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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
54th Legislature, 2nd Session, 2020

Bill Number	<u>SM10/aSRC</u>	Sponsor	<u>Rodriguez</u>
Tracking Number	<u>.215778.1</u>	Committee Referrals	<u>SRC/SEC</u>
Short Title	<u>Donating School Meals to Students</u>		
Analyst	<u>Waite</u>	Original Date	<u>1/31/2020</u>
		Last Updated	<u>2/10/2020</u>

BILL SUMMARY

Synopsis of SRC Amendment

The Senate Rules Committee Amendment to Senate Memorial 10 (SM10/aSRC) adds a representative from the New Mexico Department of Agriculture (DOA) to the list of work group members.

Synopsis of Original Memorial

Senate Memorial 10 (SM10) requests the Public Education Department (PED) to convene a working group composed of members from the across the public sector and nongovernmental organizations to study food insecurity, food waste, benefits of proper nutrition for a child's education, food donation and how other states have addressed food waste and food insecurity in schools. Working group members would include representatives from PED, Department of Health, Human Services Department (HSD), the Children Youth and Families Department (CYFD), and appropriate nongovernmental organizations.

The working group would be requested to submit its findings and conclusions to the appropriate interim legislative committee by November 1, 2020.

FISCAL IMPACT

Legislative memorials do not carry appropriations. However, SM10/aSRC would require staff time and agency resources. The New Mexico Environment Department (NMED) reports that it could participate in no more than one four-hour meeting each month (including travel time) located in the Albuquerque and Santa Fe area before an appropriation would be required. NMED general funds are limited and federal/special revenue funds are restricted and do not address food insecurity issues. The Children Youth and Family Department analysis states that any administrative impacts resulting from CYFD participation in this working group will be absorbed by existing resources. HSD estimated it would need 0.25 FTE at a cost of \$17.875 thousand, with \$8.938 thousand from the general fund.

SUBSTANTIVE ISSUES

SM10/aSRC requests PED to convene a workgroup to study the feasibility of donating leftover food to address food insecurity among students. According to a report by the non-profit research organization, NM Voices for Children, food insecurity affects 17 percent of New Mexico's entire population and 28 percent of New Mexico's children. New Mexico ranks eighth in the U.S. in overall food insecurity and third in child food insecurity. According to data supplied by the New Mexico Association of Food Banks, of the more than 70,000 hungry New Mexicans who seek food assistance every week, between 30 and 40 percent are children.

Studies have consistently shown that academic achievement and growth for hungry children lags behind children who do not go to school hungry. According to the Institute of Child Nutrition, nutrition, with genes and the environment, are the three most important factors impacting cognitive development. Hungry children have lower achievement scores, and are more likely to be tardy, miss school, and be retained.

The U.S. Department of Agriculture (USDA) acknowledges that even with careful meal planning, schools may have leftover food at the completion of service. USDA suggests several solutions to this problem including the collection of excess wholesome, unopened or uneaten food for donation to "appropriate institutions" including food pantries. Food donations are protected from liability by the Emerson Good Samaritan Food Donation Act of 1996. In addition to addressing food insecurity, since 2015, the USDA along with the U.S. Environmental Protection Agency have been committed to reducing food loss and waste by half by the year 2030. Following the federal lead, both NMED and DOA are working on raising awareness around food waste and hunger in New Mexico. NMED is currently working with the Albuquerque Public Schools and PED on an initiative related to SM10/aSRC. The initiative is part of USDA's nationwide "shared table" effort. Share tables will allow children to request certain unconsumed food items that other students do not want. USDA shared table guidance also includes a provision that allows for donations off the school campus. NMED has met with representatives from APS and has developed proposed standard guidelines relating to food safety.

RELATED BILLS

Relates to HB10, No Reduced School Meal Copayments, which would appropriate \$650 thousand from the general fund to the PED to eliminate copayments for students who qualify for reduced-price meals.

Relates to HB75, Hunger Task Force Funding, which would appropriate \$200 thousand in FY21 from the general fund to the HSD to convene a task force to conduct a study and an assessment of hunger, malnutrition, and food production and distribution in New Mexico, and to contract for services necessary to the work of the task force.

Relates to HM6, Task Force to Address Barriers to Food Access, which requests the secretary of Human Services to convene a task force to assess data and make recommendations to address barriers to food access.

Relates to SM3, Glean Unharvested Farm Produce, which requests that the New Mexico Department of Agriculture convene a working group to develop recommendations to glean unharvested farm produce to address the issues of food insecurity.

Relates to HM55, Reduce School Food Waste, which was adopted during the 2018 legislative session and required LESC and the Legislative Health and Human Services Committee to review existing school food programs to reduce food waste and study ways to provide unused or uneaten food for hungry children.

SOURCES OF INFORMATION

- LESC Files
- New Mexico Environment Department (NMED)
- Children Youth and Family Department (CYFD)
- Human Services Department (HSD)
- Legislative Finance Committee (LFC)

JLW/tb/mc/sgs