



2001 SENATE BILL 94

March 15, 2001 – Introduced by Senators GEORGE, BURKE, MOORE, PLACHE, RISSER, ROBSON and WIRCH, cosponsored by Representatives RICHARDS, YOUNG, BALOW, BERCEAU, BLACK, BOYLE, CARPENTER, CULLEN, GRONEMUS, LA FAVE, J. LEHMAN, MORRIS-TATUM, PLOUFF, POCAN, RILEY, RYBA, STASKUNAS, SHILLING and COGGS. Referred to Committee on Human Services and Aging.

1 **AN ACT to create** 20.435 (3) (fp) and 46.766 of the statutes; **relating to:** funding
2 for food pantries, granting rule-making authority, and making an
3 appropriation.

Analysis by the Legislative Reference Bureau

This bill requires the department of health and family services (DHFS) to award annual grants to food pantries that meet certain conditions. Twenty-five percent of the total amount appropriated for the grants is to be distributed to qualified rural food pantries in proportion to the number of persons served by each of those food pantries. The remainder is to be distributed among all qualified food pantries, also in proportion to the number of persons served by each food pantry. No grant, however, may exceed \$15,000. Each food pantry may use the grant to purchase, store, and distribute food to needy households, to purchase equipment, for various hunger prevention programs, and for the general operations of the food pantry. The bill also directs DHFS to convene an advisory committee composed of representatives of various hunger prevention organizations and fields prior to promulgating any rules needed to implement the grant program.

For further information see the *state and local* 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:

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1 (b) The department shall allocate 25% of the amounts appropriated under s.
2 20.435 (3) (fp) for grants to rural food pantries. The department shall allocate the
3 remainder of the amounts available for grants under s. 20.435 (3) (fp) for grants to
4 all food pantries. If, after awarding the grants to rural food pantries, any of the
5 moneys remain unallocated, the department shall distribute the unallocated
6 amounts for grants to all food pantries in proportion to the number of persons served
7 by those food pantries.

8 (c) The total amount of all grants awarded annually to each food pantry under
9 this section may not exceed \$15,000.

10 **(3)** (a) Grants awarded under this section may be used for any of the following
11 purposes:

12 1. The purchase, storage, transportation, coordination or distribution of food
13 to needy households.

14 2. The administration of emergency food distribution.

15 3. The purchase of capital equipment.

16 4. Programs designed to increase food availability to needy households or
17 enhance food security.

18 5. Nutrition education and outreach.

19 6. Technical assistance related to food pantry management.

20 (b) No grant received under this section may be used to foster or advance
21 religious or political views.

22 **(4)** A food pantry is eligible for a grant under this section if the food pantry
23 meets all of the following requirements:

24 (a) The food pantry applies for a grant on an application developed by the
25 department. The application may not exceed one page.

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1 (b) The food pantry is a nonprofit organization or is affiliated with a nonprofit
2 organization.

3 (c) The food pantry distributes food packages directly, without charge, to needy
4 households.

5 (d) The food pantry is open to the general public in its service area.

6 (e) The food pantry does not base food distribution on any criteria other than
7 need of the recipient, except to the extent necessary for the orderly and fair
8 distribution of food.

9 (f) The food pantry has a permanent address, regular hours of operation, and
10 is open at least one day per month.

11 (g) The food pantry adheres to the U.S. department of agriculture food safety
12 and food storage standards.

13 (5) The department may not use more than 5% of the total amount
14 appropriated under s. 20.435 (3) (fp) for administration of the grant program under
15 this section.

16 (6) A food pantry that receives a grant under this section shall, not later than
17 60 days after the end of the grant period, submit a report, not longer than 3 pages,
18 to the department in the manner prescribed by the department by rule, that
19 describes how the grant money was used by the food pantry. The department shall
20 compile the reports and submit the compiled reports to the legislature under s.
21 13.172 (2).

22 **SECTION 4. Nonstatutory provisions.**

23 (1) FOOD PANTRY GRANT RULES. Not later than the first day of the 6th month
24 beginning after the effective date of this subsection, the department of health and
25 family services shall promulgate any rules necessary to implement the grant

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1 program under section 46.766 of the statutes, as created by this act. Prior to
2 promulgating the rules, the department of health and family services shall convene
3 a committee to advise the department regarding the department's proposed rules.

4 The committee shall be composed of all of the following:

5 (a) One representative of an emergency food provider.

6 (b) One representative of a food bank.

7 (c) One representative of a community action agency.

8 (d) One representative of a faith-based social services organization.

9 (e) One representative of the University of Wisconsin-Extension with
10 experience in hunger prevention policies.

11 (f) Two persons, other than those specified in paragraphs (a) to (e) with
12 experience in hunger prevention and emergency food distribution.

13

(END)