

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

S

1

SENATE BILL 1067

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

Sponsors: Senators Albertson; Atwater, Davis, Goss, Hartsell, Jenkins, Kinnaird, Purcell,
and Weinstein.

Referred to: Agriculture/Environment/Natural Resources.

March 31, 2009

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.
- (4) The Secretary of Health and Human Services or the Secretary's designee.



* S 1 0 6 7 - V - 1 *

- 1 (5) The Director of the Division of Water Quality of the Department of
2 Environment and Natural Resources or the Director's designee.
- 3 (6) The Secretary of Commerce or the Secretary's designee.
- 4 (7) The Superintendent of the Department of Public Instruction or the
5 Superintendent's designee.
- 6 (8) The Commissioner of Insurance or the Commissioner's designee.
- 7 (9) The Director of the Center for Environmental Farming Systems, a
8 partnership among: North Carolina State University at Raleigh, North
9 Carolina Agricultural and Technical State University, and the Department of
10 Agriculture and Consumer Services; or the Director's designee.
- 11 (10) The Director of the Center for Health Promotion and Disease Prevention at
12 the University of North Carolina at Chapel Hill or the Director's designee.
- 13 (11) The Executive Director of Food Bank of North Carolina, Inc., or the
14 Executive Director's designee.
- 15 (12) The Executive Director of Carolina Farm Stewardship Association or the
16 Executive Director's designee.
- 17 (13) The Executive Director of Appalachian Sustainable Agriculture Project or
18 the Executive Director's designee.
- 19 (14) The Executive Director of North Carolina Farm Transition Network, Inc., or
20 the Executive Director's designee.
- 21 (15) The President of the North Carolina Farm Bureau Federation, Inc., or the
22 President's designee.
- 23 (16) The Executive Director of the North Carolina Association of County
24 Commissioners or the Executive Director's designee.
- 25 (17) The President of the Rural Economic Development Center, Inc., or the
26 President's designee.
- 27 (18) The Director of the North Carolina Cooperative Extension Service, jointly
28 administered by North Carolina State University and North Carolina
29 Agricultural and Technical State University, or the Director's designee.
- 30 (19) One representative of the retail food business, to be appointed by the
31 Speaker of the House of Representatives.
- 32 (20) One representative of the food services business, to be appointed by the
33 President Pro Tempore of the Senate.
- 34 (b) Terms. – Appointments to the Council shall be for a term of three years. Terms shall
35 be staggered so that three terms shall expire on 30 June of each year, except that members of
36 the Council shall serve until their successors are appointed and duly qualified as provided by
37 G.S. 128-7.
- 38 (c) Chair. – The Council shall have one Chair. The Council shall by a majority of the
39 members select the Chair every other year from among those members of the Council.
- 40 (f) Vacancies. – Any vacancy on the Council resulting from the resignation of a
41 member or otherwise shall be filled in the same manner in which the original appointment was
42 made, and the term shall be for the balance of the unexpired term of the member who created
43 the vacancy.
- 44 (g) Compensation. – The Council members shall receive no salary as a result of serving
45 on the Council but shall receive per diem, subsistence, and travel expenses in accordance with
46 G.S. 120-3.1, 138-5, or 138-6, as applicable.
- 47 (h) Removal. – Members may be removed in accordance with G.S. 143B-13 as if that
48 section applied to this Part.
- 49 (i) Meetings. – The Chair shall call the meetings and shall notify the members of each
50 meeting being called at least seven days before the date on which the meeting is to occur.
51 Meetings shall be held as often as the Chair deems necessary, but not less than four times each

1 calendar year. The Chair shall arrange for the location and staffing of the meetings, the costs of
2 which shall be borne by the Council from funds made available to the Council to conduct
3 business.

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

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

8 **"§ 143B-472.118. The North Carolina Sustainable Local Food Policy Council; purpose;**
9 **duties.**

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

18 (1) Health and wellness.

19 (2) Hunger and food access.

20 (3) Economic development.

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

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

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

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

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

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

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

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

- 1 (7) Issues regarding the identification and development of solutions to
2 regulatory and policy barriers to developing a strong local food economy.
- 3 (8) Issues regarding strengthening local infrastructure and entrepreneurial
4 efforts related to a sustainable local food economy.
- 5 (9) Any other policy issues the Council considers pertinent.
- 6 (c) Additional Duties. – The Council shall also have all of the following additional
7 duties:
- 8 (1) As an early matter for the Council to decide with respect to the goal under
9 G.S. 143B-472.116, establish a baseline year for food products consumed in
10 North Carolina and establish benchmarks for success as North Carolina
11 works to achieve this goal.
- 12 (2) Promote local and regional efforts by providing an information and
13 engagement hub that assists entrepreneurs and farmers in working around
14 barriers and pursuing opportunities.
- 15 (3) Identify and develop solutions to regulatory and policy barriers in
16 developing a strong local food economy.
- 17 (4) Strengthen local infrastructure and entrepreneurial efforts.
- 18 (5) Assign committees, as the Council deems needed, to fulfill specific tasks to
19 carry out the work of the Council under this Part.
- 20 (6) Engage in any other activity the Council determines is necessary to
21 accomplish its purposes and the State goal under G.S. 143B-472.116.

22 **"§ 143B-472.119. The North Carolina Sustainable Local Food Policy Council; report**
23 **requirement.**

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

28 **SECTION 2.** The first report due under G.S. 143B-470.119, as enacted by Section
29 1 of this act, is due no later than October 1, 2010.

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

- 35 (1) The term of the members initially appointed to serve in the position
36 established by G.S. 143B-472.117(a)(1) through G.S. 143B-472.117(a)(7)
37 shall be three years and shall expire on July 1, 2012.
- 38 (2) The term of the members initially appointed to serve in the position
39 established by G.S. 143B-472.117(a)(4) through G.S. 143B-472.117(a)(14)
40 shall be four years and shall expire on July 1, 2013.
- 41 (3) The term of the members initially appointed to serve in the position
42 established by G.S. 143B-472.117(a)(15) through G.S. 143B-472.117(a)(20)
43 shall be five years and shall expire on July 1, 2014.

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

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