S T A T E O F N E W Y O R K

6770

2011-2012 Regular Sessions

I N A S S E M B L Y

March 31, 2011

Introduced by M. of A. COOK, ORTIZ, ROBINSON, SCHROEDER -- Multi-Sponsored by -- M. of A. BOYLAND, COLTON, GLICK, GOTTFRIED, JACOBS, MARKEY, McENENY, PHEFFER, J. RIVERA, SCARBOROUGH, TITONE, TOWNS -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to creating a food security, empowerment and economic development program

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Legislative intent. The legislature finds there is a need for community economic development to improve the food system in areas where there is an inadequate food supply and many residents who rely on fluctuating government and private food assistance. There is a need to develop food resources and businesses in these communities that provide higher quality, more accessible food. The legislature also finds that local farmers and food producers can and should benefit from these efforts.

The legislature further finds that as the federal government and New York state attempt to reduce dependency on government, there is a need to support families leaving public assistance for work. One approach to increasing work opportunities and addressing the food needs in these communities is through the development of "community food security", which is defined as people successfully obtaining an acceptable, nutritious diet using local non-emergency sources.

Community food security projects are designed to meet the food needs of low income people, increase the self-reliance of communities in providing for their own food needs, and promote comprehensive responses to local food, farm and nutrition issues. For example, these projects provide training in urban gardening and sales, assist entrepreneurs starting micro-enterprises, support farmers' markets in distressed neighborhoods and provide food-based educational opportunities for schools.

The legislature supports the goals of self-reliance, community-based economic development, profitable local agriculture, improved nutrition and helping families and individuals help themselves. Therefore, the

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD02482-01-1

legislature finds that the creation of a community food security program for New York state will benefit struggling working families and their communities, provide new markets for family farmers, create food-based jobs and small businesses, and ensure healthier citizens and neighborhoods.

S 2. The public health law is amended by adding a new article 27-FF to read as follows:

ARTICLE 27-FF
COMMUNITY FOOD SECURITY,
EMPOWERMENT AND
ECONOMIC DEVELOPMENT PROGRAM

SECTION 2790. COMMUNITY FOOD SECURITY, EMPOWERMENT AND ECONOMIC DEVELOPMENT PROGRAM.
2791. GRANTS TO ORGANIZATIONS.
2792. ADVISORY COUNCIL.

S 2790. COMMUNITY FOOD SECURITY, EMPOWERMENT AND ECONOMIC DEVELOPMENT PROGRAM. THE COMMUNITY FOOD SECURITY, EMPOWERMENT AND ECONOMIC DEVELOPMENT PROGRAM IS ESTABLISHED WITHIN THE DEPARTMENT. SUCH PROGRAM IS ESTABLISHED TO SUPPORT THE DEVELOPMENT OF COMMUNITY FOOD PROJECTS DESIGNED TO MEET THE FOOD NEEDS OF LOW-INCOME PEOPLE, INCREASE THE SELF-RELIANCE OF COMMUNITIES IN PROVIDING FOR THEIR OWN FOOD NEEDS AND PROMOTE COMPREHENSIVE RESPONSES TO LOCAL FOOD, FARM AND NUTRITION ISSUES. THESE PROJECTS WILL ATTEMPT TO: INCREASE THE AVAILABILITY, IN THE TARGETED COMMUNITIES, OF CULTURALLY ACCEPTABLE, AFFORDABLE, NUTRITIONALLY ADEQUATE FOOD, FROM LOCAL SOURCES WHENEVER POSSIBLE; DEVELOP LINKAGES BETWEEN LOCAL FARMERS AND COMMUNITIES SERVED BY THE PROJECT; SUPPORT JOB DEVELOPMENT AND JOB TRAINING, INCLUDING WORK EXPERIENCE REQUIRED BY WELFARE REFORM; SUPPORT THE DEVELOPMENT OF ENTREPRENEURIAL ENTERPRISES; PROMOTE GOOD NUTRITION; ENCOURAGE LONG-TERM PLANNING AND MULTI-AGENCY INVOLVEMENT IN THE PROJECT; AND, INCLUDE COMMUNITY RESIDENTS IN DECISION-MAKING.

S 2791. GRANTS TO ORGANIZATIONS. THE COMMISSIONER SHALL MAKE GRANTS FOR PROGRAM PROJECTS, SUBJECT TO THE AVAILABILITY OF FUNDING, TO COMMUNITY-BASED NONPROFIT ORGANIZATIONS AND LOCAL GOVERNMENTS. IN ORDER TO MEET THE GOALS OF THE PROGRAM, APPLICANTS MAY CREATE PARTNERSHIPS WITH OTHER ENTITIES, INCLUDING LIMITED PARTICIPATION BY FOR-PROFIT ENTERPRISES.

PREFERENCE FOR THESE GRANTS SHALL BE GIVEN TO PROJECTS LOCATED IN COMMUNITIES WITH A SIGNIFICANT PERCENTAGE OF THE POPULATION PARTICIPATING IN GOVERNMENT AND PRIVATE FOOD ASSISTANCE PROGRAMS.

PROJECTS FUNDED BY THESE GRANTS SHALL BE DESIGNED TO BECOME SELF-SUSTAINING, NOT DEPENDENT ON CONTINUAL GRANTS FROM THIS PROGRAM.

S 2792. ADVISORY COUNCIL. AN ADVISORY COUNCIL SHALL BE ESTABLISHED TO ASSIST THE COMMISSIONER IN THE DEVELOPMENT OF THE GRANT PROGRAM AND IN REVIEWING APPLICATIONS FOR SUCH GRANTS. THE COUNCIL SHALL BE COMPOSED OF TWELVE MEMBERS WITH EXPERTISE IN COMMUNITY FOOD SECURITY. SIX MEMBERS SHALL BE APPOINTED BY THE GOVERNOR, TWO MEMBERS SHALL BE APPOINTED BY THE TEMPORARY PRESIDENT OF THE SENATE, TWO MEMBERS SHALL BE APPOINTED BY THE SPEAKER OF THE ASSEMBLY, ONE MEMBER SHALL BE APPOINTED BY THE MINORITY LEADER OF THE SENATE AND ONE MEMBER SHALL BE APPOINTED BY THE MINORITY LEADER OF THE ASSEMBLY. THESE MEMBERS SHALL SERVE AT THE WILL OF THE APPOINTING AUTHORITY. THE COMMISSIONERS OF THE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE, AGRICULTURE AND MARKETS AND ECONOMIC DEVELOPMENT OR THEIR DESIGNEES SHALL ALSO PARTICIPATE IN THE ADVISORY COUNCIL.

S 3. This act shall take effect immediately.