

2015 Regular Session

HOUSE BILL NO. 730

BY REPRESENTATIVE WOODRUFF

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SCHOOLS/FOOD PROGRAMS: Provides for the La. Farm to School Act

1 AN ACT

2 To enact Chapter 31 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised
3 of R.S. 3:4751 through 4756; relative to farmers providing food in public schools;
4 to establish a "farm to school" program; to set the parameters for such program; to
5 provide definitions; to provide for the responsibilities of the Department of
6 Agriculture and Forestry and the Department of Education; and to provide for related
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Chapter 31 of Title 3 of the Louisiana Revised Statutes of 1950, comprised
10 of R.S. 3:4751 through 4756, is hereby enacted to read as follows:

11 §4751. Short title

12 This Part shall be known as and may be referred to as the "Louisiana Farm
13 to School Act".

14 §4752. Purpose

15 The purpose of this Chapter is to promote the economic growth of small to
16 mid-sized farms in and near Louisiana and improve the health and eating habits of
17 school children through the development of a Louisiana Farm to School program.

18 §4753. Terms defined

19 A. As used in this Chapter, the following terms shall have the meanings
20 given to them except where the context clearly indicates otherwise:

1 (1) "Database" means a structured data set that includes, but is not limited
2 to, information on farms and schools able and willing to participate in farm to school
3 food programs. The database shall be created and maintained electronically with
4 data that is easily accessible and retrievable by the user.

5 (2) "Farm to School" means initiatives that connect children and schools to
6 local small and mid-sized farms, and ranches that grow, harvest, and produce fresh,
7 healthy, and minimally processed foods and food products to be served in the school
8 as part of a meal or snack. In addition, these programs might include hands-on
9 learning activities; such as, a school gardening program, farm class visits, in-class
10 lessons, and culinary classes.

11 (3) "Food products" may include the following:

12 (a) Fresh fruit and vegetables that have been canned or preserved in small
13 batches.

14 (b) Baked goods and prepared fruit and vegetables.

15 (c) Milk that has been converted into other dairy products.

16 (d) Honey.

17 (4) "Geo-coded" means an enhanced location description of an address or
18 place through geographic coordinates from spatial reference data.

19 (5) "Geo-spatially layered" means geographic locations, boundaries, and
20 characteristics of features on the surface of the earth as identified by, depicted
21 through, and associated with geographic coordinates; such as, longitude and latitude
22 coordinates.

23 (6) "Local" means grown, harvested, and distributed within four hundred
24 miles of the school or within the boundaries of the state of Louisiana.

25 (7) "Produce" means fresh fruit, herbs, vegetables, and other edible plants
26 grown and harvested on a local farm.

27 (8) "School" means any public institution for educating children in this state
28 or one that uses state, federal, or other public funds to provide meals through
29 participation in food programs including but not limited to the National School

1 Lunch Program, the School Breakfast Program, the Child and Adult Care Food
2 Program, the Special Milk Program, the Summer Food Service Program, or the Fresh
3 Fruit and Vegetable Program. The definition of school shall include the following:

4 (a) An educational institution supported entirely or partly by public funds
5 from either a local or state source.

6 (b) A pre-school or early child care center licensed in or by the state.

7 (c) A primary school.

8 (d) A secondary school, including high schools and junior high schools.

9 (9) "State" means the state of Louisiana.

10 §4754. Development and maintenance of the database

11 The Louisiana Department of Agriculture and Forestry shall establish and
12 make continually available and publicly accessible a Louisiana Farm to School
13 inventory database via internet connection. The database shall be accessible through
14 the department's website except during times regularly scheduled for maintenance.

15 §4755. Database

16 A. The database shall be geo-coded and geo-spatially layered based on the
17 school's location in relation to the farms. The database shall be encrypted with the
18 highest level of multi-bit encryption available in order to allow remote access to the
19 data, as well as support and facilitate the purchase of fresh produce and food
20 products from Louisiana farmers by Louisiana schools.

21 B. The inventory shall contain, at a minimum, all information necessary for
22 the following:

23 (1) Schools interested in identifying and contacting Louisiana agricultural
24 producers that are willing and able to participate in Louisiana Farm to School
25 activities as evidenced by their listing in the database.

26 (2) Louisiana agricultural producers of fresh produce and food products
27 interested in identifying and contacting Louisiana schools willing and able to
28 purchase goods for Louisiana Farm to School initiatives with a total cost falling

1 beneath the small purchase threshold and that will use their existing financial
2 processes to pay the farmers directly.

3 C. The department shall adopt rules and regulations necessary to implement
4 this Chapter.

5 §4756. Small purchase threshold

6 A. The Louisiana Department of Education and any governing authority of
7 a child nutrition program provider may use the simplified acquisition procedures for
8 small purchases up to the Federal Small Purchase Threshold set by 41 USC 403(11),
9 in order to support procurement of local agricultural products and the United States
10 Department of Agriculture Farm to School initiatives. No such authority in this
11 statute shall be in conflict with the federal United States Department of Agriculture's
12 child nutrition program requirements including 7 CFR Part 316.36(c)(2). The
13 superintendent of education or his designee shall determine the lowest responsive
14 and responsible bidder and shall report any such purchases to the school governing
15 authority in a public meeting.

16 B. The Department of Education shall adopt rules and regulations in
17 accordance with the Administrative Procedure Act necessary to implement this
18 Section.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 730 Engrossed

2015 Regular Session

Woodruff

Abstract: Creates the "Louisiana Farm to School Act" for local farmers to provide food to public schools.

Proposed law creates the "Louisiana Farm to School Act" for local farmers to provide food to public schools.

Proposed law requires the Dept. of Agriculture and Forestry to establish and maintain a publically available database containing information about farmers interested in providing schools with locally produced or harvested food and information about schools interested in purchasing locally produced and harvested food. Defines "local" to mean within 400 miles of the school or within the state of La. Requires the information in the database to be geo-coded and geo-spatially layered.

Proposed law authorizes the Dept. of Education and any other governing authority of a child nutrition program to use the simplified acquisition procedures for small purchases up to the federal small purchase threshold. Requires the superintendent or his designee to determine the lowest responsive and responsible bidder and to report purchases under this program to the school governing authority in a public meeting.

Proposed law requires necessary rules and regulations to be adopted by the Dept. of Agriculture and Forestry and the Dept. of Education.

(Adds R.S. 3:4751 through 4756)