

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 661 Session of 2019

INTRODUCED BY J. WARD, VOGEL, STEFANO, AUMENT, K. WARD, BAKER AND BROWNE, MAY 17, 2019

AS REPORTED FROM COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 20, 2019

AN ACT

1 Amending Title 3 (Agriculture) of the Pennsylvania Consolidated
2 Statutes, providing for the Commonwealth Specialty Crop Block
3 Grant Program and establishing the Commonwealth Specialty
4 Crop Block Grant Fund.

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

7 Section 1. Title 3 of the Pennsylvania Consolidated Statutes
8 is amended by adding a part to read:

9 PART IX

10 GRANT PROGRAMS

11 Chapter

12 101. (Reserved)

13 103. (Reserved)

14 105. Commonwealth Specialty Crop Block Grant Program

15 CHAPTER 101

16 (Reserved)

17 CHAPTER 103

18 (Reserved)



1 high-priority specialty crop by the secretary, with priority  
2 given to crops, plants and products that are not currently  
3 eligible for funding under the Federal Specialty Crop Block  
4 Grant Program.

5 "Federal Specialty Crop Block Grant Program." The Specialty  
6 Crops Competitiveness Act of 2004 (Public Law 108-465, 118 Stat.  
7 3882).

8 "General evaluation criteria." The evaluation criteria  
9 established by the department and utilized for the Federal  
10 Specialty Crop Block Grant Program.

11 "Horticultural ~~crops~~ CROP." A crop that is used by people <--  
12 for food, medicinal purposes and OR aesthetic gratification. <--

13 "Population density." The total population of this  
14 Commonwealth as determined by the most recent Federal decennial  
15 census, divided by the total area of this Commonwealth in square  
16 miles.

17 "Program." The Commonwealth Specialty Crop Block Grant  
18 Program established under section 10502.1 (relating to  
19 establishment of program).

20 "Rural municipality." A municipality of this Commonwealth  
21 with a population density less than the Statewide average  
22 population density or a total population less than 2,500, unless  
23 more than 50% of the population lives in an urbanized area, as  
24 defined by the United States Census Bureau.

25 "Silvicultural product." A product of a forest or woodland,  
26 including, but not limited to, timber.

27 "Specialty crop." A horticultural crop or silvicultural  
28 product, a plant cultivated and utilized for fiber or biofuel  
29 purposes or an apiary product.

30 "Urban municipality." A municipality of this Commonwealth

1 not defined as a rural municipality.

2 § 10502.1. Establishment of program.

3 The Commonwealth Specialty Crop Block Grant Program is  
4 established in the department.

5 § 10503. Authority.

6 (a) Duties of department--The department shall have the  
7 following duties:

8 (1) To administer this chapter in a manner consistent  
9 with the general evaluation criteria, including the  
10 application, evaluation and reporting processes required and  
11 employed under the annual Federal Specialty Crop Block Grant  
12 Program.

13 (2) To develop all necessary documents and transmit a  
14 notice of all parameters of the program, including eligible  
15 specialty crops, evaluation criteria, submittal dates,  
16 application and reporting forms and requirements and template  
17 grant agreements to the Legislative Reference Bureau for  
18 publication in the Pennsylvania Bulletin and on the  
19 department's publicly available Internet website.

20 (b) Specific allocation and nonliability.--The program shall  
21 only be administered in years in which money is specifically  
22 allocated or received and made available to the department under  
23 this chapter for that purpose. The department shall not be  
24 liable for any commitment or for completion of a partially  
25 completed or partially funded project which cannot be completed  
26 due to the unavailability of Commonwealth money or future  
27 Commonwealth appropriations.

28 § 10504. Eligible applicants and projects.

29 The following eligibility criteria shall apply to applicants  
30 and grant projects:

1           (1) State and local organizations, producer  
2 associations, academia, community-based organizations and  
3 other eligible specialty crops stakeholders are eligible to  
4 apply.

5           (2) Projects shall enhance the competitiveness of  
6 eligible specialty crops and benefit the eligible specialty  
7 crop industry as a whole and may include, but are not limited  
8 to, projects such as:

9                 (i) Increasing child and adult nutrition knowledge  
10 and consumption of specialty crops.

11                 (ii) Participation of industry representatives at  
12 meetings of international standard setting bodies in  
13 which the Federal Government participates.

14                 (iii) Improving efficiency and reducing costs of  
15 distribution systems.

16                 (iv) Assisting all entities in the specialty crop  
17 distribution chains in developing good agricultural  
18 practices, good handling practices, good manufacturing  
19 practices and in cost-share arrangements for funding  
20 audits of such systems for small farmers, packers and  
21 processors.

22                 (v) Investing in specialty crop research, including  
23 organic research to focus on conservation and  
24 environmental outcomes and enhancing food safety.

25                 (vi) Developing new and improved seed varieties and  
26 specialty crops.

27                 (vii) Pest and disease control.

28                 (viii) Sustainability.

29           (3) To be considered an eligible specialty crop, a  
30 specialty crop must meet the parameters established by the

1 secretary. Processed products shall consist of greater than  
2 50% of the eligible specialty crop by weight, exclusive of  
3 added water.

4 (4) Grants may not be awarded to projects that directly  
5 benefit a particular commercial product or provide a profit  
6 to a single organization, institution or individual.

7 (5) Grants may be awarded to recipients and projects for  
8 up to two years.

9 § 10505. Allocation of money.

10 Money that is allocated to or received by the department  
11 under section 10508 (relating to Commonwealth Specialty Crop  
12 Block Grant Fund) shall be allocated for administration of this  
13 chapter in accordance with the following formula:

14 (1) An amount of up to 8% of the money may be used by  
15 the department for administrative costs.

16 (2) An amount equal to 6.2% of the money shall be  
17 allocated to recipients and projects located in rural  
18 municipalities where at least 20% of the population has been  
19 below the Federal poverty line since 1990 based on census  
20 data.

21 (3) An amount equal to 3.8% of the money shall be  
22 allocated to recipients and projects located in urban  
23 municipalities where at least 20% of the population has been  
24 below the Federal poverty line since 1990 based on census  
25 data.

26 (4) The balance of the money remaining after making  
27 allocations under paragraphs (1), (2) and (3) shall be  
28 allocated to recipients and projects in a manner which seeks  
29 to distribute the money evenly among types of eligible  
30 specialty crops and, where practicable, in a manner that

1 distributes the money across this Commonwealth.

2 § 10506. Use of grant money by recipients.

3 (a) Recipients.--Money that is allocated to recipients by  
4 the department shall be used only for approved projects in  
5 accordance with this chapter, program parameters and grant  
6 agreements.

7 (b) Violations.--It shall be unlawful for a person to  
8 violate:

9 (1) the terms or provisions of this chapter;

10 (2) the program parameters developed under this chapter;

11 or

12 (3) a signed grant agreement established under this  
13 chapter.

14 § 10507. Audit and recordkeeping.

15 (a) Requirements.--The department shall establish and  
16 enforce the audit and recordkeeping requirements as established  
17 under the annual Federal Specialty Crop Block Grant Program and  
18 publish the requirements on the department's publicly accessible  
19 Internet website. The department shall transmit notice of the  
20 audit and recordkeeping requirements to the Legislative  
21 Reference Bureau for publication in the Pennsylvania Bulletin.

22 (b) Authority to investigate.--The department may  
23 investigate the records of a recipient under this chapter. The  
24 recipient shall provide the recipient's records upon the  
25 department's request. A recipient shall allow the department to  
26 conduct on-site inspections as necessary to assure compliance  
27 with this chapter, the program parameters developed under this  
28 chapter or a signed grant agreement established under this  
29 chapter.

30 § 10508. Commonwealth Specialty Crop Block Grant Fund.

1     (a) Establishment.--The Commonwealth Specialty Crop Block  
2 Grant Fund is established as a special nonlapsing fund in the  
3 State Treasury. All money derived from fines and civil  
4 penalties, judgments and interest collected or imposed under  
5 this chapter shall be paid into the fund. All money placed into  
6 the fund and the interest the fund accrues are hereby  
7 appropriated to the department on a continuing basis for any  
8 activities necessary to meet the requirements of this chapter.

9     (b) Supplements to fund.--The Commonwealth Specialty Crop  
10 Block Grant Fund may be supplemented by money received from the  
11 following sources:

12         (1) State money appropriated to the department.

13         (2) Federal money appropriated to the department.

14         (3) Gifts and other contributions from public and  
15 private sources.

16 § 10509. Applicability.

17     This chapter shall apply to the distribution of money of the  
18 Commonwealth Specialty Crop Block Grant Fund allocated or  
19 received by the department beginning with the fiscal year 2019-  
20 2020 and thereafter.

21     Section 2. This act shall take effect in 60 days.