

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 2158

(SENATE AUTHORS: GUSTAFSON and Putnam)

DATE
02/27/2023

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Introduction and first reading

OFFICIAL STATUS

Referred to Agriculture, Broadband, and Rural Development

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 meanings given.

1.9 (b) "Commissioner" means the commissioner of agriculture.

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

1.13 (d) "Federal child nutrition programs" means the:

1.14 (1) national school lunch program;

1.15 (2) school breakfast program;

1.16 (3) child and adult care food program;

1.17 (4) fresh fruit and vegetable program; and

1.18 (5) summer food service program.

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

2.1 (f) "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 dehydrating; 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 the procurement of
2.11 Minnesota-grown unprocessed or minimally processed food by eligible recipients in order
2.12 to increase Minnesota children's access to healthy, fresh, locally produced food and to
2.13 support the farmers and processors who sell their products to eligible recipients.

2.14 Subd. 3. **Grants; limitations.** (a) Within the limits of available funding, the commissioner
2.15 must reimburse a participating eligible recipient for the documented cost of Minnesota-grown
2.16 unprocessed or minimally processed food purchased.

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

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

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

2.21 Subd. 4. **Reimbursement rate; process.** Each grant cycle, the commissioner must
2.22 require interested eligible applicants to declare their intent to participate in the program and
2.23 provide any information required by the commissioner. The commissioner of education
2.24 must provide to the commissioner available data on the number of meals served by eligible
2.25 applicants under federal child nutrition programs. The commissioner must use this
2.26 information to calculate the rate of reimbursement, on a per-meal basis, for each participating
2.27 eligible applicant given available program funding. If the rate is less than four cents per
2.28 meal, the commissioner must eliminate eligible applicants as necessary to increase the rate
2.29 for remaining eligible applicants to at least four cents per meal, giving preference to
2.30 applicants that:

2.31 (1) serve a high percentage of free and reduced-price meals;

2.32 (2) demonstrate capacity to purchase from socially disadvantaged, small, or midsized
2.33 producers; and

3.1 (3) collectively represent a diversity of sizes and geographic locations throughout the
3.2 state.

3.3 Subd. 5. **Application; documentation.** An eligible recipient must submit an application
3.4 to the commissioner in the form required by the commissioner. An eligible recipient must
3.5 satisfy all food documentation or tracking requirements required by the commissioner to
3.6 ensure that grant awards are used by an eligible recipient only as reimbursement for eligible
3.7 food or eligible educational activities.

3.8 Subd. 6. **Eligible uses.** (a) Except as provided in paragraph (b), an eligible recipient
3.9 must use grant funds received under this section to reimburse the eligible recipient's
3.10 documented purchases of Minnesota-grown unprocessed or minimally processed food, not
3.11 including fluid milk, agricultural commodities, or yogurt containing artificial sweetener or
3.12 more than eight ingredients.

3.13 (b) An eligible recipient may use up to 20 percent of grant funds received under this
3.14 section to support educational activities that directly connect children and their families
3.15 with agriculture and food, including but not limited to school gardens, classroom-based
3.16 gardening or cooking projects, tasting tables, field trips to farms, chef visits or training, and
3.17 family and consumer science and agriculture education related to local foods.

3.18 Sec. 2. **APPROPRIATION.**

3.19 \$2,000,000 in fiscal year 2024 and \$2,000,000 in fiscal year 2025 are appropriated from
3.20 the general fund to the commissioner of agriculture for purposes of the farm-to-school
3.21 administrative support, technical assistance, training, and grant program established in this
3.22 act. Of the appropriation each year, the commissioner must use:

3.23 (1) \$150,000 to establish a farm-to-school coordinator position; and

3.24 (2) four percent of the total appropriation to administer the grant program and, in
3.25 consultation with relevant stakeholders, provide outreach, grant-writing assistance,
3.26 administrative support, technical assistance, and training to agricultural producers and
3.27 eligible recipients. Outreach and support to agricultural producers must target beginning,
3.28 specialty crop, small, and mid-sized farmers and other farmers with demonstrated need and
3.29 may include but are not limited to education and outreach on business planning and
3.30 development, institutional food procurement standards and requirements, postharvest
3.31 handling practices, including the development of food safety and good agricultural practices,
3.32 plans, and food production processes.