

Requested by Representative CLEM

**PROPOSED AMENDMENTS TO
HOUSE BILL 2038**

1 In line 2 of the printed bill, after the semicolon insert “creating new
2 provisions; amending ORS 336.431;”.

3 After line 3, insert:

4 **“SECTION 1.** ORS 336.431 is amended to read:

5 “336.431. (1) The Department of Education shall administer a Farm-to-
6 School Grant Program as provided by this section.

7 “(2) A school district may apply to the department for a grant as follows:

8 “(a) As a noncompetitive grant to assist the school district with paying
9 for costs incurred by the school district to purchase food produced or pro-
10 cessed in this state; or

11 “(b) As a competitive grant to fund food-based, agriculture-based and
12 garden-based educational activities in the school district.

13 “(3)(a) Based on a noncompetitive process, the department shall provide
14 grants to school districts to assist in paying for costs incurred by the school
15 district to purchase food produced or processed in this state. The amount of
16 a grant awarded as provided by this subsection shall:

17 **“(A)** Be determined by the department based on the number of lunches
18 served by the school district during the previous school year under the
19 United States Department of Agriculture’s National School Lunch Program.

20 **“(B)** Exclude the liquid form of milk and perishable bakery pro-
21 ducts, including bread, buns and rolls.

1 “(b) A school district that receives a grant under this subsection shall
2 use the moneys for the costs incurred by the school district to purchase food
3 products that were:

4 “(A) Purchased on or after the date the school district received notifica-
5 tion from the Department of Education of the amount to be distributed to
6 the school district as provided by this subsection;

7 “(B) Produced or processed in this state; and

8 “(C) Used for meals that are served as part of the United States Depart-
9 ment of Agriculture’s child nutrition programs.

10 “(4)(a) Based on a competitive process, the department shall provide
11 grants [*to school districts or nonprofit organizations, or commodity commis-*
12 *sions or councils organized under ORS 576.051 to 576.455 or ORS chapter 577*
13 *or 578,*] to assist in paying the costs incurred to provide food-based,
14 agriculture-based or garden-based educational activities in the school dis-
15 trict. **Grants may be provided to:**

16 “(A) **School districts;**

17 “(B) **Education service districts;**

18 “(C) **Federally recognized Indian tribes;**

19 “(D) **Schools overseen by the Bureau of Indian Education;**

20 “(E) **Nonprofit organizations;**

21 “(F) **Commodity commissions or councils organized under ORS**
22 **576.051 to 576.455 or ORS chapter 577 or 578; or**

23 “(G) **Soil and water conservation districts organized under ORS**
24 **568.210 to 568.808 and 568.900 to 568.933.**

25 “(b) An entity identified in paragraph (a) of this subsection that receives
26 a grant under this subsection shall use the moneys for costs directly associ-
27 ated with the educational activities, including staff time, travel costs and
28 equipment purchased for the activities.

29 “(c) When awarding grants under this subsection, preference shall be
30 given to entities that propose educational activities that:

1 “(A) Are well designed;
2 “(B) Promote healthy food activities;
3 “(C) Have clear educational objectives;
4 “(D) Involve parents or the community;
5 “(E) Are connected to a school district’s farm-to-school procurement ac-
6 tivities; and
7 “(F) Are culturally relevant to the students being served by the grant
8 moneys.

9 “(d) The department must ensure that the recipients of grants under this
10 subsection:

11 “(A) Represent a variety of school sizes and geographic locations; and
12 “(B) Serve a high percentage of children who qualify for free or reduced
13 price school meals under the United States Department of Agriculture’s Na-
14 tional School Lunch Program.

15 “(5) The Department of Education shall consult with the State Depart-
16 ment of Agriculture to:

17 “(a) Develop rules and standards related to the grants awarded under this
18 section.

19 “(b) Determine the recipients and amounts of grants awarded under this
20 section.

21 “(6) The Department of Education may expend for the administrative costs
22 incurred under this section no more than two percent of all moneys received
23 by the department for the grant program.

24 **“SECTION 2. The amendments to ORS 336.431 by section 1 of this**
25 **2017 Act apply to costs incurred by a school district on or after July**
26 **1, 2017.”.**

27 In line 4, delete “1” and insert “3”.

28 In line 11, delete “2” and insert “4”.

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