

HOUSE BILL 207

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

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AN ACT

RELATING TO FOOD; ENACTING THE FOOD, HUNGER AND FARM ACT;
CREATING THE FOOD, HUNGER AND FARM COUNCIL; PROVIDING FOR
COUNCIL MEMBERSHIP AND DUTIES; ESTABLISHING DUTIES FOR CERTAIN
STATE AGENCIES TO DEVELOP AND REPORT RECOMMENDATIONS FOR
TARGETED PLANS TO ADDRESS HUNGER AND NUTRITION, EXPAND ACCESS
TO FOOD AND PROMOTE FOOD AND AGRICULTURAL PRODUCTS FROM THE
STATE; PROVIDING FOR DATA SHARING ON HUNGER AND FOOD SYSTEMS;
CREATING THE FOOD, HUNGER AND FARM FUND; MAKING AN
APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be
cited as the "Food, Hunger and Farm Act".

SECTION 2. [NEW MATERIAL] FOOD, HUNGER AND FARM COUNCIL--
CREATION--DUTIES.--

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1 A. The "food, hunger and farm council" is created.
2 The secretary of human services, in consultation with the New
3 Mexico department of agriculture, shall appoint members to the
4 council from:

5 (1) tribal and local governments;

6 (2) schools, universities and other
7 educational institutions;

8 (3) organizations pertaining to the operation
9 of food banks;

10 (4) nonprofit organizations established to
11 provide food and reduce hunger or food insecurity;

12 (5) agricultural producers and trade
13 organizations;

14 (6) dietitians, health care providers and
15 hospital systems;

16 (7) organizations and individuals working to
17 reduce food insecurity, create more effective food systems,
18 monitor food distribution, provide data analysis or advance New
19 Mexico food product marketing and strategic planning;

20 (8) the office of the governor; and

21 (9) the following agencies:

22 (a) the New Mexico department of
23 agriculture;

24 (b) the human services department;

25 (c) the aging and long-term services

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1 department;

2 (d) the children, youth and families

3 department;

4 (e) the public education department;

5 (f) the higher education department;

6 (g) the early childhood education and

7 care department;

8 (h) the Indian affairs department; and

9 (i) the homeland security and emergency

10 management department.

11 B. The council shall annually develop a strategic
12 plan that:

13 (1) identifies and assesses:

14 (a) the incidence, causes, trends and
15 effects of hunger, malnutrition and food and water insecurity;

16 (b) all public and private meal
17 programs, nutrition assistance, income support, mutual aid and
18 other programs that assist individuals in accessing food;

19 (c) statewide infrastructure needs to
20 support food processing, distribution and storage by
21 agricultural producers and food providers;

22 (d) programs that assist farmers,
23 ranchers and agricultural producers;

24 (e) economic and workforce challenges
25 and opportunities impacting agricultural producers and their

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1 capacity to grow, process, distribute and sell food in New
2 Mexico;

3 (f) opportunities to enhance the use of
4 technology, infrastructure and markets to support agricultural
5 producers and provide access to local markets and food and meal
6 programs;

7 (g) opportunities to support
8 agricultural producers in enhancing agricultural productivity,
9 soil and water conservation, ecosystem health and resilient
10 practices and landscape resilience; and

11 (h) opportunities to support the growing
12 of traditional foods, food sovereignty and seed saving; and

13 (2) provides recommendations for achieving the
14 goals of the strategic plan through:

15 (a) targeted policy changes, including
16 but not limited to expansion of state agriculture, meal,
17 nutrition and related support programs;

18 (b) budgetary coordination and strategic
19 funding mechanisms;

20 (c) the use of state and state-funded
21 assets and infrastructure, including food storage,
22 transportation and distribution infrastructure; and

23 (d) partnerships with private,
24 nonprofit, tribal, federal and local entities.

25 C. The council shall present its strategic plan to

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1 the governor, the secretary of finance and administration, the
2 legislative finance committee and the appropriate legislative
3 interim committees by December 1, 2022 and each December 1
4 occurring thereafter.

5 SECTION 3. [NEW MATERIAL] FOOD PROCESSING, STORAGE AND
6 DISTRIBUTION.--The human services department, in consultation
7 with the New Mexico department of agriculture, shall develop an
8 annual food infrastructure plan that includes an inventory of
9 and establishes recommendations to improve food processing,
10 food storage and food distribution and other critical
11 infrastructure and capital equipment needs to address statewide
12 hunger. State entities with assets identified in the plan
13 shall make those assets available to support implementation of
14 the plan to the greatest extent practicable.

15 SECTION 4. [NEW MATERIAL] MEAT INSPECTION AND PROCESSING
16 PLAN.--The New Mexico livestock board, in consultation with the
17 New Mexico department of agriculture and with agricultural
18 producers and organizations, shall jointly and annually develop
19 recommendations for a plan to improve meat inspection and
20 processing and to improve the safety and quality of meat
21 consumption. The plan shall include recommendations to support
22 and sustain meat production infrastructure, processing and
23 distribution in the state.

24 SECTION 5. [NEW MATERIAL] ECONOMIC AND WORKFORCE
25 DEVELOPMENT PLAN.--The New Mexico department of agriculture,

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1 the economic development department, the public education
2 department, the New Mexico state university cooperative
3 extension service, the workforce solutions department and the
4 higher education department shall jointly and annually develop
5 recommendations for a plan to enhance economic development and
6 job creation resulting from agricultural production and food
7 distribution in the state, address workforce needs, rights and
8 wages and promote local processing, distribution and sale of
9 food and agricultural products produced in the state.

10 SECTION 6. [NEW MATERIAL] NEW MEXICO-GROWN FOOD PRODUCTS
11 PLAN.--The public education department, the early childhood
12 education and care department, the aging and long-term services
13 department, the New Mexico department of agriculture, the
14 department of health and the corrections department shall
15 jointly and annually develop, in cooperation with meal and
16 nutrition support programs established by the state,
17 recommendations for a plan to increase the purchase of New
18 Mexico-grown food products and improve interagency
19 coordination, streamlining and administration.

20 SECTION 7. [NEW MATERIAL] HUNGER AND FOOD INSECURITY
21 REDUCTION PLAN FOR SCHOOLS AND HIGHER EDUCATION INSTITUTIONS.--
22 The public education department, the early childhood education
23 and care department and the higher education department, upon
24 consultation with higher education institutions of the state,
25 shall jointly and annually develop recommendations for a plan

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1 to expand and improve meal programs at schools, early childhood
2 care facilities and higher education institutions, consider
3 adaptations to school meal programs to address barriers in
4 participation and address hunger and food insecurity among
5 student and staff populations.

6 SECTION 8. [NEW MATERIAL] AGRICULTURAL RESILIENCE PLAN.--

7 The New Mexico department of agriculture, soil and water
8 conservation districts, the department of environment, the
9 state land office, the Indian affairs department and the
10 energy, minerals and natural resources department shall jointly
11 and annually develop recommendations for a statewide plan to
12 support resilient and traditional agricultural practices and
13 land stewardship, soil and water conservation, indigenous and
14 traditional food practices and seed saving and landscape-level
15 resilience. The plan shall be developed upon consultation with
16 agricultural producers, higher education institutions of the
17 state and other federal, tribal and nongovernmental
18 organizations.

19 SECTION 9. [NEW MATERIAL] MALNUTRITION PLAN.--The human

20 services department, in consultation with the New Mexico
21 department of agriculture, the aging and long-term services
22 department, the public education department, the higher
23 education department, the early childhood education and care
24 department, the Indian affairs department and the children,
25 youth and families department, shall jointly and annually

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1 develop recommendations for a plan to address malnutrition
2 among vulnerable groups, including children, senior citizens,
3 rural and low-income communities, people living in poverty and
4 other vulnerable groups as determined by the human services
5 department.

6 SECTION 10. [NEW MATERIAL] EMERGENCY AND LONG-TERM FOOD
7 AND HUNGER RELIEF PLAN.--The human services department, in
8 consultation with other state agencies, food banks, nonprofit
9 organizations, agricultural producers and organizations and
10 representatives of tribal and local governments, shall jointly
11 develop recommendations for a statewide plan to:

12 A. respond to and provide emergency relief for food
13 and water needs during a public emergency, which shall
14 consider:

- 15 (1) best practices;
- 16 (2) food and water supply vulnerabilities and
17 needs in the state;
- 18 (3) protocols for assessing food and water
19 needs in partnership with tribal and local governments; and
- 20 (4) the need for coordination and data
21 sharing; and

22 B. provide food relief on an ongoing basis in a
23 manner that addresses, in the long term, systemic hunger and
24 food insecurity.

25 SECTION 11. [NEW MATERIAL] FOOD AND INCOME SECURITY

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1 PLAN--FEDERAL WAIVERS.--

2 A. The human services department, the aging and
3 long-term services department, the public education department,
4 the workforce solutions department and the children, youth and
5 families department shall, in consultation with other state
6 agencies that provide nutrition, support, meal and employment
7 programs, jointly and annually develop recommendations for and
8 implement a plan to increase food and income security by:

9 (1) maximizing eligibility and enrollment for
10 state and federally funded programs;

11 (2) coordinating and streamlining meal,
12 nutrition and employment programs, improving program processes
13 and staffing and reducing caseloads and backlogs to improve
14 access to services;

15 (3) providing for improved administration of
16 meal, nutrition and employment programs through strategies
17 including centralized resource centers, one-stop points of
18 entry and joint case management;

19 (4) providing education to members of the
20 public on existing meal, nutrition and employment programs and
21 program eligibility and enrollment;

22 (5) training caseworkers and staff to provide
23 services in a manner that is sensitive to victims of trauma and
24 that is culturally and linguistically appropriate;

25 (6) increasing outreach for the federal

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1 supplemental nutrition assistance program by partnering with
2 nongovernmental organizations; and

3 (7) expanding meal programs for vulnerable
4 populations, including senior meal programs, public school meal
5 programs and programs serving individuals with disabilities.

6 B. The income support division of the human
7 services department shall, to the extent permitted by federal
8 law, make timely applications for and timely renew all federal
9 waivers that will increase benefit amounts and the number of
10 individuals who qualify for and participate in the supplemental
11 nutrition assistance program.

12 SECTION 12. [NEW MATERIAL] PROCUREMENT STANDARD
13 RECOMMENDATIONS--PURCHASING DIVISION OF THE GENERAL SERVICES
14 DEPARTMENT.--By November 1, 2021, the purchasing division of
15 the general services department shall develop recommendations
16 for changes to procurement requirements to increase the
17 percentage of food purchased by state agencies from food
18 producers and processors with a principal place of business in
19 New Mexico by fifty percent by January 1, 2030; provided that
20 the recommendations shall not apply to food banks.

21 SECTION 13. [NEW MATERIAL] REPORTING.--Plan
22 recommendations developed pursuant to the provisions of
23 Sections 2 through 11 of the Food, Hunger and Farm Act shall be
24 provided to the governor, the secretary of finance and
25 administration, the legislative finance committee and the

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1 appropriate legislative interim committees by November 1, 2022
2 and each November 1 occurring thereafter.

3 SECTION 14. [NEW MATERIAL] HUMAN SERVICES DEPARTMENT--
4 SHARED DATA PLATFORM.--By October 1, 2022, the human services
5 department, in consultation with the food, hunger and farm
6 council, shall develop and maintain a shared data platform on
7 hunger and food systems in New Mexico for state agencies to:

- 8 A. analyze and monitor data pertaining to food,
9 hunger and agricultural needs and assets;
- 10 B. share data across state agencies and with the
11 public;
- 12 C. coordinate food chain sourcing, food
13 distribution and food storage statewide; and
- 14 D. support emergency food and water relief efforts.

15 SECTION 15. [NEW MATERIAL] FOOD, HUNGER AND FARM FUND--
16 CREATED.--The "food, hunger and farm fund" is created as a
17 nonreverting fund in the state treasury. The fund consists of
18 appropriations, gifts, grants, donations, income from
19 investment of the fund and any other money credited to the
20 fund. The fund shall be administered by the human services
21 department, and money in the fund is appropriated to the human
22 services department to carry out the purposes of the Food,
23 Hunger and Farm Act. Money in the fund shall be disbursed on
24 warrants signed by the secretary of finance and administration
25 pursuant to vouchers signed by the secretary of human services.

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SECTION 16. APPROPRIATION.--Seven hundred fifty thousand dollars (\$750,000) is appropriated from the general fund to the food, hunger and farm fund for expenditure in fiscal year 2022 and subsequent fiscal years for the purposes of the Food, Hunger and Farm Act. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert to the general fund.