

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: SB 143

51st Legislature, 2nd Session, 2014

Tracking Number: .195870.1

Short Title: NM Grown Produce in School Meals

Sponsor(s): Senator Pete Campos

Analyst: James Ball

Date: February 2, 2014

Bill Summary:

SB 143 makes an appropriation to:

- purchase New Mexico-grown fresh fruits and vegetables; and
- distribute the purchased produce to school districts and charter schools for school meal programs.

The bill also requires the Public Education Department (PED), in coordination with the New Mexico Department of Agriculture, to ensure that the appropriated funds be expended for the stated purpose.

Fiscal Impact:

\$1.44 million is appropriated from the General Fund to PED for FY 15 and subsequent fiscal years. Unexpended or unencumbered funds do not revert to the General Fund.

Fiscal Issues:

According to the Fiscal Impact Report (FIR) from the Legislative Finance Committee, PED received \$100,000 in FY 14 as a special appropriation for school districts and charter schools to purchase New Mexico-grown fresh fruits and vegetables for the school meal program.

Substantive Issues:

According to the New Mexico Department of Agriculture (DOA), SB 143 offers the dual advantage of providing New Mexico:

- school children participating in the school lunch program servings of fresh fruits and vegetables; and
- farmers additional outlets for their products.

DOA cautions, however, that evaluation of the availability of New Mexico-grown produce of sufficient quantities to provide adequate supplies to the schools on a year-round basis should be conducted.

According to the Department of Health (DOH), the overall nutritional status of children and teens can improve with regular consumption of fresh fruits and vegetables at school. SB 143 supports good nutrition in schools and especially helps children in rural low income communities where access to low nutrient dense foods is high.

The FIR notes PED has suggested that rather than having PED distribute appropriated funds to school districts and charter schools, the Legislature might wish to consider an alternative whereby PED contracts with farmers' market associations or other farming associations to distribute fresh fruits and vegetables regionally. These associations might know the growers and be capable of acquiring and distributing these products more effectively.

Background:

The PED bill analysis of an identical bill in the 2013 regular session states that:

- the US Department of Agriculture Fresh Fruits and Vegetables Program provides funding for the purchase of fresh produce in New Mexico schools, including funds benefitting around 40,000 students in 39 school districts in FY 13; and
- the appropriation in SB 143 would supplement the federal funds by providing resources for schools that do not meet federal eligibility requirements.¹

DOH states that increased consumption of fresh fruits and vegetables is one of the Centers for Disease Control and Prevention's evidence-based obesity prevention behaviors. It is also one of the key strategies that DOH uses through the "Fruits & Veggies – More Matters" Program to prevent chronic diseases such as coronary heart disease, some cancers, obesity, and osteoporosis. Chronic diseases (cancers, diabetes, heart disease, hypertension, stroke, mental disorders, and pulmonary conditions) make up five of the six leading causes of death in the nation and New Mexico.

Committee Referrals:

SCC/SEC/SFC

Related Bills:

HB 81 *NM Grown Fresh Produce for School Meals* (Identical)

HB 220 *New Mexico Grown Produce in School Lunches*

¹ According to the USDA website relating to the federal Fresh Fruit and Vegetable Program, the "requirements in the law for school selection are very prescriptive and require that schools with the highest level of free and reduced-price enrollment receive priority in selection." In addition, beginning in school year 2010-2011, only elementary schools are eligible to participate in the federal program. As a result, secondary schools are no longer allowed to participate.