



Senate Fiscal Agency
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BILL ANALYSIS

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House Bill 6368 (as passed by the House)
Sponsor: Representative Jeff Mayes
House Committee: Agriculture
Senate Committee: Agriculture

Date Completed: 10-22-08

CONTENT

The bill would create the "Farm-to-School Procurement Act" to require the Michigan Department of Education (MDE) and the Michigan Department of Agriculture (MDA) to collaborate to encourage school food authorities to purchase local farm products.

"Farm product" would mean that term as defined in the Right to Farm Act, i.e., those plants and animals useful to human beings produced by agriculture, including forages and sod crops, grains and feed crops, field crops, dairy and dairy products, poultry and poultry products, cervidae, livestock, including breeding and grazing, equine, fish, and other aquacultural products, bees and bee products, berries, herbs, fruits, vegetables, flowers, seeds, grasses, nursery stock, trees and tree products, mushrooms, and other similar products, or any other product that incorporates the use of food, feed, fiber, or fur, as determined by the Agriculture Commission.

MDE & MDA

The MDE and the MDA would have to collaborate and cooperate by means of a memorandum of understanding executed between the Departments to implement the provisions of the proposed Act.

The Departments could accept funds from any Federal, State, or private source to implement the Act.

MDE Responsibilities

As part of the collaboration, the MDE would have to investigate the potential of various procurement procedures and tools for school food authorities to purchase local farm products and abide by Federal regulations, including the small purchase threshold and multiple or line-item awards to farmers, processors, and suppliers within larger food contracts.

(Under 7 CFR 3016.36, which applies to procurements under the National School Lunch Program and other programs, small purchases of services, supplies, or other property that do not cost more than the simplified acquisition threshold of \$100,000 are not subject to competitive bidding and other procurement procedures, but may be made using informal procurement methods.)

As part of the collaboration, the MDE also would have to educate food service directors on the small purchase threshold and other procurement procedures and tools and promote their use for farm-to-school initiatives.

In addition, the MDE would have to do the following:

- Implement food preparation training for food service staff to accommodate sourcing fresh and local foods.
- Encourage school food service directors to include local farmers, processors, and suppliers when taking bids for farm products falling under the small purchase threshold.
- Encourage all new school construction projects to consider kitchen facilities capable of producing fresh and healthy school meals and opportunities for hands-on learning.

MDA Responsibilities

As part of the collaboration, the MDA would have to house a farm-to-school point person to coordinate efforts between the MDA, the MDE, and the Department of Community Health. That person would be responsible for identifying local farmers, processors, and suppliers and working with the MDE to make that information available to school food service directors, and for creating and disseminating information on the school food procurement process to help farmers, processors, and suppliers learn more about it.

The MDA also would have to identify, target, and promote job creation around farm-to-school initiatives, and investigate opportunities for farmers to supply their products to commercial distributors.

In cooperation with commodity groups and growers associations, the MDA would have to use existing web-based market development tools or adopt a voluntary web-based directory of farmers searchable by location. The directory would have to be updated and maintained consistently and be usable by anyone interested in locating farmers and Michigan farm products.

Legislative Analyst: Curtis Walker

FISCAL IMPACT

The bill would impose a small and indeterminate cost on the State. The Departments of Agriculture and Education would have additional responsibilities for researching procurement procedures, educating school food service staff, and promoting the use of local foods in schools. The bill does not propose additional funding for these duties, so existing staff and resources of the Departments would be used to perform them, which could divert effort from existing programs.

Fiscal Analyst: Jessica Runnels

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.