

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 944** Session of
2017

INTRODUCED BY M. K. KELLER, HICKERNELL, BENNINGHOFF, BLOOM,
BOBACK, CAUSER, CHRISTIANA, CUTLER, DIAMOND, FEE, GILLEN,
GREINER, A. HARRIS, HELM, JAMES, KAUFFMAN, F. KELLER,
LONGIETTI, MAHER, MARSICO, MATZIE, MEHAFFIE, MENTZER,
MILLARD, B. MILLER, NEUMAN, O'BRIEN, PASHINSKI, PETRARCA,
PICKETT, SANKEY, SAYLOR, SNYDER, SOLOMON, TALLMAN, TOBASH,
TOEPEL, WARD, ZIMMERMAN AND WENTLING, MAY 19, 2017

AS REPORTED FROM COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,
HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 12, 2017

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," in terms and courses of study,
6 further providing for agricultural education and providing
7 for Commission for Agricultural Education Excellence.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 1549 of the act of March 10, 1949
11 (P.L.30, No.14), known as the Public School Code of 1949, is
12 amended to read:

13 Section 1549. Agricultural Education.--(a) The General
14 Assembly declares it is the purpose of this section to:

15 (1) Require the department to develop and disseminate
16 agricultural education materials for school entities or private
17 or nonpublic kindergartens, elementary or secondary schools in

1 this Commonwealth. The materials shall incorporate agricultural
2 concepts into the basic school curricula and shall be designed
3 to educate the general student population about the importance
4 of the agriculture industry and the role of agriculture in the
5 students' lives.

6 (2) Encourage the agricultural education efforts of other
7 agencies where appropriate, including, but not limited to, those
8 of the county conservation districts, the Cooperative Extension
9 Service of The Pennsylvania State University, the University of
10 Pennsylvania Veterinary School, the Department of Agriculture,
11 the Department of Environmental Resources, the Department of
12 Community Affairs, the State System of Higher Education and the
13 Department of Transportation.

14 (b) The department shall have the power and its duty shall
15 be to:

16 (1) Provide, in conjunction with the Department of
17 Agriculture, resource information to educators and public and
18 private schools and organizations on agricultural education.

19 (2) Provide, in conjunction with the Department of
20 Agriculture, for the development and distribution to school
21 entities or private or nonpublic kindergartens, elementary or
22 secondary schools in this Commonwealth materials on agricultural
23 education. Such materials may include instruction on issues
24 related to agriculture, including, but not limited to, food
25 safety, pesticides, farmland preservation, waste management,
26 wetlands, nutrient management, food production and food
27 processing, animal health and statutory and regulatory
28 protections of the right to farm.

29 (3) Identify, recognize and establish, in conjunction with
30 the Department of Agriculture, awards for exemplary agricultural

1 education curricula developed in Commonwealth schools.

2 (4) Use local school district occupational advisory
3 committees, as well as the facilities and equipment of the
4 Department of Agriculture, to serve as the conduit to bring
5 youth and adult education programs into communities and schools,
6 focusing on agricultural industry issues of importance to this
7 Commonwealth.

8 (5) Maintain, in conjunction with the Department of
9 Agriculture, an inventory of agricultural education materials,
10 programs and resources available in Commonwealth agencies.

11 [(c) The secretary shall prepare and submit, in conjunction
12 with the Department of Agriculture, an annual report to the
13 Governor and the General Assembly on the status of agricultural
14 education in this Commonwealth. The report shall outline
15 agricultural education programs and achievements, highlight new
16 initiatives and recommend future program needs.

17 (d) (1) The Secretary of Education shall consult, at least
18 annually, with the Secretary of Agriculture and a cross section
19 of the agriculture and education communities to:

20 (i) Assess the trends and needs in agricultural education.

21 (ii) Consider the manner in which any funds are used to
22 support agricultural education activities.

23 (iii) Make recommendations to the Governor and the General
24 Assembly regarding legislative or regulatory changes to improve
25 agricultural education, pursuant to the preparation and
26 submittal of the report required by subsection (c).

27 (2) When consulting with a cross section of the agriculture
28 and education communities, the secretary shall consider seeking
29 comments from individuals named in lists submitted by the State
30 Council on Farm Organizations, the Agricultural Awareness

1 Foundation and the Pennsylvania Vocational-Agricultural Teachers
2 Association. Such lists may include, but not be limited to:

3 (i) Farmers.

4 (ii) Representatives of the agricultural processing and
5 agricultural marketing industries.

6 (iii) Faculty members of the College of Agricultural
7 Sciences of the Commonwealth's land-grant university.

8 (iv) Faculty members from a State System of Higher Education
9 institution, each of whom shall have background in or knowledge
10 of agricultural education.

11 (v) A teacher of vocational agriculture.

12 (vi) A teacher involved in agricultural education other than
13 vocational agriculture.

14 (vii) An administrator of a school entity which conducts an
15 agricultural education program.

16 (viii) A member of a local school district occupational
17 advisory committee.

18 (ix) Members of the public who are knowledgeable about
19 agricultural education.]

20 (e) The following words and phrases when used in this
21 section shall have the meanings given to them in this subsection
22 unless the context clearly indicates otherwise:

23 "Department." The Department of Education of the
24 Commonwealth.

25 ["Farmer." Any person who engages in the accepted
26 activities, practices and procedures year after year to produce
27 and prepare for market poultry, livestock and their products or
28 in the production and harvesting of agricultural, agronomic,
29 horticultural, silvicultural and aquacultural crops and
30 commodities and whose operation is conducted on not less than

1 ten contiguous acres in area or, if less than ten contiguous
2 acres in area, has an anticipated yearly gross income of at
3 least ten thousand dollars (\$10,000).]

4 "School entity." A public school district, intermediate unit
5 or area vocational-technical school.

6 "Secretary." The Secretary of Education of the Commonwealth.

7 Section 2. The act is amended by adding a section to read:

8 Section 1549.1. Commission for Agricultural Education

9 Excellence.--(a) There is established a Commission for

10 Agricultural Education Excellence as a departmental

11 administrative commission under the concurrent authority of the

12 Department of Agriculture and the Department of Education with

13 all the powers and duties generally vested in and imposed upon

14 the commissions under the act of April 9, 1929 (P.L.177,

15 No.175), known as "The Administrative Code of 1929."

16 (b) The commission shall assist in developing a Statewide

17 plan for agricultural education and coordinate the

18 implementation of related agricultural education programming

19 with the Department of Agriculture and the Department of

20 Education.

21 (c) The commission shall be administratively housed within

22 the Department of Agriculture and shall be staffed and supported

23 by the Department of Agriculture and the Department of

24 Education, as provided under this section.

25 (d) In order for the commission to fulfill its duties and

26 exercise its authority under this section, an agreement shall be

27 executed between the Department of Agriculture, the Department

28 of Education and the commission, which shall define and

29 delineate the role and responsibility of each agency in

30 assisting the commission in fulfilling its duties under this

1 section.

2 (e) In order for the commission to fulfill its duties and
3 exercise its authority under this section, the Department of
4 Agriculture, the Department of Education and the commission
5 shall cooperate with each other in the use of staff, land,
6 buildings, quarters, facilities and equipment.

7 (f) The commission shall consist of the following members:

8 (1) The Secretary of Education, or a designee.

9 (2) The Secretary of Agriculture, or a designee.

10 (3) The following members jointly appointed by the Secretary
11 of Education and the Secretary of Agriculture from lists
12 submitted by the President pro tempore of the Senate and the
13 Speaker of the House of Representatives, in consultation with
14 the Majority Leader and Minority Leader of the Senate and the
15 Majority Leader and Minority Leader of the House of
16 Representatives:

17 (i) Two farmers.

18 (ii) A representative of the agricultural processing and
19 agricultural marketing industries.

20 (iii) Two faculty members of agricultural sciences, not more
21 than one of whom shall be a faculty member of the College of
22 Agricultural Sciences of the Commonwealth's land-grant
23 university.

24 (iv) A faculty member of the State System of Higher
25 Education with a background in or knowledge of agricultural
26 education.

27 (v) Two teachers of vocational agriculture.

28 (vi) A teacher involved in agricultural education other than
29 vocational agriculture.

30 (vii) An administrator of a school entity which conducts an

1 agricultural education program.

2 (viii) A member of a school district occupational advisory
3 committee.

4 (ix) Two members of the business community with knowledge of
5 agricultural education.

6 (g) To the extent practicable, from members initially
7 appointed, an equal number shall draw lots to serve for a term
8 of three years, for a term of two years and for a term of one
9 year. Thereafter, all members shall be appointed for a term of
10 three years.

11 (h) The chairmanship of the commission shall rotate on an
12 annual basis between the Secretary of Agriculture and the
13 Secretary of Education, with the Secretary of Education chairing
14 the first annual rotation.

15 (i) The commission shall keep a record of its official
16 actions and may perform acts and promulgate policies, procedures
17 and guidelines as may be necessary.

18 (j) A majority of members of the commission shall constitute
19 a quorum.

20 (k) The members of the commission shall not receive
21 compensation for services but shall be reimbursed for all
22 necessary travel and other reasonable expenses incurred in
23 connection with the performance of their duties as members of
24 the commission.

25 (l) The commission shall have all the following powers and
26 duties:

27 (1) Develop a model for Statewide curriculum for
28 agricultural education programs based on high priority
29 occupations.

30 (2) Assist school entities in securing articulation

1 agreements with postsecondary institutions of higher education.

2 (3) Provide support and technical assistance to supervised
3 agricultural experience programs based on ~~industry~~ STUDENT <--
4 needs.

5 (4) Provide support and coordination for Statewide and local
6 activities related to ~~Future Farmers of America~~ FFA programs. <--

7 (5) Investigate, review and issue an annual report on the
8 status of agricultural education required under subsection (m).

9 (m) By May 1, 2018, and by May 1 of each year thereafter,
10 the commission shall submit a report to the Governor and the
11 General Assembly on the status of agricultural education in this
12 Commonwealth. The report shall:

13 (1) Outline agricultural education programs and
14 achievements.

15 (2) Assess the trends and needs in secondary and BOTH FORMAL <--
16 AND INFORMAL postsecondary agricultural education and training.

17 (3) Investigate ~~agricultural~~ AND ASSESS work force trends <--
18 and assess training needs for individuals not pursuing formal <--
19 postsecondary education OF THE AGRICULTURE AND FOOD INDUSTRY. <--

20 (4) ASSESS AND MAKE PROGRAMMING RECOMMENDATIONS FOR MEETING <--
21 THE TRAINING NEEDS FOR INDIVIDUALS NOT PURSUING FORMAL
22 POSTSECONDARY EDUCATION.

23 ~~(4)~~ (5) Consider the manner in which funds are used to <--
24 support agricultural education activities.

25 ~~(5)~~ (6) Highlight new initiatives and recommend future <--
26 program needs.

27 ~~(6)~~ (7) Make recommendations to the Governor and the General <--
28 Assembly regarding legislative or regulatory changes to improve
29 agricultural education.

30 (n) The Department of Agriculture and the Department of

1 Education shall provide staff to assist the commission with its
2 duties. The Department of Agriculture and the Department of
3 Education shall, at a minimum, provide the following staff who
4 may be employed either full-time or part-time or may be assigned
5 to other duties within either agency:

6 (1) An executive director who shall oversee all elementary
7 and secondary, POSTSECONDARY AND ADULT agricultural education <--
8 activities in this Commonwealth and serve as the director of
9 outreach for the commission.

10 (2) A curriculum specialist to assist school entities in
11 developing agricultural education curricula and integrating
12 national agriculture, food and natural resource standards into
13 elementary and secondary curricula.

14 (3) A program approval specialist to assist school entities
15 with the program approval process for agricultural education
16 established by the Department of Education and serve as a
17 liaison between the Department of Education and school entities
18 for data collection.

19 (4) ~~A Future Farmers of America AN FFA program specialist to~~ <--
20 oversee State-related ~~Future Farmers of America~~ FFA activities <--
21 and implement initiatives for local agricultural education
22 program success.

23 (5) A work force development specialist to ~~manage supervised~~ <--
24 agricultural experience programs and facilitate interagency
25 efforts to identify career pathways in THE agricultural AND FOOD <--
26 industries AND PROMOTE AGRICULTURE AND FOOD CAREERS AMONG <--
27 STUDENTS AND ADULT JOB SEEKERS.

28 (6) An agricultural education support specialist to provide
29 support to the staff of the commission.

30 (o) The Department of Education and the Department of

1 Agriculture shall use funds appropriated by the General Assembly
2 to the Department of Education and the Department of Agriculture
3 for general government operations to pay for costs incurred for
4 the implementation of this section. The Department of Education
5 and the Department of Agriculture may use funds appropriated by
6 the General Assembly for the purposes of this section and may
7 accept donations from all public and private sources, including
8 the Federal Government, to pay for costs incurred for the
9 implementation of this section.

10 (p) The following words and phrases when used in this
11 section shall have the meanings given to them in this subsection
12 unless the context clearly indicates otherwise:

13 "Commission." The Commission for Agricultural Education
14 Excellence established under this section.

15 "Farmer." Any person who engages in ~~the accepted~~ activities, <--
16 practices and procedures ~~year after year~~ to produce and prepare <--
17 for market poultry, livestock and their products or in the
18 production and harvesting of agricultural, agronomic,
19 horticultural, silvicultural and aquacultural crops and
20 commodities and whose operation is conducted on not less than
21 ten contiguous acres in area or, if less than ten contiguous
22 acres in area, has an anticipated yearly gross income of at
23 least ten thousand dollars (\$10,000).

24 ~~"Future Farmers of America FFA."~~ A career and technical <--
25 student organization that encourages leadership, personal growth
26 and career success through agricultural education.

27 "School entity." A public school district, intermediate unit
28 or area vocational-technical school.

29 Section 3. This act shall take effect in 60 days.