

# STATE OF NEW YORK

829

2023-2024 Regular Sessions

## IN SENATE

January 6, 2023

Introduced by Sen. SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the agriculture and markets law, in relation to the establishment and priorities of the New York state council on hunger and food policy

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivisions 6-a and 52 of section 16 of the agriculture  
2 and markets law, subdivision 6-a as added and subdivision 52 as amended  
3 by a chapter of the laws of 2022 amending the agriculture and markets  
4 law and the economic development law relating to procurement of locally  
5 grown farm and food products and codifying the New York state council on  
6 food policy, as proposed in legislative bills numbers S. 549-B and A.  
7 3954-B, are amended to read as follows:

8 6-a. Establish [~~a~~] the New York state council on hunger and food poli-  
9 cy. The purpose of the council shall be to [~~develop~~] advise the state  
10 on the development of comprehensive, coordinated state food policies  
11 with the goal of: ensuring that all citizens of the state are able to  
12 eat a healthy diet and avoid food insecurity while consuming New York  
13 grown and produced foods as much as possible. The council shall work to:  
14 support and facilitate the growth of a New York-based local farm and  
15 food product economy that revitalizes rural, suburban and urban communi-  
16 ties, creates jobs, and supports economic growth through promoting and  
17 developing local farm and food businesses and their products and helps  
18 to make them more available to New York residents; and promote healthy  
19 eating through a plentiful, accessible, affordable, safe and nutritious  
20 food supply with access to fresh and minimally processed foods including  
21 a readily available supply of such food during emergencies.

22 (a) The [~~responsibilities~~] priorities of the council shall include,  
23 but are not limited to, developing and recommending policies and plans  
24 to [~~achieve the following~~]:

25 (i) [~~a food policy for the state which recognizes that it is in the~~  
26 ~~best interests of the state to~~] ensure the availability of and expand

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

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1 access to an adequate supply of affordable, fresh and nutritious food to  
2 its residents;

3 (ii) ~~[state policies to]~~ expand agricultural production and process-  
4 ing, including locally-grown and organically-grown food;

5 (iii) ~~[a strategic plan for implementation of the state food policy,~~  
6 ~~including benchmarks and criteria for measuring progress in achieving~~  
7 ~~state food policy objectives,~~

8 ~~(iv) offer comments on state regulations, legislation and budget~~  
9 ~~proposals in the area of food policy, to ensure a coordinated and~~  
10 ~~comprehensive inter-agency approach to food policy issues,~~

11 ~~(v) assist state agencies, state-owned facilities, and other entities~~  
12 ~~with the purchase of local farm or food products and with tracking and~~  
13 ~~reporting of such purchases in order to meet the goals established in~~  
14 ~~this section,~~

15 ~~(vi)]~~ assist local farm and food businesses to succeed and grow, espe-  
16 cially beginning and new owners and those historically underrepresented  
17 or marginalized in agriculture or the food industry, to identify and  
18 secure necessary resources and equipment to begin, maintain, and expand  
19 projects and networks necessary for the development of local farm or  
20 food products;

21 ~~[(vii)]~~ (iv) reduce barriers affecting food-insecure populations in  
22 rural and urban spaces;

23 (v) facilitate the building of infrastructure, including, but not  
24 limited to, aggregation, processing, storage, packaging, distribution,  
25 and marketing facilities necessary to move local farm or food products  
26 to local and other markets;

27 ~~[(viii)]~~ (vi) support and expand programs that recruit, train, and  
28 provide technical assistance to New York farmers, food producers, food  
29 processors and residents in order to encourage the production and proc-  
30 essing of local farm or food products;

31 ~~[(ix)]~~ (vii) coordinate interagency ~~[policies]~~ programs, initiatives,  
32 and procedures promoting local farm and food products in New York commu-  
33 nities, by working with and involving state, federal, and local agen-  
34 cies, as well as ~~[community-based]~~ community-based organizations, educa-  
35 tional institutions, and trade organizations in executing the purposes  
36 of this section;

37 ~~[(x)]~~ (viii) eliminate statutory and legal barriers hindering the  
38 development of a local farm and food economy by working with federal,  
39 state, and local agencies, other agencies and applicable entities, to  
40 ~~[create]~~ ensure consistent and compatible laws and regulations for the  
41 production, processing, storage, distribution, and marketing of local  
42 farm or food products;

43 ~~[(xi)]~~ (ix) facilitate the use of public lands for growing local farm  
44 or food products by working with governmental entities at the local,  
45 state, and federal levels;

46 ~~[(xii) set annual goals for all purchases of local farm or food~~  
47 ~~products by New York residents and to monitor the development and expan-~~  
48 ~~sion of a local farm and food economy through data collection, tracking,~~  
49 ~~measurement, analysis, and reporting on progress made in an annual~~  
50 ~~report to the legislature, and~~

51 ~~(xiii)]~~ (x) initiate and facilitate public awareness campaigns about  
52 the economic benefits of a local farm and food economy~~[-];~~

53 (xi) improve access to nutrition assistance programs and transporta-  
54 tion options, enhance infrastructure, and decrease socio-economic  
55 disparities that contribute to the prevalence of food insecurity;

(xii) alleviate geographic and economic barriers to improve access to healthy fresh food and reduce hunger among New Yorkers;

(xiii) eliminate barriers impacting a consumer's ability to purchase healthy food; and

(xiv) encourage state agencies and community partners to share ideas for reducing food-related chronic disease and promoting well-balanced child nutrition.

(b) [~~(i)~~] The council shall consist of [~~thirteen voting~~] twenty-five members designated by the commissioner as follows: [~~six members with experience and expertise related to agriculture, nutrition, food insecurity or food policy appointed on the recommendation of the legislative leaders, two each by the temporary president of the senate and the speaker of the assembly, and one each by the minority leader of the senate, and the minority leader of the assembly; the dean of the New York state college of agriculture and life sciences; and six members shall be appointed by the governor.~~

~~(ii) The council shall consult on a regular basis with an advisory board consisting of: the commissioner, the commissioner of health, the commissioner of the office of temporary and disability assistance, the commissioner of the office of children and family services, the commissioner of education, the commissioner of the department of economic development, the commissioner of the department of environmental conservation, the director of the office for the aging, the director of the office of general services, and eight members appointed by the governor.~~ (i) the commissioner, the commissioner of health, the commissioner of the office of temporary and disability assistance, the commissioner of education, the commissioner of the department of economic development, and the director of the office for the aging;

(ii) eight members with experience and expertise related to agriculture, nutrition, or food policy, of which four shall be designated on the recommendation of the legislative leaders, one each by the temporary president of the senate, the speaker of the assembly, the minority leader of the senate, and the minority leader of the assembly;

(iii) the dean of the New York state college of agriculture and life sciences;

(iv) one member representing farm organizations;

(v) one member representing school food administrators;

(vi) one member representing consumers;

(vii) two members representing an organization that provides food assistance;

(viii) one member representing anti-hunger advocates;

(ix) one member who is a nutritionist; and

(x) three members representing the food industry, including producers, distributors, processors or retailers who are residents of and work in the state of New York, at least one of whom produces organic food.

(c) [~~(i)~~] ~~The six council members selected by the legislative leaders shall be appointed to three-year staggered terms as determined by the legislature. Such persons may be nominated by organizations representing the sectors outlined in paragraph (b) of this subdivision. Vacancies shall be filled by the legislative leaders.~~

~~(ii) The six council members selected by the governor and the dean of the New York state college of agriculture and life sciences shall be appointed to three-year staggered terms as determined by the governor.~~

~~(iii) The members of the advisory board shall be appointed to three-year staggered terms as determined by the governor. Such persons shall be nominated by organizations representing the sectors outlined in para-~~

~~graph (b) of this subdivision. Vacancies shall be filled by the governor.]~~ The commissioner shall serve as the chairperson of the council.

~~(d) [The board of directors shall elect its presiding officers from among its members and may elect or appoint an executive committee, other committees, and subcommittees to conduct the business of the organization.~~

~~(e)]~~ The council shall issue a written report on the [~~first~~] thirtieth day of [~~December~~] January each year on: (i) the activities of the council during the preceding year; (ii) recommended food policies and actions for the state; (iii) [~~recommended changes to the strategic plan;~~ ~~(iv)]~~ an account of the progress made in achieving the goals of the council; and [~~(v)]~~ (iv) actions which are necessary to implement the recommendations of the council and effectuate its purposes.

~~[(f)]~~ (e) The state governmental agencies represented on the [~~board of directors~~] council may re-direct existing staff, as appropriations permit; assist in executing the purposes of this subdivision; and provide office space, meeting space, and other research and communication services as appropriate.

~~[(g)]~~ (f) No member of the council shall be disqualified from holding any public office or employment, nor shall he or she forfeit any such office or employment by virtue of his or her appointment hereunder. Members of the council shall receive no compensation for their services but shall be allowed their actual and necessary expenses incurred in the performance of their functions hereunder. [~~All members of the council shall serve at the pleasure of the governor and vacancies shall be filled in the same manner as original appointments.~~]

(g) The council shall set forth the time and place of its meetings and meet as frequently as business requires, but shall meet at least twice each year.

(h) Every agency, department, office, division or public authority of the state shall cooperate with the council and furnish such information and assistance as the council determines is reasonably necessary to accomplish its purpose.

52. Develop and maintain, in cooperation with the department of economic development and urban development corporation, a publicly available searchable database of New York state farms and farm products. The database shall include all farms located within the state and shall list the products available for purchase and contact information for each farm, unless a farm opts out of being included in the database by notifying the department of such option. The department shall provide farms with the ability to signify that they are interested in supplying schools on the directory. The department shall provide easily accessible electronic access to the database on the department's website and shall update the database at least every two years. [~~The department shall seek cooperation and coordination of the directory with the New York state council on food policy and the New York state land grant university, where necessary information overlaps. The department may utilize any directories that exist or are in progress.~~]

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2022 amending the agriculture and markets law and the economic development law relating to procurement of locally grown farm and food products and codifying the New York state council on food policy, as proposed in legislative bills numbers S. 549-B and A. 3954-B, takes effect.