

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE DRS55283-LD-43D (02/24)

Short Title: Sustainable Local Food Policy Council/Goal. (Public)

Sponsors: Senator Albertson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH AS A STATEWIDE GOAL THAT TEN PERCENT OF THE FOOD PRODUCTS THAT ARE CONSUMED IN NORTH CAROLINA BE SUSTAINABLY AND LOCALLY PRODUCED IN NORTH CAROLINA BY THE YEAR 2020 AND TO ESTABLISH THE NORTH CAROLINA SUSTAINABLE LOCAL FOOD POLICY COUNCIL TO ADDRESS POLICY AND PROGRAMMATIC CONSIDERATIONS REGARDING THE DEVELOPMENT OF A SUSTAINABLE LOCAL FOOD ECONOMY IN NORTH CAROLINA.

The General Assembly of North Carolina enacts:

SECTION 1. Article 10 of Chapter 143B of the General Statutes is amended by adding a new Part to read:

"Part 21. NC Sustainable Local Food Goal; Joint Legislative Sustainable Local Food Policy Council.

"§ 143B-472.115. Findings.

The General Assembly finds that the time is right for the State to build its sustainable local food economy. Building a sustainable local food economy will create jobs, stimulate statewide economic development, and circulate money from local food sales within local communities. Other important benefits of a sustainable local food economy in North Carolina include preserving open space, decreasing the use of fossil fuel and thus reducing carbon emissions, preserving and protecting the natural environment, increasing consumer access to fresh and nutritious foods, and providing greater food security for all North Carolinians.

"§ 143B-472.116. Sustainable local food goal.

It is the goal of this State to sustainably and locally produce by the year 2020 ten percent (10%) of food products consumed in North Carolina.

"§ 143B-472.117. The North Carolina Sustainable Local Food Policy Council; creation; membership; terms.

(a) Council Established; Membership. – The North Carolina Sustainable Local Food Policy Council is hereby created. The Council shall be an independent agency located within the Department of Commerce for organizational, budgetary, and administrative purposes. The Council shall consist of 20 members as follows:

- (1) One member who is a sustainable local food producer, to be appointed by the President Pro Tempore of the Senate.
- (2) One member who is a sustainable local food producer, to be appointed by the Speaker of the House of Representatives.
- (3) The Commissioner of Agriculture or the Commissioner's designee.



- 1 (4) The Secretary of Health and Human Services or the Secretary's designee.
2 (5) The Director of the Division of Water Quality of the Department of
3 Environment and Natural Resources or the Director's designee.
4 (6) The Secretary of Commerce or the Secretary's designee.
5 (7) The Superintendent of the Department of Public Instruction or the
6 Superintendent's designee.
7 (8) The Commissioner of Insurance or the Commissioner's designee.
8 (9) The Director of the Center for Environmental Farming Systems, a
9 partnership among: North Carolina State University at Raleigh, North
10 Carolina Agricultural and Technical State University, and the Department of
11 Agriculture and Consumer Services; or the Director's designee.
12 (10) The Director of the Center for Health Promotion and Disease Prevention at
13 the University of North Carolina at Chapel Hill or the Director's designee.
14 (11) The Executive Director of Food Bank of North Carolina, Inc., or the
15 Executive Director's designee.
16 (12) The Executive Director of Carolina Farm Stewardship Association or the
17 Executive Director's designee.
18 (13) The Executive Director of Appalachian Sustainable Agriculture Project or
19 the Executive Director's designee.
20 (14) The Executive Director of North Carolina Farm Transition Network, Inc., or
21 the Executive Director's designee.
22 (15) The President of the North Carolina Farm Bureau Federation, Inc., or the
23 President's designee.
24 (16) The Executive Director of the North Carolina Association of County
25 Commissioners or the Executive Director's designee.
26 (17) The President of the Rural Economic Development Center, Inc., or the
27 President's designee.
28 (18) The Director of the North Carolina Cooperative Extension Service, jointly
29 administered by North Carolina State University and North Carolina
30 Agricultural and Technical State University, or the Director's designee.
31 (19) One representative of the retail food business, to be appointed by the
32 Speaker of the House of Representatives.
33 (20) One representative of the food services business, to be appointed by the
34 President Pro Tempore of the Senate.
35 (b) Terms. – Appointments to the Council shall be for a term of three years. Terms shall
36 be staggered so that three terms shall expire on 30 June of each year, except that members of
37 the Council shall serve until their successors are appointed and duly qualified as provided by
38 G.S. 128-7.
39 (c) Chair. – The Council shall have one Chair. The Council shall by a majority of the
40 members select the Chair every other year from among those members of the Council.
41 (f) Vacancies. – Any vacancy on the Council resulting from the resignation of a
42 member or otherwise shall be filled in the same manner in which the original appointment was
43 made, and the term shall be for the balance of the unexpired term of the member who created
44 the vacancy.
45 (g) Compensation. – The Council members shall receive no salary as a result of serving
46 on the Council but shall receive per diem, subsistence, and travel expenses in accordance with
47 G.S. 120-3.1, 138-5, or 138-6, as applicable.
48 (h) Removal. – Members may be removed in accordance with G.S. 143B-13 as if that
49 section applied to this Part.
50 (i) Meetings. – The Chair shall call the meetings and shall notify the members of each
51 meeting being called at least seven days before the date on which the meeting is to occur.

1 Meetings shall be held as often as the Chair deems necessary, but not less than four times each
2 calendar year. The Chair shall arrange for the location and staffing of the meetings, the costs of
3 which shall be borne by the Council from funds made available to the Council to conduct
4 business.

5 (j) Quorum. – A quorum of the Council shall consist of 11 members of the Council for
6 the transaction of business.

7 (k) Meeting Space. – The Department of Commerce shall provide without
8 compensation meeting space in Raleigh for use by the Council.

9 **"§ 143B-472.118. The North Carolina Sustainable Local Food Policy Council; purpose;**
10 **duties.**

11 (a) Purpose. – It is the purpose of the Council to contribute to building a local food
12 economy, thereby benefiting North Carolina by creating jobs, stimulating statewide economic
13 development, circulating money from local food sales within local communities, preserving
14 open space, decreasing the use of fossil fuel and thus reducing carbon emissions, preserving
15 and protecting the natural environment, increasing consumer access to fresh and nutritious
16 foods, and providing greater food security for all North Carolinians. It is also the purpose of the
17 Council to consider and develop policies regarding the following subjects as they relate to
18 North Carolinians:

19 (1) Health and wellness.

20 (2) Hunger and food access.

21 (3) Economic development.

22 (4) Farmlands, surface waters, and the ocean and coastal waters that are capable
23 of producing food in a manner that is sustainable.

24 (b) Food Policy Issues. – In developing sustainable local food policies for North
25 Carolina, the Council shall consider any of the following policy issues:

26 (1) An in-depth look at the foods that are served to public school students under
27 the National School Lunch Program and the School Breakfast Program,
28 comparing those foods by nutritional content and cost to sustainably and
29 locally produced food, reviewing the research regarding the effect upon
30 student performance and student health, both current health and long-term
31 health, and considering the fiscal implications of improved student health.

32 (2) An in-depth look at the possibility of making sustainable local food available
33 under public assistance programs, including the possibility of being able to
34 use food stamps at local farmers markets.

35 (3) An in-depth look at the possibility of promoting urban gardens and backyard
36 gardens for the purpose of improving the health of citizens, making use of
37 idle urban property, and lowering food costs for North Carolina urban
38 dwellers during times of economic hardship.

39 (4) An in-depth look at the potential impacts that the production of sustainable
40 local food would have on economic development in North Carolina, both the
41 direct impacts for the producers of sustainable local food and the actual and
42 potential indirect impacts, such as encouraging restaurants that feature
43 locally raised agricultural products and promoting food and wine tourism.

44 (5) Issues regarding how a sustainable local food would affect health and
45 wellness, hunger and food access in North Carolina, economic development,
46 and farmlands and waters that are needed to be capable of sustainably
47 producing food.

48 (6) Issues regarding how local and regional efforts could promote a sustainable
49 local food economy by providing an information and engagement center that
50 would assist entrepreneurs and farmers in working around any current

1 barriers and in pursuing opportunities related to a sustainable local food
2 economy.

3 (7) Issues regarding the identification and development of solutions to
4 regulatory and policy barriers to developing a strong local food economy.

5 (8) Issues regarding strengthening local infrastructure and entrepreneurial
6 efforts related to a sustainable local food economy.

7 (9) Any other policy issues the Council considers pertinent.

8 (c) Additional Duties. – The Council shall also have all of the following additional
9 duties:

10 (1) As an early matter for the Council to decide with respect to the goal under
11 G.S. 143B-472.116, establish a baseline year for food products consumed in
12 North Carolina and establish benchmarks for success as North Carolina
13 works to achieve this goal.

14 (2) Promote local and regional efforts by providing an information and
15 engagement hub that assists entrepreneurs and farmers in working around
16 barriers and pursuing opportunities.

17 (3) Identify and develop solutions to regulatory and policy barriers in
18 developing a strong local food economy.

19 (4) Strengthen local infrastructure and entrepreneurial efforts.

20 (5) Assign committees, as the Council deems needed, to fulfill specific tasks to
21 carry out the work of the Council under this Part.

22 (6) Engage in any other activity the Council determines is necessary to
23 accomplish its purposes and the State goal under G.S. 143B-472.116.

24 **§ 143B-472.119. The North Carolina Sustainable Local Food Policy Council; report**
25 **requirement.**

26 No later than October 1 of each year, the Council shall report its findings and
27 recommendations, including any legislative proposals or proposals for administrative action, to
28 the General Assembly and to the Governor. This report shall include the State's progress in
29 achieving the goal under G.S. 143B-472.116."

30 **SECTION 2.** The first report due under G.S. 143B-470.119, as enacted by Section
31 1 of this act, is due no later than October 1, 2010.

32 **SECTION 3.** The initial terms of the members of the North Carolina Sustainable
33 Local Food Policy Council created by G.S. 143B-472.117, as enacted by Section 1 of this act,
34 shall commence no later than October 1, 2009. In order to provide for a system of staggered
35 three-year terms for the members of the North Carolina Sustainable Local Food Policy Council,
36 the following provisions shall apply:

37 (1) The term of the members initially appointed to serve in the position
38 established by G.S. 143B-472.117(a)(1) through G.S. 143B-472.117(a)(7)
39 shall be three years and shall expire on July 1, 2012.

40 (2) The term of the members initially appointed to serve in the position
41 established by G.S. 143B-472.117(a)(4) through G.S. 143B-472.117(a)(14)
42 shall be four years and shall expire on July 1, 2013.

43 (3) The term of the members initially appointed to serve in the position
44 established by G.S. 143B-472.117(a)(15) through G.S. 143B-472.117(a)(20)
45 shall be five years and shall expire on July 1, 2014.

46 **SECTION 4.** Of the funds available to the Department of Commerce, the sum of
47 one hundred thousand dollars (\$100,000) for the 2009-2010 fiscal year and the sum of one
48 hundred thousand dollars (\$100,000) for the 2010-2011 fiscal year shall be made available to
49 the North Carolina Sustainable Local Food Policy Council created by G.S. 143B-472.117, as
50 enacted by Section 1 of this act, for the costs of its work and for any costs associated with
51 implementing this act.

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SECTION 5. This act becomes effective July 1, 2009.