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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 208 Session of  
2007

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INTRODUCED BY MUSTO, RHOADES, BOSCOLA, STOUT, FONTANA, COSTA,  
WASHINGTON, O'PAKE AND FUMO, MARCH 7, 2007

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REFERRED TO EDUCATION, MARCH 7, 2007

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AN ACT

1 Providing for demonstration programs and grants; providing for  
2 the establishment of an advisory committee; authorizing the  
3 Department of Education to administer funding of the selected  
4 demonstration projects; and establishing the Horticultural  
5 Education and Demonstration Fund.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. Short title.

9 This act shall be known and may be cited as the Horticultural  
10 Education and Demonstration Act.

11 Section 2. Legislative findings.

12 The General Assembly finds and declares as follows:

13 (1) The horticultural industry is comprised of numerous  
14 sectors of the agricultural economy, including vegetable  
15 growers, fruit growers, nurseries, Christmas tree growers,  
16 flower growers, sod growers, lawn care professionals and  
17 landscape architects.

18 (2) All citizens of this Commonwealth benefit from the  
19 products and services provided by the horticultural industry.

1           (3) The horticultural industry contributes to the  
2 overall success of agriculture in this Commonwealth.

3           (4) Horticulture is a lifelong learning activity and  
4 home horticulture is one of the leading leisure activities in  
5 the country.

6           (5) To ensure that Pennsylvania remains a leader in the  
7 horticultural industry, horticultural sciences must be  
8 integrated into environmental education so that natural  
9 resources are protected and the future demand for  
10 horticultural products can be met.

11           (6) Horticultural education is essential if the  
12 Commonwealth is to meet the environmental, social and  
13 economic challenges facing the horticultural industry.

14           (7) Collaborative efforts to integrate horticulture and  
15 environmental education in the classroom can be beneficial to  
16 all students.

17 Section 3. Legislative purpose.

18 It is the purpose of this act to:

19           (1) Require The Pennsylvania State University's  
20 Cooperative Extension Service and Department of Horticulture,  
21 the Department of Agriculture, the Department of Conservation  
22 and Natural Resources, the department, the Department of  
23 Environmental Protection and school districts to develop and  
24 implement regional horticultural demonstration programs for  
25 citizens and students of this Commonwealth.

26           (2) Encourage the efforts and cooperation of other  
27 schools, organizations and agencies where appropriate.

28           (3) Provide funding for the development of regional  
29 horticultural demonstration programs.

30 Section 4. Definitions.

1       The following words and phrases when used in this act shall  
2       have the meanings given to them in this section unless the  
3       context clearly indicates otherwise:

4       "Committee."   The Horticultural Advisory and Review Committee  
5       established under section 5.

6       "Department."   The Department of Education of the  
7       Commonwealth.

8       "Fund."   The Horticultural Education and Demonstration Fund  
9       established by this act.

10       "Secretary."   The Secretary of Education of the Commonwealth.  
11       Section 5.   Horticultural Advisory and Review Committee.

12       (a)   Establishment.--The Horticultural Advisory and Review  
13       Committee is established. The committee has the following  
14       duties:

15               (1)   Review proposals and take into account any comments  
16       submitted by a school district affected by the proposal.

17               (2)   Recommend to the department a prioritization for  
18       funding proposals.

19               (3)   Recommend to the department proposals for funding in  
20       accordance with section 8.

21               (4)   Advise the department on any activities authorized  
22       by this act.

23       (b)   Membership.--The committee shall be made up of the  
24       following members:

25               (1)   The secretary or a designee.

26               (2)   The Secretary of Conservation and Natural Resources  
27       or a designee.

28               (3)   The Secretary of Environmental Protection or a  
29       designee.

30               (4)   The Secretary of Agriculture or a designee.

(5) The Director of The Pennsylvania State University's Cooperative Extension Service or a designee.

(6) The head of the Department of Horticulture of The Pennsylvania State University or a designee.

(7) Three members representing Statewide or regional horticultural organizations appointed by the Secretary of Agriculture.

(8) Three members representing basic education appointed by the secretary.

(9) Two members representing Statewide environmental organizations appointed jointly by the Secretary of Environmental Protection and Secretary of Conservation and Natural Resources.

#### Section 6. Responsibilities of the Department of Education.

The department shall have the duty to:

(1) Review and approve six horticultural demonstration projects.

(2) Ensure that the demonstration projects are located in regions of this Commonwealth known for their horticultural products.

(3) Select the demonstration projects after consulting with the committee.

(4) Enter into grant agreements with grantees.

#### Section 7. Scope.

The money authorized by this act shall be disbursed only to school districts involved in horticultural projects and activities. Any school district seeking funding for demonstration projects shall coordinate its proposal with the county cooperative extension office in which the proposed demonstration project is located.

1 Section 8. Horticultural Education and Demonstration Fund.

2 (a) Establishment.--There is established a restricted fund  
3 in the State Treasury to be known as the Horticultural Education  
4 and Demonstration Fund. Upon approval of the Governor, funds may  
5 be deposited or transferred into this fund at the beginning of  
6 each fiscal year from sources which are consistent with the  
7 proposed uses specified under this act. The fund may be  
8 supplemented by appropriations from the General Assembly; the  
9 Federal, State or local government; or any private source.

10 (b) Grants.--All money placed in the fund are hereby  
11 appropriated to the Department of Education on a continuing  
12 basis for the purpose of providing grants to eligible school  
13 districts for horticultural demonstration projects.

14 Section 9. Proposal approval process.

15 (a) Proposal for grants.--

16 (1) School districts interested in receiving grants  
17 under this act shall submit a proposal to the department and  
18 shall notify and consult with the county cooperative  
19 extension office in which a project is proposed that a  
20 proposal has been submitted. The proposal shall contain  
21 necessary and appropriate information as required by the  
22 department.

23 (2) The department shall forward to the committee all  
24 proposals which are received.

25 (b) Funding recommendations.--The committee shall review all  
26 proposals and make funding recommendations to the department.

27 (c) Departmental decisions.--The department shall consider  
28 the committee's recommendations in making proposal funding  
29 decisions. The department shall issue grants to school  
30 districts.

1       (d) School districts receiving funds.--School districts that  
2 receive funding under this act shall comply with all applicable  
3 laws.

4       (e) Limitations on funding.--Nothing contained in this act  
5 shall require or authorize the secretary to provide any funding  
6 in excess of the money available under section 8.

7       (f) Departmental conditions.--A grant awarded under this  
8 section shall be subject to terms and conditions as established  
9 by the department.

10 Section 10. Report on activity.

11       The department and committee shall prepare an annual report  
12 identifying available funding, number of projects proposed,  
13 number of school districts participating and any other  
14 information deemed appropriate and shall submit the report to  
15 the General Assembly.

16 Section 30. Effective date.

17       This act shall take effect in 60 days.