

HOUSE AGRICULTURE AND WATER RESOURCES COMMITTEE SUBSTITUTE FOR
HOUSE BILL 207

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

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.

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.--

A. The "food, hunger and farm council" is created.
The secretary of human services, in consultation with the New

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1 Mexico department of agriculture, shall appoint members to the
2 council from:

- 3 (1) tribal and local governments;
- 4 (2) schools, universities and other
5 educational institutions;
- 6 (3) organizations pertaining to the operation
7 of food banks;
- 8 (4) nonprofit organizations established to
9 provide food and reduce hunger or food insecurity;
- 10 (5) agricultural producers at multiple scales,
11 including small, medium and production scale, and trade
12 organizations;
- 13 (6) dietitians, health care providers and
14 hospital systems;
- 15 (7) organizations and individuals working to
16 reduce food insecurity, create more efficient food systems,
17 monitor food distribution, provide data analysis, advance New
18 Mexico food product marketing and strategic planning and
19 provide housing, homeless and veterans' services;
- 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 department of health;

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- 1 (d) the aging and long-term services
2 department;
- 3 (e) the children, youth and families
4 department;
- 5 (f) the public education department;
- 6 (g) the higher education department;
- 7 (h) the early childhood education and
8 care department;
- 9 (i) the office of the state engineer and
10 interstate stream commission;
- 11 (j) the New Mexico livestock board;
- 12 (k) the Indian affairs department; and
- 13 (l) the homeland security and emergency
14 management department.

15 B. The council shall annually develop a strategic
16 plan that:

- 17 (1) identifies and assesses:
- 18 (a) the incidence, causes, trends and
19 effects of hunger, malnutrition and food and household water
20 insecurity;
- 21 (b) all public and private meal
22 programs, nutrition assistance, income support, mutual aid and
23 other programs that assist individuals in accessing food;
- 24 (c) statewide infrastructure needs to
25 support food processing, distribution and storage by

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1 agricultural producers and food providers;

2 (d) programs that assist farmers,
3 ranchers and production agriculture producers in New Mexico;

4 (e) economic and workforce challenges
5 and opportunities impacting agricultural producers and their
6 capacity to grow, process, distribute and sell food in New
7 Mexico;

8 (f) opportunities to enhance the use of
9 technology, infrastructure and markets to support agricultural
10 producers and provide access to local markets and food and meal
11 programs;

12 (g) opportunities to support
13 agricultural producers in enhancing agricultural productivity,
14 soil and water conservation, ecosystem health and resilience;

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

17 (i) data needed to address these needs;
18 and

19 (2) provides recommendations for achieving the
20 goals of the strategic plan through:

21 (a) targeted policy changes, including
22 but not limited to expansion of state agriculture, meal,
23 nutrition and related support programs;

24 (b) budgetary coordination and strategic
25 funding mechanisms;

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1 (c) the use of state and state-funded
 2 assets and infrastructure, including food storage,
 3 transportation and distribution infrastructure;

4 (d) partnerships with private, business,
 5 nonprofit, tribal, federal and local entities; and

6 (e) coordination with existing efforts
 7 to address food, hunger and agriculture needs in New Mexico.

8 C. The council shall present its strategic plan to
 9 the governor, the secretary of finance and administration, the
 10 legislative finance committee and the appropriate legislative
 11 interim committees by December 1, 2022 and each December 1
 12 occurring thereafter.

13 SECTION 3. [NEW MATERIAL] FOOD PROCESSING, STORAGE AND
 14 DISTRIBUTION.--The human services department, in consultation
 15 with the New Mexico department of agriculture, shall develop an
 16 annual food infrastructure plan that includes an inventory of
 17 and establishes recommendations to improve food processing,
 18 food storage and food distribution and other critical
 19 infrastructure and capital equipment needs to address statewide
 20 hunger. State entities with assets identified in the plan may
 21 make those assets available to support implementation of the
 22 plan taking into consideration public safety and the state
 23 entities' existing requirements.

24 SECTION 4. [NEW MATERIAL] MEAT INSPECTION AND PROCESSING
 25 PLAN.--The New Mexico livestock board, in consultation with the

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1 New Mexico department of agriculture and agricultural producers
2 and organizations, shall jointly and annually develop
3 recommendations for a plan to improve meat inspection and
4 processing and improve the safety and quality of meat
5 consumption. The plan shall include recommendations to support
6 and sustain meat production infrastructure, processing and
7 distribution in the state and incorporate findings from other
8 reports and studies produced by the New Mexico department of
9 agriculture, New Mexico state university and other entities.

10 SECTION 5. [NEW MATERIAL] ECONOMIC AND WORKFORCE

11 DEVELOPMENT PLAN.--The New Mexico department of agriculture,
12 the economic development department, the public education
13 department, the New Mexico state university cooperative
14 extension service, the workforce solutions department, the
15 higher education department and other applicable agencies shall
16 jointly and annually develop recommendations for a plan to
17 enhance economic development and job creation resulting from
18 agricultural production and food distribution in the state,
19 address workforce needs and socioeconomic conditions and
20 promote local processing, distribution and sale of food and
21 agricultural products produced in the state.

22 SECTION 6. [NEW MATERIAL] NEW MEXICO-GROWN FOOD PRODUCTS

23 PLAN.--The public education department, the early childhood
24 education and care department, the aging and long-term services
25 department, the New Mexico department of agriculture, the

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1 department of health and the corrections department shall
2 jointly and annually develop, in cooperation with meal and
3 nutrition support programs established by the state,
4 recommendations for a plan to increase the purchase of New
5 Mexico-grown food products and improve interagency
6 coordination, streamlining and administration.

7 SECTION 7. [NEW MATERIAL] HUNGER AND FOOD INSECURITY
8 REDUCTION PLAN FOR SCHOOLS AND HIGHER EDUCATION INSTITUTIONS.--

9 The public education department, the early childhood education
10 and care department and the higher education department, upon
11 consultation with higher education institutions of the state,
12 shall jointly and annually develop recommendations for a plan
13 to expand and improve meal programs at schools, early childhood
14 care facilities and higher education institutions, consider
15 adaptations to school meal programs to address barriers in
16 participation and address hunger and food insecurity among
17 student and staff populations.

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

19 The New Mexico department of agriculture, soil and water
20 conservation districts, acequias and community ditches, the
21 department of environment, the state land office, the Indian
22 affairs department and the energy, minerals and natural
23 resources department shall jointly and annually develop and
24 update recommendations for a statewide plan in partnership with
25 stakeholders to support and protect resilient and traditional

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1 agricultural practices and land stewardship, soil and water
2 conservation, indigenous and traditional food practices and
3 seed saving and landscape-level conservation and
4 sustainability. The plan shall be developed upon consultation
5 with and shared with agricultural producers, higher education
6 institutions of the state and other federal, tribal, industry
7 and nongovernmental organizations and build on existing plans
8 developed in partnership with stakeholders.

9 SECTION 9. [NEW MATERIAL] MALNUTRITION PLAN.--The human
10 services department, in consultation with the New Mexico
11 department of agriculture, the department of health, the aging
12 and long-term services department, the public education
13 department, the higher education department, the early
14 childhood education and care department, the Indian affairs
15 department and the children, youth and families department,
16 shall jointly and annually develop recommendations for a plan
17 to address malnutrition among vulnerable groups, including
18 children, senior citizens, rural and low-income communities,
19 people living in poverty and other vulnerable groups as
20 determined by the human services department.

21 SECTION 10. [NEW MATERIAL] EMERGENCY AND LONG-TERM FOOD
22 AND HUNGER RELIEF PLAN.--The human services department, in
23 consultation with other state agencies, food banks, nonprofit
24 organizations, agricultural producers and organizations and
25 representatives of tribal and local governments, shall jointly

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1 develop recommendations for a statewide plan to:

2 A. respond to and provide emergency relief for food
3 and household water supply needs during a public emergency,
4 which shall consider:

5 (1) best practices;

6 (2) recommendations from emergency response
7 and management agencies resulting from current or previous
8 emergencies;

9 (3) food and water supply vulnerabilities and
10 needs in the state;

11 (4) protocols for assessing food and water
12 needs in partnership with tribal and local governments; and

13 (5) the need for coordination and data
14 sharing; and

15 B. provide food relief on an ongoing basis in a
16 manner that addresses, in the long term, systemic hunger and
17 food insecurity.

18 SECTION 11. [NEW MATERIAL] FOOD AND INCOME SECURITY
19 PLAN--FEDERAL WAIVERS.--

20 A. The human services department, the aging and
21 long-term services department, the public education department,
22 the workforce solutions department and the children, youth and
23 families department shall, in consultation with other state
24 agencies that provide nutrition, support, meal and employment
25 programs, jointly and annually develop recommendations for and

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1 implement a plan to increase food and income security by:

2 (1) maximizing eligibility and enrollment for
3 state- and federally funded programs;

4 (2) coordinating and streamlining meal,
5 nutrition and employment programs, improving program processes
6 and staffing and reducing caseloads and backlogs to improve
7 access to services;

8 (3) providing for improved administration of
9 meal, nutrition and employment programs through strategies that
10 include centralized resource centers, one-stop points of entry
11 and joint case management;

12 (4) providing education to members of the
13 public on existing meal, nutrition and employment programs and
14 program eligibility and enrollment;

15 (5) training caseworkers and staff to provide
16 services in a manner that is sensitive to victims of trauma and
17 that is culturally and linguistically appropriate;

18 (6) increasing outreach for the federal
19 supplemental nutrition assistance program by partnering with
20 nongovernmental organizations; and

21 (7) expanding meal programs for vulnerable
22 populations, including senior meal programs, public school meal
23 programs and programs serving individuals with disabilities.

24 B. The income support division of the human
25 services department shall, to the extent permitted by federal

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1 law, make timely applications for and timely renew all federal
 2 waivers that will increase benefit amounts and the number of
 3 individuals who qualify for and participate in the supplemental
 4 nutrition assistance program.

5 **SECTION 12. [NEW MATERIAL] PROCUREMENT STANDARD**

6 RECOMMENDATIONS--PURCHASING DIVISION OF THE GENERAL SERVICES
 7 DEPARTMENT.--By November 1, 2021, the purchasing division of
 8 the general services department shall develop recommendations
 9 for changes to procurement requirements to increase the
 10 percentage of food purchased by state agencies from food
 11 producers and processors with a principal place of business in
 12 New Mexico by fifty percent by January 1, 2030; provided that
 13 the recommendations shall not apply to food banks.

14 **SECTION 13. [NEW MATERIAL] REPORTING.--Plan**

15 recommendations developed pursuant to the provisions of
 16 Sections 2 through 11 of the Food, Hunger and Farm Act shall be
 17 provided to the governor, the secretary of finance and
 18 administration, the legislative finance committee and the
 19 appropriate legislative interim committees by November 1, 2022
 20 and each November 1 occurring thereafter.

21 **SECTION 14. [NEW MATERIAL] HUMAN SERVICES DEPARTMENT--**

22 SHARED DATA PLATFORM.--By December 1, 2023, the human services
 23 department, in consultation with the food, hunger and farm
 24 council, shall develop and maintain a shared data platform on
 25 hunger and food systems in New Mexico for state agencies to:

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