

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:

1 Section 1. Legislative intent. The legislature finds there is a need
2 for community economic development to improve the food system in areas
3 where there is an inadequate food supply and many residents who rely on
4 fluctuating government and private food assistance. There is a need to
5 develop food resources and businesses in these communities that provide
6 higher quality, more accessible food. The legislature also finds that
7 local farmers and food producers can and should benefit from these
8 efforts.
9 The legislature further finds that as the federal government and New
10 York state attempt to reduce dependency on government, there is a need
11 to support families leaving public assistance for work. One approach to
12 increasing work opportunities and addressing the food needs in these
13 communities is through the development of "community food security",
14 which is defined as people successfully obtaining an acceptable, nutritious diet using local non-emergency sources.
15 Community food security projects are designed to meet the food needs
16 of low income people, increase the self-reliance of communities in
17 providing for their own food needs, and promote comprehensive responses
18 to local food, farm and nutrition issues. For example, these projects
19 provide training in urban gardening and sales, assist entrepreneurs
20 starting micro-enterprises, support farmers' markets in distressed
21 neighborhoods and provide food-based educational opportunities for
22 schools.
23 The legislature supports the goals of self-reliance, community-based
24 economic development, profitable local agriculture, improved nutrition
25 and helping families and individuals help themselves. Therefore, the
26

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

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

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

8 ARTICLE 27-FF
9 COMMUNITY FOOD SECURITY,
10 EMPOWERMENT AND
11 ECONOMIC DEVELOPMENT PROGRAM

12 SECTION 2790. COMMUNITY FOOD SECURITY, EMPOWERMENT AND ECONOMIC DEVELOP-
13 MENT PROGRAM.

14 2791. GRANTS TO ORGANIZATIONS.

15 2792. ADVISORY COUNCIL.

16 S 2790. COMMUNITY FOOD SECURITY, EMPOWERMENT AND ECONOMIC DEVELOPMENT
17 PROGRAM. THE COMMUNITY FOOD SECURITY, EMPOWERMENT AND ECONOMIC DEVELOP-
18 MENT PROGRAM IS ESTABLISHED WITHIN THE DEPARTMENT. SUCH PROGRAM IS
19 ESTABLISHED TO SUPPORT THE DEVELOPMENT OF COMMUNITY FOOD PROJECTS
20 DESIGNED TO MEET THE FOOD NEEDS OF LOW-INCOME PEOPLE, INCREASE THE
21 SELF-RELIANCE OF COMMUNITIES IN PROVIDING FOR THEIR OWN FOOD NEEDS AND
22 PROMOTE COMPREHENSIVE RESPONSES TO LOCAL FOOD, FARM AND NUTRITION
23 ISSUES. THESE PROJECTS WILL ATTEMPT TO: INCREASE THE AVAILABILITY, IN
24 THE TARGETED COMMUNITIES, OF CULTURALLY ACCEPTABLE, AFFORDABLE, NUTRI-
25 TIONALLY ADEQUATE FOOD, FROM LOCAL SOURCES WHENEVER POSSIBLE; DEVELOP
26 LINKAGES BETWEEN LOCAL FARMERS AND COMMUNITIES SERVED BY THE PROJECT;
27 SUPPORT JOB DEVELOPMENT AND JOB TRAINING, INCLUDING WORK EXPERIENCE
28 REQUIRED BY WELFARE REFORM; SUPPORT THE DEVELOPMENT OF ENTREPRENEURIAL
29 ENTERPRISES; PROMOTE GOOD NUTRITION; ENCOURAGE LONG-TERM PLANNING AND
30 MULTI-AGENCY INVOLVEMENT IN THE PROJECT; AND, INCLUDE COMMUNITY RESI-
31 DENTS IN DECISION-MAKING.

32 S 2791. GRANTS TO ORGANIZATIONS. THE COMMISSIONER SHALL MAKE GRANTS
33 FOR PROGRAM PROJECTS, SUBJECT TO THE AVAILABILITY OF FUNDING, TO COMMU-
34 NITY-BASED NONPROFIT ORGANIZATIONS AND LOCAL GOVERNMENTS. IN ORDER TO
35 MEET THE GOALS OF THE PROGRAM, APPLICANTS MAY CREATE PARTNERSHIPS WITH
36 OTHER ENTITIES, INCLUDING LIMITED PARTICIPATION BY FOR-PROFIT ENTER-
37 PRISES.

38 PREFERENCE FOR THESE GRANTS SHALL BE GIVEN TO PROJECTS LOCATED IN
39 COMMUNITIES WITH A SIGNIFICANT PERCENTAGE OF THE POPULATION PARTICIPAT-
40 ING IN GOVERNMENT AND PRIVATE FOOD ASSISTANCE PROGRAMS.

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

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

55 S 3. This act shall take effect immediately.