

CS FOR HOUSE BILL NO. 93(EDC)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE EDUCATION COMMITTEE

Offered: 2/28/11

Referred: Finance

Sponsor(s): REPRESENTATIVES GUTTENBERG, Kerttula, Kawasaki

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to school gardens, greenhouses, and farms."**

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

3 * **Section 1.** AS 14.30.375(a) is amended to read:

4 (a) A school district may authorize **a nonprofit corporation to operate** or
5 **may** operate a school garden, greenhouse, or farm. **A nonprofit corporation**
6 **authorized under this section must contribute to the operation of each school**
7 **garden, greenhouse, or farm matching funds in an amount that is equal to or**
8 **greater than one-half percent of the state aid received by the school district under**
9 **AS 14.17.400 for the school each year.** The garden, greenhouse, or farm must be
10 used for educational purposes and for growing fruits and vegetables for consumption
11 by the students through the school district's meal and snack program.

12 * **Sec. 2.** AS 14.30.375(b) is amended to read:

13 (b) If a school district **authorizes or** operates a school garden, greenhouse, or
14 farm, the district **or the authorized nonprofit corporation** shall give students
15 representing student organizations, including vocational programs, the opportunity to

1 be involved in the operation of the school garden, greenhouse, or farm.

2 * **Sec. 3.** AS 14.30.375(d) is amended to read:

3 (d) If a school district **authorizes or** operates a school garden, greenhouse, or
4 farm, the excess fruit and vegetables may be sold **if the proceeds from the sale are**
5 **reinvested in a school garden, greenhouse, or farm.**

6 * **Sec. 4.** AS 14.30.375 is amended by adding new subsections to read:

7 (e) If a school district authorizes a nonprofit corporation to operate a school
8 garden, greenhouse or farm under this section, the school district shall apply for a
9 grant under AS 14.30.377 to provide funds to the nonprofit corporation for the
10 operation of each school garden, greenhouse, or farm.

11 (f) In this section, "nonprofit corporation" means a corporation that qualifies
12 for exemption from taxation under 26 U.S.C. 501(c) (Internal Revenue Code).

13 * **Sec. 5.** AS 14.30 is amended by adding a new section to article 7 to read:

14 **Sec. 14.30.377. State grant for operation of a school garden, greenhouse,**
15 **or farm.** (a) A school district may apply to the department on a form approved by the
16 department for a state grant for the operation of one or more school gardens,
17 greenhouses, or farms under AS 14.30.375.

18 (b) The department shall award a grant to a school district in an amount that is
19 not more than \$10,000 for each school at which a garden, greenhouse, or farm will be
20 operated each year.

21 (c) The department may not, in a fiscal year, award grants for the operation of
22 more than five gardens, greenhouses, or farms that were not previously the subject of a
23 grant award under this section.

24 (d) A school district is eligible to receive a grant under this section if the
25 district provides proof satisfactory to the department that a school or an approved
26 nonprofit entity provides matching funds in an amount that is equal to or greater than
27 the grant amount.

28 (e) The department may adopt regulations necessary to implement this section.

29 * **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to
30 read:

31 GRANTS FOR SCHOOL GARDENS, GREENHOUSES, AND FARMS.

1 Notwithstanding the limitation placed on the number of new grants awarded for the operation
2 of a school garden, greenhouse, or farm under AS 14.30.377(c), added by sec. 5 of this Act,
3 the department may award grants for the operation of not more than 10 gardens, greenhouses,
4 or farms in fiscal year 2012.