



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-4566/1
KP:emw

2017 SENATE BILL 487

October 27, 2017 - Introduced by Senators PETROWSKI, FEYEN, MOULTON, OLSEN, VINEHOUT and WANGGAARD, cosponsored by Representatives KRUG, ANDERSON, BALLWEG, E. BROOKS, KREMER, KULP, MURSAU, NOVAK, PETERSEN, POPE, PRONSCHINSKE, QUINN, C. TAYLOR, RIPP, SARGENT, SKOWRONSKI, SUBECK and VORPAGEL. Referred to Committee on Agriculture, Small Business and Tourism.

1 **AN ACT** *to create* 20.115 (4) (ap) and 93.485 of the statutes; **relating to:** grants
2 to support donation of farm and food products to food banks and making an
3 appropriation.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Agriculture, Trade and Consumer Protection to award an annual grant to a nonprofit organization that operates as a statewide association of food banks to promote the donation of excess and unmarketable farm and food products from farms and food processing facilities to food banks. In awarding the grant, DATCP is required to award \$1 for every \$1 of private funds the grant recipient raises for this purpose, up to a total of \$250,000 in a fiscal year. Under the bill, DATCP must require the grant recipient to use the grant money to reimburse farmers and food processing facilities for the cost of harvesting, packaging for transport, and transporting to food banks excess or unmarketable farm and food products and to process, warehouse, and transport donated farm and food products to food banks, food processing facilities, and food pantries. The bill prohibits DATCP from awarding this grant after June 30, 2022.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SENATE BILL 487**SECTION 1**

1 **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
2 the following amounts for the purposes indicated:

2017-18 2018-19

3 **20.115 Agriculture, trade and consumer**
4 **protection, department of**

5 (4) AGRICULTURAL ASSISTANCE

6 (ap) Harvest for hope grant GPR A 250,000 250,000

7 **SECTION 2.** 20.115 (4) (ap) of the statutes is created to read:

8 20.115 (4) (ap) *Harvest for hope grant.* The amounts in the schedule for the
9 grant under s. 93.485. No money may be expended from the appropriation under this
10 paragraph after June 30, 2022, except moneys encumbered before that date.

11 **SECTION 3.** 93.485 of the statutes is created to read:

12 **93.485 Harvest for hope grant. (1)** In this section:

13 (a) “Food bank” means a nonprofit organization that collects and distributes
14 food to food pantries or other organizations that dispense food to low-income
15 individuals to alleviate hunger.

16 (b) “Food bank association” means a nonprofit organization that operates as a
17 statewide association of food banks that, together, serve all counties in this state.

18 **(2)** The department shall award a grant from the appropriation under s. 20.115
19 (4) (ap) to a food bank association to promote the donation of excess or unmarketable
20 farm products or food products from farms and food processing facilities to food
21 banks. In awarding this grant, the department shall award \$1 for every \$1 of private
22 funds that the food bank association raises for this purpose in a given fiscal year, up
23 to a total of \$250,000 in that fiscal year.

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1 **(3)** Subject to subs. (4) and (5), the department shall require the food bank
2 association to use the grant to reimburse farmers and food processing facilities for
3 the costs of harvesting, packaging for transport, transporting, and donating to food
4 banks excess or unmarketable farm products or food products and to process donated
5 farm products into nonperishable form, for transporting donated farm products or
6 food products to food banks, food processing facilities, and food pantries or other
7 organizations that are eligible to receive donations from food banks, for warehousing
8 donated farm products and food products, and for related administrative expenses.

9 **(4)** No more than 11 percent of the grant may be used for administrative
10 expenses. Administrative expenses do not include transportation expenses.

11 **(5)** Only farms and food processing facilities in this state are eligible for
12 reimbursement under sub. (3), and only farm products and food products from farms
13 and food processing facilities in this state may be processed, warehoused, or
14 transported under sub. (3).

15 **(6)** The department shall prohibit a food bank association from distributing
16 farm products or food products that are harvested, packaged, or transported using
17 grant funds under this section to a food bank unless the food bank agrees not to
18 charge a membership, affiliation, or delivery fee for providing or delivering the farm
19 products or food products to a food pantry or other organization that dispenses food
20 to low-income individuals to alleviate hunger.

21 **(7)** The department shall require the grant recipient to report annually to the
22 secretary on the use of the grant at the time and in the manner required by the
23 secretary.

24 **(8)** The department may not award a grant under this section after June 30,
25 2022.

