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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 132 Session of  
2005

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INTRODUCED BY MUSTO, KITCHEN, COSTA, STOUT, O'PAKE, LEMMOND,  
PILEGGI, WOZNIAK AND BOSCOLA, FEBRUARY 1, 2005

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REFERRED TO EDUCATION, FEBRUARY 1, 2005

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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 of Education, the  
23 Department of Environmental Protection and school districts  
24 to develop and implement regional horticultural demonstration  
25 programs for 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 (relating to Horticultural Advisory  
6       and Review Committee).

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

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

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

13      (a)   Establishment.--The Horticultural Advisory and Review  
14      Committee is established and its duties shall be to:

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 (relating to Horticultural  
21           Education and Demonstration Fund).

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

24      (b)   Membership.--The committee shall be made up of 14  
25      members as follows:

26           (1)   The Secretary of Education or his designee.

27           (2)   The Secretary of Conservation and Natural Resources  
28           or his designee.

29           (3)   The Secretary of Environmental Protection or his  
30           designee.

1           (4) The Secretary of Agriculture or his designee.

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

4           (6) The head of the Department of Horticulture of The  
5 Pennsylvania State University or his designee.

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

9           (8) Three members representing basic education appointed  
10 by the Secretary of Education.

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

15 Section 6. Responsibilities of the Department of Education.

16 The department shall have the duty to:

17           (1) Review and approve six horticultural demonstration  
18 projects.

19           (2) Ensure that the demonstration projects are located  
20 in regions of the State known for their horticultural  
21 products.

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

24           (4) Enter into grant agreements with grantees.

25 Section 7. Scope.

26 The moneys authorized by this act shall be disbursed only to  
27 school districts involved in horticultural projects and  
28 activities. Any school district seeking funding for  
29 demonstration projects shall coordinate its proposal with the  
30 county cooperative extension office in which the proposed

1 demonstration project is located.

2 Section 8. Horticultural Education and Demonstration Fund.

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

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

15 Section 9. Proposal approval process.

16 (a) Proposal for grants.

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

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

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

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

1 districts.

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

5 (e) Limitations on funding.--Nothing contained in this act  
6 shall require or authorize the secretary to provide any funding  
7 in excess of the moneys available under section 8 (relating to  
8 Horticultural Education and Demonstration Fund).

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

12 Section 10. Report on activity.

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

18 Section 11. Effective date.

19 This act shall take effect in 60 days.