state with information concerning areas suitable for

1 agriculture and other activities and programs essential to the development of the
2 agricultural industry in the state;

3 (4) review the marketing, financing, and development of agricultural
4 products inside the state including transportation, with special emphasis upon local
5 production, and negotiate for the marketing of agricultural products of the state with
6 federal and state agencies operating in the state;

7 (5) regulate and control the entry into the state and the transportation,
8 sale, or use inside the state of plants, seeds, vegetables, shell eggs, fruits and berries,
9 nursery stock, animal feeds, remedies and mineral supplements, fertilizers, and
10 agricultural chemicals in order to prevent the spread of pests, diseases, or toxic
11 substances injurious to the public interest, and to protect the agricultural industry
12 against fraud, deception, and misrepresentation; in this connection, the commissioner
13 may require registration, inspection, and testing, and establish procedures and fees;
14 [AND]

15 (6) regulate the farming of elk in a manner similar to the manner in
16 which the commissioner regulates domestic animals and livestock, to the extent that is
17 appropriate;

18 (7) implement the farm-to-school program established in
19 AS 03.20.100.

20 * Sec. 2. AS 03.20 is amended by adding a new section to read:

21 **Article 2. Farm-to-school Program.**

22 **Sec. 03.20.100. Farm-to-school program established.** (a) The farm-to-school
23 program is established in the department to increase the procurement and use by
24 public schools of food grown in the state.

25 (b) The department, in consultation with the Department of Health and Social
26 Services, the Department of Education and Early Development, the Department of
27 Administration, and the University of Alaska Cooperative Extension Service, shall, in
28 order of priority,

29 (1) coordinate with school procurement officials, buying cooperatives,
30 and other appropriate organizations to develop uniform procurement policies and
31 procedures, as well as materials and practical recommendations, to facilitate the

1 procurement and use by public schools of food grown in the state; these policies,
2 procedures, materials, and recommendations shall be made available to school districts
3 to adopt at their discretion;

4 (2) assist food producers, distributors, and food brokers to market food
5 grown in the state to public schools by informing school districts of food procurement
6 opportunities, bid procedures, purchasing criteria, and other relevant requirements;

7 (3) assist public schools in connecting with local producers by
8 informing the schools of the resources and availability of food grown in the state and
9 the nutritional, environmental, and economic benefits of purchasing the food grown in
10 the state;

11 (4) identify and recommend mechanisms that will increase the
12 predictability of sales for producers and the adequacy of supply for purchasers;

13 (5) identify and make available to public schools existing curricula,
14 programs, and publications that educate students on the nutritional, environmental, and
15 economic benefits of preparing and consuming food grown in the state;

16 (6) support efforts to advance other farm-to-school activities, including
17 school gardens, school farms, and farm visits;

18 (7) as resources allow, seek additional funding to leverage state
19 expenditures for the program.

20 (c) Beginning January 25, 2010, the department, in cooperation with the
21 Department of Education and Early Development, shall collect data on the activities
22 conducted under this section and report the data biennially to the legislature. The data
23 collected must include the number of schools and farms participating in the program
24 established under (a) of this section and the increase, if any, in the procurement by the
25 public schools of food grown in the state.

26 (d) This section does not modify AS 36.15.050 and 36.15.060 regarding
27 preferences for Alaska agricultural and fisheries products.

28 (e) In this section,

29 (1) "food grown in the state" includes fruits and vegetables grown in
30 the state and meat and dairy products produced in the state;

31 (2) "program" means the farm-to-school program described in this

1 section.

2 * **Sec. 3.** AS 14.07.020(a) is amended to read:

3 (a) The department shall

4 (1) exercise general supervision over the public schools of the state
5 except the University of Alaska;

6 (2) study the conditions and needs of the public schools of the state,
7 adopt or recommend plans, administer and evaluate grants to improve school
8 performance awarded under AS 14.03.125, and adopt regulations for the improvement
9 of the public schools;

10 (3) provide advisory and consultative services to all public school
11 governing bodies and personnel;

12 (4) prescribe by regulation a minimum course of study for the public
13 schools; the regulations must provide that, if a course in American Sign Language is
14 given, the course shall be given credit as a course in a foreign language;

15 (5) establish, in coordination with the Department of Health and Social
16 Services, a program for the continuing education of children who are held in detention
17 facilities in the state during the period of detention;

18 (6) accredit those public schools that meet accreditation standards
19 prescribed by regulation by the department; these regulations shall be adopted by the
20 department and presented to the legislature during the first 10 days of any regular
21 session, and become effective 45 days after presentation or at the end of the session,
22 whichever is earlier, unless disapproved by a resolution concurred in by a majority of
23 the members of each house;

24 (7) prescribe by regulation, after consultation with the state fire
25 marshal and the state sanitarian, standards that will assure healthful and safe
26 conditions in the public and private schools of the state, including a requirement of
27 physical examinations and immunizations in pre-elementary schools; the standards for
28 private schools may not be more stringent than those for public schools;

29 (8) exercise general supervision over pre-elementary schools that
30 receive direct state or federal funding;

31 (9) exercise general supervision over elementary and secondary

1 correspondence study programs offered by municipal school districts or regional
2 educational attendance areas; the department may also offer and make available to any
3 Alaskan through a centralized office a correspondence study program;

4 (10) accredit private schools that request accreditation and that meet
5 accreditation standards prescribed by regulation by the department; nothing in this
6 paragraph authorizes the department to require religious or other private schools to be
7 licensed;

8 (11) review plans for construction of new public elementary and
9 secondary schools and for additions to and major rehabilitation of existing public
10 elementary and secondary schools and, in accordance with regulations adopted by the
11 department, determine and approve the extent of eligibility for state aid of a school
12 construction or major maintenance project; for the purposes of this paragraph, "plans"
13 include educational specifications, schematic designs, and final contract documents;

14 (12) provide educational opportunities in the areas of vocational
15 education and training, and basic education to individuals over 16 years of age who
16 are no longer attending school;

17 (13) administer the grants awarded under AS 14.11;

18 (14) establish, in coordination with the Department of Public Safety, a
19 school bus driver training course;

20 (15) require the reporting of information relating to school disciplinary
21 and safety programs under AS 14.33.120 and of incidents of disruptive or violent
22 behavior;

23 (16) establish by regulation criteria, based on low student performance,
24 under which the department may intervene in a school district to improve instructional
25 practices, as described in AS 14.07.030(14) or (15); the regulations must include

26 (A) a notice provision that alerts the district to the deficiencies
27 and the instructional practice changes proposed by the department;

28 (B) an end date for departmental intervention, as described in
29 AS 14.07.030(14)(A) and (B) and (15), after the district demonstrates three
30 consecutive years of improvement consisting of not less than two percent
31 increases in student proficiency on standards-based assessments in math,

1 reading, and writing as provided in AS 14.03.123(f)(2)(A); and

2 (C) a process for districts to petition the department for
3 continuing or discontinuing the department's intervention;

4 (17) notify the legislative committees having jurisdiction over
5 education before intervening in a school district under AS 14.07.030(14) or redirecting
6 public school funding under AS 14.07.030(15);

7 **(18) assist the Department of Natural Resources in developing and**
8 **implementing the farm-to-school program established under AS 03.20.100.**

9 * Sec. 4. AS 14.30 is amended by adding a new section to article 7 to read:

10 **Sec. 14.30.375. School gardens, greenhouses, and farms.** (a) A school
11 district may authorize or operate a school garden, greenhouse, or farm. The garden,
12 greenhouse, or farm must be used for educational purposes and for growing fruits and
13 vegetables for consumption by the students through the school district's meal and
14 snack program.

15 (b) If a school district operates a school garden, greenhouse, or farm, the
16 district shall give students representing student organizations, including vocational
17 programs, the opportunity to be involved in the operation of the school garden,
18 greenhouse, or farm.

19 (c) When a school garden, greenhouse, or farm is used for educating students
20 about agricultural practices, students shall be afforded the opportunity to learn about
21 both organic and conventional growing methods.

22 (d) If a school district operates a school garden, greenhouse, or farm, the
23 excess fruit and vegetables may be sold.

24 * Sec. 5. AS 03.05.010(a)(7); AS 03.20.100; AS 14.07.020(a)(18); and AS 14.30.375 are
25 repealed July 1, 2013.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
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Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

March 24, 2009

SUBJECT: CSHB 70(RES) establishing the farm-to-school program in the Department of Natural Resources, and relating to school gardens, greenhouses, and farms (Work Order No. 26-LS0284\E)

TO: Representative Craig Johnson
Co-Chair of the House Resources Committee
Attn: Debra Higgins

FROM:  Theresa Bannister
Legislative Counsel

This memo accompanies the bill described above.

Dedicated fund issue. The new provision located at sec. 14.30.375(d) requires that money raised by a school district from fruit and vegetable sales under sec. 14.30.375 be used for activities under that section. This may raise an issue under the state's constitutional prohibition against dedicated funds because a school district might be considered a political subdivision of the state or an agency of a municipality, which is a political subdivision of the state.

Art. IX, sec. 7, prohibiting dedicated funds, does not mention municipalities or other political subdivisions of the state. However, the state's supreme court itself has raised the issue with regard to municipalities.¹ The question of whether municipalities as political subdivisions are constitutionally restrained from dedicating general tax revenues has not been finally resolved. Therefore, it appears that the issue of whether the dedicated funds prohibition applies to a school district, whether characterized as a state subdivision itself or as an agency of a municipality, is unresolved.

If I may be of further assistance, please advise.

TLB:plm
09-214.plm

Enclosure

¹ Fairbanks v. Fairbanks Convention & Visitor Bureau, 818 P.2d 1153, 1158 fn. 7 (Alaska 1991).

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15 (b) If a school district operates a school garden, greenhouse, or farm, the
16 district shall give students representing student organizations, including vocational
17 programs, the opportunity to be involved in the operation of the school garden,
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19 (c) When a school garden, greenhouse, or farm is used for educating students
20 about agricultural practices, students shall be afforded the opportunity to learn about
21 both organic and conventional growing methods.

22 (d) If a school district operates a school garden, greenhouse, or farm, the
23 excess fruit and vegetables may be sold if the money from the sale is used to support
24 the operation of a school garden, greenhouse, or farm under this section.

25 * **Sec. 5.** AS 03.05.010(a)(7); AS 03.20.100; AS 14.07.020(a)(18); and AS 14.30.375 are
26 repealed July 1, 2013.

AMENDMENT

Conceptual
#1

OFFERED IN THE HOUSE

TO: CSHB 70 () VERSION R

by Rep. Seaton

Page 6, line 10 following "gardens" insert ", greenhouses"

Page 6, line 11 following "school garden" insert ", greenhouse"

Page 6, line 11 following "The garden" insert ", greenhouse"

Page 6, line 14 following "garden" insert ", greenhouse"

Page 6 line 17 following "garden" insert ", greenhouse"

Adopted
H.Res. 3/23/09

Page 6, line 20 insert a new subsection to read

(d) when a school garden, greenhouse, or farm is used the excess fruits or vegetables may be sold, if the revenues are used to support the program.

"greenhouses" added to title

26-LS0284\R
Bannister
2/12/09

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9 secondary schools and for additions to and major rehabilitation of existing public
10 elementary and secondary schools and, in accordance with regulations adopted by the
11 department, determine and approve the extent of eligibility for state aid of a school
12 construction or major maintenance project; for the purposes of this paragraph, "plans"
13 include educational specifications, schematic designs, and final contract documents;

14 (12) provide educational opportunities in the areas of vocational
15 education and training, and basic education to individuals over 16 years of age who
16 are no longer attending school;

17 (13) administer the grants awarded under AS 14.11;

18 (14) establish, in coordination with the Department of Public Safety, a
19 school bus driver training course;

20 (15) require the reporting of information relating to school disciplinary
21 and safety programs under AS 14.33.120 and of incidents of disruptive or violent
22 behavior;

23 (16) establish by regulation criteria, based on low student performance,
24 under which the department may intervene in a school district to improve instructional
25 practices, as described in AS 14.07.030(14) or (15); the regulations must include

26 (A) a notice provision that alerts the district to the deficiencies
27 and the instructional practice changes proposed by the department;

28 (B) an end date for departmental intervention, as described in
29 AS 14.07.030(14)(A) and (B) and (15), after the district demonstrates three
30 consecutive years of improvement consisting of not less than two percent
31 increases in student proficiency on standards-based assessments in math,

1 reading, and writing as provided in AS 14.03.123(f)(2)(A); and

2 (C) a process for districts to petition the department for
3 continuing or discontinuing the department's intervention;

4 (17) notify the legislative committees having jurisdiction over
5 education before intervening in a school district under AS 14.07.030(14) or redirecting
6 public school funding under AS 14.07.030(15);

7 **(18) assist the Department of Natural Resources in developing and**
8 **implementing the farm-to-school program established under AS 03.20.100.**

9 * **Sec. 4.** AS 14.30 is amended by adding a new section to article 7 to read:

10 **Sec. 14.30.375. School gardens and farms.** (a) A school district may
11 authorize or operate a school garden or farm. The garden or farm must be used for
12 educational purposes and for growing fruits and vegetables for consumption by the
13 students through the school district's meal and snack program.

14 (b) If a school district operates a school garden or farm, the district shall give
15 students representing student organizations, including vocational programs, the
16 opportunity to be involved in the operation of the school garden or farm.

17 (c) When a school garden or farm is used for educating students about
18 agricultural practices, students shall be afforded the opportunity to learn about both
19 organic and conventional growing methods.

20 * **Sec. 5.** AS 03.05.010(a)(7); AS 03.20.100; AS 14.07.020(a)(18); and AS 14.30.375 are
21 repealed July 1, 2013.

LEGAL SERVICES

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LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

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FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

March 6, 2009

SUBJECT: Sectional summary of CSHB 70() establishing the farm-to-school program in the Department of Natural Resources, and relating to school gardens and farms
(Work Order No. 26-LS0284\R)

TO: Representative Carl Gatto
Attn: Sandra Wilson

FROM: *JB*
Theresa Bannister
Legislative Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents.

Section 1. Directs the commissioner of natural resources to implement the farm-to-school program established by AS 03.20.100.

Section 2. Sec. 03.20.100. Establishes the farm-to-school program.

Sec. 03.20.100(a). Establishes the farm-to-school program in the Department of Natural Resources to increase public school use of state-grown food.

Sec. 03.20.100(b). Directs the department to perform certain tasks, as prioritized in the subsection, in consultation with other listed state agencies. The tasks relate to uniform procurement policies and procedures, assisting the food industry to market food to public schools, assisting public schools to connect with local producers, mechanisms for increasing sales and supply predictability, educating students, advancing other farm-to-school activities, and program funding.

Sec. 03.20.100(c). Directs the department, in cooperation with the Department of Education and Early Development, to collect data on the activities under this section and to report biennially to the legislature.

Sec. 03.20.100(d). States that this section does not affect two statutes related to state agricultural and fisheries product preferences.

Sec. 03.20.100(e). Defines terms for the section.

Representative Carl Gatto

March 6, 2009

Page 2

Section 3. Directs the Department of Education and Early Development to assist the Department of Natural Resources to develop and implement the farm-to-school program under AS 03.20.100.

Section 4. Sec. 14.30.375. Adds a new section relating to school gardens and farms.

Sec. 14.30.375(a). Allows a school district to authorize or operate a school garden or farm for educational purposes and for growing fruits and vegetables for the students.

Sec. 14.30.375(b). Requires a district to give students representing student organizations the opportunity to be involved in the operation of the garden or farm.

Sec. 14.30.375(c). Requires that, when the garden is used for education about agricultural practices, students be given the opportunity to learn about both organic and conventional growing methods.

Section 5. Repeals the provisions in this bill on July 1, 2013.

If I may be of further assistance, please advise.

TLB:ljw
09-141.ljw

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: CS HB070 (RES)
() Publish Date: _____

Identifier (file name): HB070CS(RES)-DNR-AG-03-23-09 Dept. Affected: Natural Resources
Title: Alaska Grown Agricultural Products RDU: Resource Development
Component: Agriculture Development
Sponsor: Representative(s) Gatto, Ramras
Requester: House Resources Committee Component Number: 455

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
OPERATING EXPENDITURES								
Personal Services	112.0		112.0	112.0				
Travel	30.0		30.0	30.0				
Contractual	25.0		25.0	25.0				
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING	167.0		167.0	167.0	0.0	0.0	0.0	

CAPITAL EXPENDITURES								
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CHANGE IN REVENUES ()								
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FUND SOURCE (Thousands of Dollars)

	FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
1002 Federal Receipts							
1003 GF Match							
1004 GF	167.0		167.0	167.0			
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	167.0		167.0	167.0	0.0	0.0	0.0

Estimate of any current year (FY2009) cost: _____

POSITIONS

	FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Full-time	1		1	1			
Part-time	1		1	1			
Temporary							

ANALYSIS: (Attach a separate page if necessary)

A Farm-to-School program - as outlined in Sec. 2 of HB 70 - would be created in the Division of Agriculture to work with the Department of Education and Early Development, School Nutrition Program to increase procurement and use of Alaskan grown food in the public schools. A Development Specialist, Range 18, \$81.5, in conjunction with a part-time Agricultural Inspector, Range 16 \$30.5 would implement Sections 2 and 4. Travel expenses will be used to cover travel to remote districts to educate students on the benefit of growing and consuming local produce. Contractual will cover the cost of curriculum coordinated with the Department of Education to educate youth on the benefits of growing and consuming local produce. Section 8 of the bill repeals the Farm to School program in July 1, 2013 (end of FY 2012).

Prepared by: Franci Havemeister
Division: Division of Agriculture
Approved by: Tom Irwin, Commissioner
Natural Resources

Phone: 907-761-3867
Date/Time: March 23, 2009
Date: March 23, 2009

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: CSHB 70
 () Publish Date: _____

Identifier (file name): CSHB070-EED-TLS-3-24-09
 Title: "An Act establishing the farm-to-school program in the Department of Natural Resources..."
 Sponsor: Rep. Gatto
 Requester: (H) RES
 Dept. Affected: EED
 RDU: Teaching & Learning Support
 Component: Child Nutrition Services
 Component Number: 1955

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
		FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
OPERATING EXPENDITURES							
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING		0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES							
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CHANGE IN REVENUES ()							
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FUND SOURCE (Thousands of Dollars)

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other Interagency Receipts						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2009) cost: _____

POSITIONS

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 This CS of HB070 has no fiscal impact on DEED.

Prepared by: Eddy Jeans, Director
 Division: School Finance & Facilities
 Approved by: Larry LeDoux
 Commissioner

Phone 465-8679
 Date/Time 3/24/09 12:00 AM
 Date 3/24/2009

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State Capitol
Juneau, Alaska 99801-1182
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MEMORANDUM

January 27, 2009

SUBJECT: Sectional summary of HB 70, a bill establishing food programs
(Work order No. 26-LS0284A)

TO: Representative Carl Gatto
Attn: Sandra Wilson

FROM: *TS*
Theresa Bannister
Legislative Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents.

Section 1. Directs the commissioner of natural resources to implement the farm-to-school program established in AS 03.20.100.

Section 2. Establishes the farm-to-school program in the Department of Natural resources. Aims at increasing public schools' use of food grown in the state. Directs the department, in consultation with other identified departments and the Cooperative Extension Service to perform certain listed tasks. Requires the department to collect and report to the legislature data on the activities under this section. Does not change certain preferences for the state's agricultural and fisheries products. Makes the section subject to legislative appropriation of funds for the purposes in (a) - (c) of the section.

Section 3. Directs the Department of Education and Early Development to assist the Department of Natural Resources to develop and implement the farm-to-school program.

Section 4. Establishes the Alaska grown fresh fruit and vegetable grant program in the Department of Education and Early Development. Aims at improving student health and expanding the market for locally grown fresh produce. Lists criteria for the program. Allows a school district to apply to the department for a grant under this section. Indicates what makes a school district eligible for a grant. Prioritizes funding when there are insufficient funds for all the eligible school programs. Directs the department to establish measures for the outcome of the program. Does not change certain preferences for the state's agricultural and fisheries products. Makes the section subject to legislative appropriation for the program's purposes described in (a) - (f) of the section.

Representative Carl Gatto

January 27, 2009

Page 2

Section 5. Allows a school district to authorize or operate a school garden or farm. Requires that the garden or farm be used for educational purposes and for growing fruits and vegetables for consumption by the students. Requires a school district that operates a school garden to allow students to be involved in the operation. Requires that, when a garden or farm is used for agricultural education, the students be given the opportunity to learn about organic and conventional growing methods.

Section 6. Establishes the farmers' market technology improvements pilot program in the Department of Environmental Conservation. Aims at increasing the access to fresh fruits and vegetables and quality meat and dairy products. Also aims at increasing the number of food stamp recipients using food stamp benefits through electronic benefits transfer at farmers' markets. Requires the department to assist farmers' markets to develop the ability to accept wireless electronic payment cards for food purchases. Requires the department to report to the legislature with data collected about electronic funds transfers at farmers' markets. States that this section is subject to legislative appropriation for the purposes described in (a) of the section.

Section 7. Establishes the farmers to food banks pilot program in the Department of Commerce, Community, and Economic Development. Allows nonprofit entities that deliver social services to submit proposals. Directs the department to select between two and five proposals after following the listed criteria. Allows a pilot program to use the money to contract with local farmers to provide certain food to low-income persons at food banks. Requires the department to collect data on the activities of the program and report biennially to legislative committees. States that the section is subject to legislative appropriation for the purposes described in (a) and (b) of the section.

Section 8. Repeals the provisions in this Act July 1, 2013.

If I may be of further assistance, please advise.

TLB:plm

09-041.plm

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: **HB70**
() Publish Date: _____

Identifier (file name): HB70-DNR-AG-03-17-09 Dept. Affected: Natural Resources
Title: Alaska Grown Agricultural Products RDU: Resource Development
Component: Agriculture Development
Sponsor: Representative(s) Gatto, Ramras
Requester: House Resources Committee Component Number: 455

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	Appropriation Required	Information					
	FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Personal Services	112.0		112.0	112.0			
Travel	30.0		30.0	30.0			
Contractual	25.0		25.0	25.0			
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	167.0		167.0	167.0	0.0	0.0	0.0

CAPITAL EXPENDITURES							
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CHANGE IN REVENUES ()							
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF	167.0		167.0	167.0			
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	167.0		167.0	167.0	0.0	0.0	0.0

Estimate of any current year (FY2009) cost: _____

POSITIONS

Full-time	1		1	1			
Part-time	1		1	1			
Temporary							

ANALYSIS: (Attach a separate page if necessary)

A Farm-to-School program as outlined in Sec. 2 of HB 70 would be created in the Division of Agriculture to work with the Department of Education and Early Development, School Nutrition Program to increase procurement and use of Alaskan grown food in the public schools. A Development Specialist, Range 18, \$81.5, in conjunction with a part-time Agricultural Inspector, Range 16, \$30.5, would implement Sections 2, 5 and 6. Travel expenses will cover travel to remote districts to educate students on the benefit of growing and consuming local produce. Contractual services will cover cost of curriculum coordinated with the Department of Education to educate youth on the benefits of growing and consuming local produce. Section 8 of the bill repeals the Farm to School program on July 1, 2013 (end of FY 2012).

Prepared by: Franci Havemeister
Division: Division of Agriculture
Approved by: Tom Irwin, Commissioner
Natural Resources

Phone 907-761-3867
Date/Time March 17, 2009
Date March 17, 2009

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB 70
 () Publish Date: _____

Identifier (file name): HB070-EED-TLS-3-06-09
 Title: "An Act establishing the farm-to-school program in the Department of Natural Resources..."
 Sponsor: Rep. Gatto
 Requester: (H) RES
 Dept. Affected: EED
 RDU: Teaching & Learning Support
 Component: Child Nutrition Services
 Component Number: 1955

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
		FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
OPERATING EXPENDITURES							
Personal Services		70.9	70.9	70.9	70.9		
Travel							
Contractual							
Supplies		7.0					
Equipment							
Land & Structures							
Grants & Claims		9,801.3	9,801.3	9,801.3	9,801.3		
Miscellaneous							
TOTAL OPERATING		0.0	9,879.2	9,872.2	9,872.2	9,872.2	0.0

CAPITAL EXPENDITURES							
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CHANGE IN REVENUES ()							
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FUND SOURCE (Thousands of Dollars)

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
1002 Federal Receipts						
1003 GF Match						
1004 GF		9,879.2	9,872.2	9,872.2	9,872.2	
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other Interagency Receipts						
TOTAL	0.0	9,879.2	9,872.2	9,872.2	9,872.2	0.0

Estimate of any current year (FY2009) cost: _____

POSITIONS

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Full-time	1.0	1.00	1	1	1	
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation adds one FTE in the Department of Education & Early Development (EED), estimated to be a range 16A. This position would coordinate efforts with the Departments of Natural Resources, Environmental Conservation and Commerce, Community & Economic Development.

EED will need \$7,000 in supplies for the new position in the way for computers and etc. for set-up.

The State grant was calculated using the federal program rate of \$75 per child per year for 130,684 students.

This legislation is repealed on July 1, 2013.

Prepared by: Eddy Jeans, Director
 Division: School Finance & Facilities
 Approved by: Larry LeDoux
 Commissioner

Phone 465-8679
 Date/Time 3/16/09 12:00 AM
 Date 3/16/2009

Alaska State Legislature

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Toll Free: (800) 565-3743
Rep_Carl_Gatto@legis.state.ak.us

Representative Carl Gatto
Chair, House Military and Veteran Affairs Committee
District 13 - Palmer

Sponsor Statement

HB 70

ALASKA GROWN AGRICULTURAL PRODUCTS

The Farm-to-School Act is similar to programs proposed in several other states. Its intent is to strengthen links between state agriculture and state food procurement in schools, expand local markets, improve nutrition, and even benefit the environment. It improves upon current law that requires schools receiving state moneys to purchase agricultural products harvested in the state if, and only if, they are priced no more than seven percent higher than similar products imported to Alaska.

A Farm-to-School Program is created to facilitate increased procurement of Alaska grown foods by schools. The program will, in order of priority:

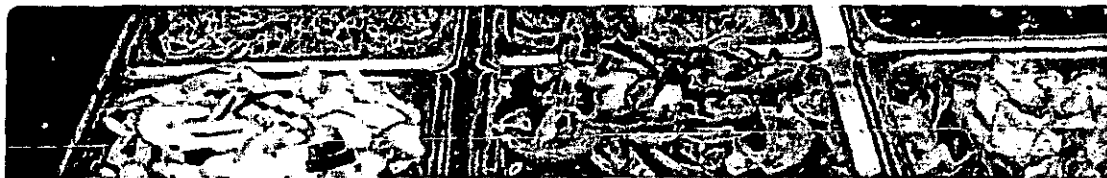
- Identify and develop policies and procedure, including proposed uniform procurement procedures, to implement and evaluate the program;
- Assist food producers, distributors, and brokers to market Alaska grown food to schools by informing them of opportunities and requirements;
- Assist schools in connecting with local producers by informing them of sources, availability and benefits of Alaska grown foods;
- Identify and recommend ways to increase predictability of sales and adequacy of supply;
- Make available publications allowing students to see the benefits of preparing and consuming locally-grown food;
- Support efforts to advance other farm-to-school extensions such as school gardens or farms, and farm visits; and
- Seek additional funds to leverage state expenditures.

The Division of Agriculture must, cooperating with the Department of Education & Early Development, collect data on program activities and report biennially to the Legislature their progress beginning January 2010.

HB 70 also gives schools the authorization to create a school garden or even a farm. In doing so they must allow students representing student organizations the opportunity to be involved in the garden or farm operation. Schools may teach both organic and traditional farming methods.

This bill sunsets on July 1, 2013.

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Farm to School: nourishing kids and community.

Farm to School brings healthy food from local farms to school children nationwide. The program teaches students about the path from farm to fork, and instills healthy eating habits that can last a lifetime. At the same time, use of local produce in school meals and educational activities provides a new direct market for farmers in the area and mitigates environmental impacts of transporting food long distances.

More than 30 million children eat a school lunch five days a week, 180 days a year. If school lunch can taste great, and support the local community, it is a win-win for everyone.

The National Farm to School Network sprouted from this desire to support community-based food systems, strengthen family farms, and improve student health by reducing childhood obesity. Eight regional lead agencies and national staff provide free training and technical assistance, information services, networking, and support for policy, media and marketing activities. Farm to School is a comprehensive program that extends beyond farm fresh salad bars and local foods in the cafeteria to include waste management programs like composting, and experiential education opportunities such as planting school gardens, cooking demonstrations and farm tours. The Farm to School approach helps children understand where their food comes from and how their food choices impact their bodies, the environment and their communities at large.

National Farm to School Network

In order to sustain and build on the momentum created through the National Farm to School Program, over 30 organizations across the nation gathered to explore the opportunities for a collaborative national farm to school structure that strengthens and expands activities in states with existing programs and assist others that do not yet have programs. Out of this **planning process** supported by the W. K. Kellogg Foundation, the National Farm to School Network was born. **Eight regional lead agencies and national staff** provide free training and technical assistance, information services, networking, and support for policy, media and marketing activities. **Click here for a summary of our first year's accomplishments.** The National Farm to School Network is supported in part by a \$2.4 million grant from the W.K. Kellogg Foundation. The Kellogg Foundation grant enables the Network to establish a viable and sustainable mechanism to coordinate, promote, and expand the farm to school movement at the state, regional, and national levels. Contact **Anupama Joshi** for more information and join our network **here**.



The National Farm to School Program

The National Farm to School Program is a collaborative program of **Center for Food & Justice (CFJ)**, a division of the **Urban & Environmental Policy Institute at Occidental College** and the **Community Food Security Coalition (CFSC)**. Initiated in 2000, the National Program has spearheaded the development of the farm to school movement across the country, successfully assisting organizations in starting up and sustaining farm to school efforts, fundraising, and providing informational resources, education and training for farm to school stakeholders. When did farm to school programs start? What were the major milestones? **This brief factsheet lays out the history of farm to school.**

The program is jointly managed by staff from the two organizations:

Center for Food & Justice

Urban & Environmental Policy Institute
Occidental College
1600 Campus Road | Mail Stop M1
Los Angeles, CA 90041
www.foodandjustice.org · www.uepi.oxy.edu

Anupama Joshi - Program Director

Tel: 323-341-5095
Fax: 323-258-2917

Debra Eschmeyer - Program Media & Marketing Manager

Tel: 419-753-3412
Cell: 419-905.8612

Community Food Security Coalition

www.foodsecurity.org

Marion Kalb - Program Director

3900 Paseo del Sol
Santa Fe, NM 87505
Tel: 505-474-5782
Fax: 505-473-3421

Program Policy Manager

110 Maryland Ave NE #307
Washington DC 20002
Tel: 202-543-8602
Fax: 202-543-0978

Origins of the National Farm to School Program date back to a collaborative project led by the Center for Food & Justice. The four-year project funded by USDA Initiative for Future Agriculture and Food Systems (IFAFS 2000-2004) jumpstarted the development of farm to school projects in several states. The lessons, models and evaluation results from this project have been shared nationwide and are providing solutions to issues emerging in other states.

Thank You

This website came together with the help of many people who shared with us their information, photos, time, and resources. Thank you to all those who contributed their energy to this project.

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Website hosted by the **Center for Food & Justice**

A Division of the Urban & Environmental Policy Institute at Occidental College
Comments about the site? Please contact the webmaster.

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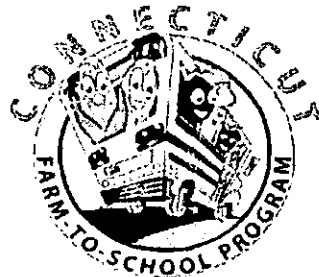
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Welcome to the Connecticut Farm-to-School Program

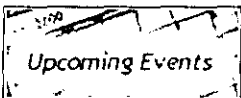
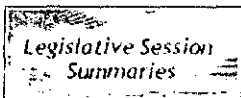
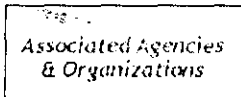


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The Farm-to-School Program is a statewide program designed to use Connecticut Grown fresh fruits and vegetables in your schools' cafeteria meals and snacks. This project is twofold: to support local farms and to offer fresher, more nutritious produce in the school meals. Getting locally grown products into school cafeterias is a win-win situation for you and your school kids! It will meet newest guidelines to improve children's health and nutrition while also increasing marketing opportunities and income for our Connecticut farmers. The alarming upswing in childhood and adult obesity rates affect health care costs for us all as taxpayers in Connecticut. Eating healthier lunches and snacks at school is one way to improve the diets of our young people.

Department of Agriculture
 165 Capitol Avenue
 Hartford, CT 06106
 860-713-2569
 toll-Free
 1800-861-9939

A connection to the food system through the promotion of local food and the people that grow it can be used to make kids more interested in learning and living a healthier lifestyle, including the consumption of more Connecticut Grown fresh fruits and vegetables! We now have colorful Point of Sale signage for participating schools.

We continue to work with other state agencies such as Dept of Education, Dept of Administrative Services, Dept of Public Health, as well as other organizations like the CT Food Policy Council, Ag in the Classroom, CT Dept of Environmental Protection, CT Apple Marketing Board, 5-3-1 for Healthy Kids, Food Land and People, among others.

The Farm-to-School Program at the Connecticut Department of Agriculture would like to thank those of you already in the program. For those non-participating schools we encourage you to contact Jane.Slupecki@ct.gov and begin participation in the Farm-to School Program!

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Alaska State Legislature

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Representative Carl Gatto
Chair, House Military and Veteran Affairs Committee
District 13 - Palmer

Fact Sheet HB 70

“An Act establishing the Farm-to-School program in the Department of Natural Resources, and relating to school gardens and Farms.”

What is the Farm-to-school Program?

- Fresh local foods served in schools
- In class nutrition education
- School gardens or farms
- Farm tours

Farm-to-School impacts:

- Increased fruit & vegetable consumption
- Improved knowledge, attitudes, and behavior concerning healthy eating

Sustainable food is:

- Grown organically/with natural methods...
- On a small or medium sized family farm...
- That treats its workers well...
- And then is sold for a fair price...
- Transported and bought relatively close to where it was grown...
- And eaten fresh and in season.

Impacts of current food system

- Chronic diseases, antibiotic resistance & food-borne illnesses
- Sprawl & farmland loss
- Water contamination
- Crop and biological diversity
- Pesticide exposure
- Air quality & energy use
- Economic justice

Farm-to-School can:

- Support sustainable farmers
- Teach kids to make lifelong healthy choices
- Reinvigorate school meal programs
- Support the local economy

Healthy Kids, Healthy Farmers

Results from the 2008 Colorado Producer Survey

In cooperation with: The Colorado Institute of Public Policy, Western SARE, Rocky Mountain Farmers Union, Colorado Department of Agriculture, Colorado Farm Bureau and Colorado Organic Producers Association

Purchasing locally grown food supports local farmers and ensures the long-term heritage of small scale agriculture in Colorado.

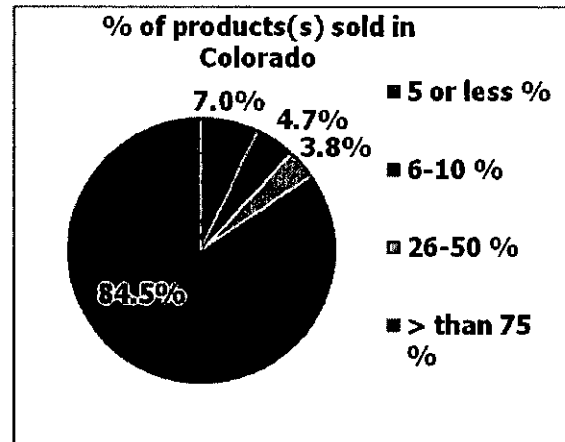
Colorado contains roughly 31 million acres of farmland, representing almost half of the total land in the state. Although Colorado is best known for its cattle country, it is one of the leading states in production of potatoes, onions, lettuce and sweet corn. Colorado is also well known for its tree fruits grown on the Western Slope

Findings from a previous survey (Singley, 2006) found that K-12 schools are interested in integrating high-quality locally-grown products into school cafeterias. Of highest interest are apples, lettuce, carrots, spinach, tomatoes, and onions – all of which are abundantly produced in Colorado.

Our state produces quality fruits, vegetables, meat, and dairy products. Creating new policies to ensure that all of our residents, particularly children, have access to healthy foods are critical to our future. - Barbara O'Brien, Lieutenant Governor

Key findings from the 389 Colorado producers that responded to the 2008 Colorado producer survey:

Products are sold in Colorado. 85% report that more than 75% or more of their products are sold in Colorado.



Producers are concerned about the future of agriculture. Of highest concerns were water, fuel, and competing land uses.

Producers are interested in selling products directly to consumers and schools.

Would like to sell	Direct to Individuals	C.S.A.'s	K-12 Schools
More	77%	31%	89%
Less	2%	1%	0%
Same	21%	7%	11%

Producers respond positively to selling products locally. 50% report that selling locally is important. 41% strongly agreed that selling products locally is important for economic health.

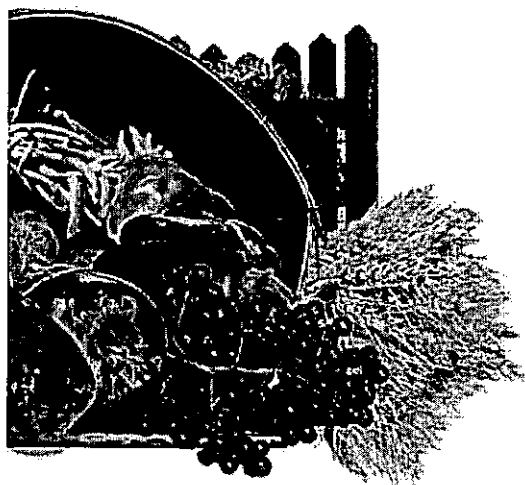
Producers are interested in selling to schools. 5% of respondents report that they have sold some products to schools and 18% are interested in selling to schools.

For more information about the National Farm to School Program and Colorado projects:
<http://www.farmtoschool.org>

Healthy Kids, Healthy Farmers

Results from the 2008 Colorado Producer Survey

In cooperation with: The Colorado Institute of Public Policy, Western SARE, Rocky Mountain Farmers Union, Colorado Department of Agriculture, Colorado Farm Bureau and Colorado Organic Producers Association



For each county that contained a producer interested in selling to schools, there was a school or school district interested in buying local products. The greatest interest in selling to schools was concentrated in the Front Range, Western Slope, and Southwestern regions of the state.

Producers have a wide variety of products to sell to schools. The top three categories included packaged meat, cool season vegetables, and dairy and eggs.

Products are of high quality. While only 4% of survey respondents identified their product as "certified organic", >50% identified their product as differentiated by other qualities such as "natural", "grass-fed" (beef), or "organic not certified".

Products are insured. 56% reported having liability insurance for their products – an important factor for schools when deciding where to purchase their products.

If we could provide as much food as possible locally for our K-12 students, they would have access to safer and more nutritional food... – Colorado Producer

Recommendations

- **Coordinate efforts between schools and producers.** Many producers and schools were unaware of opportunities to purchase/sell foods locally and were also unfamiliar with the farm-to-school concept.
- **Develop tools and resources.** Provide schools and producers with information that will aid in the development of a farm-to-school program.
- **Determine a fair price.** Schools have tight budgets, which could restrict them from making local purchases. For producers to make a profit, they typically need to sell at wholesale price or above.
- **Establish statewide policies in support of farm-to-school programs.** Schools need to have access to more flexible spending so they can support alternative markets.
- **Start small.** Begin with a handful of local products and slowly scale up, allowing schools to learn more about what products are locally available.

For more information about the National Farm to School Program and Colorado projects:
<http://www.farmtoschool.org>

The Honorable Representative Carl Gatto
State Capitol
Juneau, AK 99801

March 10, 2009

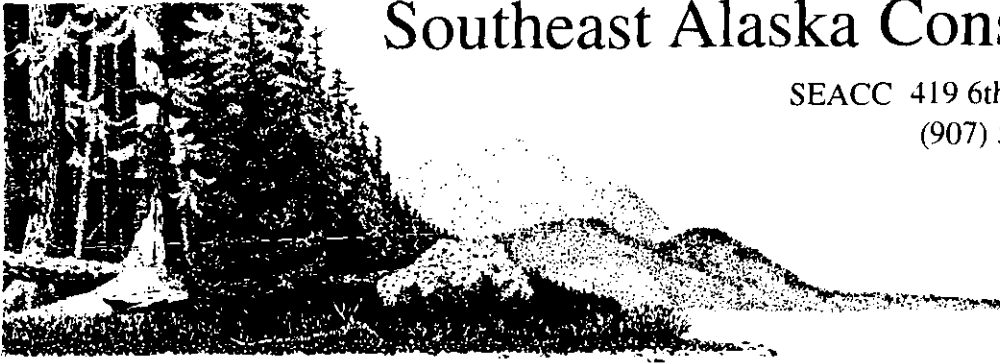
Dear Representative Carl Gatto.

My name is Amy Lee and I currently reside in Anchorage. I am writing to you regarding House Bill 70: Alaskan Grown Agricultural Products. I am so happy to hear that you are the sponsor for this bill. As a teacher, I believe it is important for students to learn about their own environment and this bill providing teaching gardens and small farms is exactly what students need to enhance their understanding of natural resources. In addition, the students will be nourished with local products and learn about self-sustainability at a smaller scale. There are so many benefits of this bill and I am in full support.

Thank you again and best of luck.

Sincerely,

Amy Lee
6506 Kara Sue Loop
Anchorage, AK 99504
amylees@gmail.com



Southeast Alaska Conservation Council

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March 12, 2009

Representative Carl Gatto
State Capitol, Room 108
Juneau, AK 99801-1182

Dear Representative Gatto:

It is my pleasure to write a letter in support of House Bill 70, Alaska Grown Agricultural Products. This bill would truly improve the health and lives of school children in Alaska while at the same time providing positive benefits to the natural environment.

The craze for locally grown foods is increasing rapidly throughout the US, and for good reason. Through supplying local schools with Alaskan grown food, students will be eating vegetables and fruits at their prime. Fresh food from local farms is healthier because it doesn't spend days sitting on trucks, barges and planes losing nutrients. Eating locally in Alaska is especially important. Most of our imported food comes from thousands of miles away, resulting in wilted, nutrient deficient food and the burning of a tremendous amount of fossil fuels. Also, locally grown food is often subjected to fewer pesticides and preservatives, resulting in healthier, better tasting food.

If enacted, House Bill 70 would provide wonderful benefits for Alaskan communities and for the health of the environment. I am happy to express SEACC's support for this bill.

Sincerely,

Lindsey Ketchel
Executive Director

ALASKA STATE LEGISLATURE

Rep. Carl Gatto



MEMORANDUM

TO: Rep. Craig Johnson Co-Chair House Resources Committee and
Rep. Mark Neuman Co-Chair House Resources Committee

FROM: Rep. Gatto

DATE: February 25, 2009

RE: Request for Hearing

Enclosed is our committee packet for HB 70 Alaska Grown Agricultural Products, I have included a sponsor statement, the most recent version of the bill, and other supplemental information.

Please schedule a committee hearing before the House Resources Committee at your earliest convenience. I appreciate your time and look forward to reviewing this bill.

Please contact my staff member Sandra Wilson at 465-3163 with any questions or comments regarding this request.

Thank you