

STATE OF NEW YORK

615

2023-2024 Regular Sessions

IN ASSEMBLY

January 10, 2023

Introduced by M. of A. THIELE -- read once and referred to the Committee on Agriculture

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;

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

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

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

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

17 (ii) The council shall consult on a regular basis with an advisory
18 board consisting of: the commissioner, the commissioner of health, the
19 commissioner of the office of temporary and disability assistance, the
20 commissioner of the office of children and family services, the commis-
21 sioner of education, the commissioner of the department of economic
22 development, the commissioner of the department of environmental conser-
23 vation, the director of the office for the aging, the director of the
24 office of general services, and eight members appointed by the gover-
25 nor.] (i) the commissioner, the commissioner of health, the commissioner
26 of the office of temporary and disability assistance, the commissioner
27 of education, the commissioner of the department of economic develop-
28 ment, and the director of the office for the aging;

29 (ii) eight members with experience and expertise related to agricul-
30 ture, nutrition, or food policy, of which four shall be designated on
31 the recommendation of the legislative leaders, one each by the temporary
32 president of the senate, the speaker of the assembly, the minority lead-
33 er of the senate, and the minority leader of the assembly;

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

36 (iv) one member representing farm organizations;

37 (v) one member representing school food administrators;

38 (vi) one member representing consumers;

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

41 (viii) one member representing anti-hunger advocates;

42 (ix) one member who is a nutritionist; and

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

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

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

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

1 graph (b) of this subdivision. Vacancies shall be filled by the gover-
2 nor.] The commissioner shall serve as the chairperson of the council.

3 (d) [The board of directors shall elect its presiding officers from
4 among its members and may elect or appoint an executive committee, other
5 committees, and subcommittees to conduct the business of the organiza-
6 tion.

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

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

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

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

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

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

49 § 2. This act shall take effect on the same date and in the same
50 manner as a chapter of the laws of 2022 amending the agriculture and
51 markets law and the economic development law relating to procurement of
52 locally grown farm and food products and codifying the New York state
53 council on food policy, as proposed in legislative bills numbers S.
54 549-B and A. 3954-B, takes effect.