

HOUSE JOINT MEMORIAL

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

INTRODUCED BY

DISCUSSION DRAFT

A JOINT MEMORIAL

REQUESTING PUBLIC SCHOOL FOOD DIRECTORS TO DONATE EXCESS SCHOOL MEALS; REQUESTING STATE AGENCIES AND NONPROFIT ORGANIZATIONS TO CONVENE A WORK GROUP TO ADDRESS FOOD REDISTRIBUTION TO HUNGRY AND HOMELESS PEOPLE IN NEW MEXICO.

WHEREAS, New Mexico has an ongoing hunger crisis, in both its rural and urban communities; and

WHEREAS, according to the 2010 Missing Meals in New Mexico study, over one-half of the meals of New Mexico's poorest residents come from sources outside of family income, such as government assistance programs or nonprofit meal providers, and the meals for thirteen percent of New Mexico's poorest residents are missing, which is "the equivalent of each hungry person in New Mexico missing twelve meals every single month"; and

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1 WHEREAS, the New Mexico association of food banks compiled
2 these grim statistics: every week, nearly forty thousand New
3 Mexicans seek food assistance; forty percent of the members of
4 households seeking food assistance are children under the age
5 of eighteen; seven percent of those children are under the age
6 of five; thirteen percent of the people seeking food assistance
7 in New Mexico are senior citizens; forty-one percent of
8 households needing food assistance report having at least one
9 member in poor health; seventy percent of food pantry programs
10 in New Mexico rely entirely on volunteers; seventy-five percent
11 of the food pantries surveyed reported an increase in the
12 number of people needing assistance; twenty percent of current
13 food pantries in New Mexico were not in existence two years
14 ago; the average monthly income for a household seeking food
15 assistance is nine hundred dollars (\$900) a month; and eighty-
16 three percent of the food distributed by food pantries in New
17 Mexico is provided by food banks; and

18 WHEREAS, as recently reported in the *Albuquerque Journal*,
19 Feeding America, the hunger relief charity, states that New
20 Mexico's children are the hungriest in the nation, with thirty
21 and six-tenths percent having "uncertain access to adequate
22 food"; that New Mexico has the highest percentage of children
23 in public school qualifying based on family income for free and
24 reduced-price lunch; and that twenty percent of New Mexicans
25 are considered "food insecure", the second-highest rate in the

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1 nation; and

2 WHEREAS, the Annie E. Casey foundation this year ranked
3 New Mexico as the worst state for child well-being; and

4 WHEREAS, the root issues of hunger in New Mexico are
5 attributed to a high poverty rate and the fact that thirty-two
6 of thirty-three counties qualify as "rural" by federal
7 standards; and

8 WHEREAS, food costs more in rural areas than in urban
9 areas, and there are fewer food stores in rural areas than
10 urban areas; and

11 WHEREAS, a recent food study indicated that the average
12 travel time to the most frequented grocery stores in New Mexico
13 was twenty-nine minutes and that there is only one food store
14 for every four hundred eighty-six square miles in New Mexico;
15 and

16 WHEREAS, the Food Donors Liability Act protects food
17 donors acting in good faith from any civil liability or
18 criminal penalty regarding the condition of the donated food,
19 and Public Law 110-247, the Federal Food Donation Act of 2008,
20 encourages executive agencies and contractors of executive
21 agencies to donate excess, apparently wholesome food to
22 nonprofit organizations to feed food-insecure people in the
23 United States; and

24 WHEREAS, an executive agency making donations pursuant to
25 the Federal Food Donation Act of 2008 is exempt from civil and

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1 criminal liability to the extent provided under the federal
2 Bill Emerson Good Samaritan Food Donation Act; and

3 WHEREAS, there are nonprofit organizations in New Mexico
4 that engage in "food rescue programs" to salvage food from
5 restaurants, repackage it and give it to nursing homes;

6 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
7 STATE OF NEW MEXICO that the public education department be
8 requested to inform all school district and charter school food
9 services directors that they are encouraged to donate excess
10 school meals to public or nonprofit organizations that feed the
11 hungry and the homeless; and

12 BE IT FURTHER RESOLVED that a work group consisting of
13 representatives of the aging and long-term services department;
14 human services department; department of environment; public
15 education department; higher education department; children,
16 youth and families department; and nonprofit organizations that
17 work on issues concerning hunger convene during the 2014
18 interim to develop a plan for maximizing food redistribution
19 for both public and private entities to hungry and homeless
20 people in New Mexico; and

21 BE IT FURTHER RESOLVED that copies of this memorial be
22 transmitted to the secretaries of public education and aging
23 and long-term services for appropriate distribution.