

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 1067
PROPOSED COMMITTEE SUBSTITUTE S1067-PCS85215-LD-16

Short Title: Sustainable Local Food Policy Council/Goal.

(Public)

Sponsors:

Referred to:

March 31, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH THE NORTH CAROLINA SUSTAINABLE LOCAL FOOD
3 POLICY COUNCIL TO ADDRESS POLICY CONSIDERATIONS REGARDING THE
4 DEVELOPMENT OF A SUSTAINABLE LOCAL FOOD ECONOMY IN NORTH
5 CAROLINA.

6 The General Assembly of North Carolina enacts:

7 SECTION 1. Chapter 106 of the General Statutes is amended by adding a new
8 Article to read:

9 "Article 70.

10 "North Carolina Sustainable Local Food Policy Council.

11 "**§ 106-830. Purpose; definitions.**

12 (a) Purpose. – It is the purpose of the North Carolina Sustainable Local Food Policy
13 Council to contribute to building a local food economy, thereby benefiting North Carolina by
14 creating jobs, stimulating statewide economic development, circulating money from local food
15 sales within local communities, preserving open space, decreasing the use of fossil fuel and
16 thus reducing carbon emissions, preserving and protecting the natural environment, increasing
17 consumer access to fresh and nutritious foods, and providing greater food security for all North
18 Carolinians. It is the intent of the General Assembly that the local food economy serve to
19 supplement, not supplant, current North Carolina agriculture. It is also the purpose of the
20 Council to consider and develop policies regarding the following subjects as they relate to
21 North Carolinians:

22 (1) Health and wellness.

23 (2) Hunger and food access.

24 (3) Economic development.

25 (4) Preservation of farmlands and water resources.

26 (b) Definitions. – As used in this Article, the following definitions apply:

27 (1) Sustainable food. – An integrated system of plant and animal production
28 practices that have a site-specific application and that over the long term are
29 able to do all of the following:

30 a. Satisfy human food and fiber needs.

31 b. Enhance environmental quality and the natural resource base upon
32 which the agriculture economy depends.

33 c. Sustain the economic viability of farm operations.



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1 d. Enhance the quality of life for farmers and the society as a whole.

2 (2) Local food. – Food grown within the borders of North Carolina.

3 **§ 106-831. The North Carolina Sustainable Local Food Policy Council; creation;**
4 **membership; terms.**

5 (a) Council Established; Membership. – The North Carolina Sustainable Local Food
6 Policy Council is hereby created within the Department of Agriculture and Consumer Services.
7 The Council shall consist of 24 members as follows:

8 (1) Three local food producers, at least two of whom shall be sustainable local
9 food producers, to be appointed by the Commissioner of Agriculture.

10 (2) One representative of the Department of Agriculture and Consumer
11 Services, to be appointed by the Commissioner of Agriculture.

12 (3) The State Health Director or the State Health Director's designee.

13 (4) One representative of the Center for Health Promotion and Disease
14 Prevention at the University of North Carolina at Chapel Hill, to be
15 appointed by the Speaker of the House of Representatives.

16 (5) One representative of the Department of Environment and Natural
17 Resources, Division of Soil and Water Conservation, to be appointed by the
18 Speaker of the House of Representatives.

19 (6) One representative of the Department of Insurance, to be appointed by the
20 President Pro Tempore of the Senate.

21 (7) One representative of a food bank located in North Carolina, to be appointed
22 by the President Pro Tempore of the Senate.

23 (8) One representative of a business specializing in retail, service, or direct food,
24 to be appointed by the Commissioner of Agriculture.

25 (9) One representative of the Carolina Farm Stewardship Association, to be
26 appointed by the Speaker of the House of Representatives.

27 (10) One representative of the North Carolina Farm Bureau Federation, Inc., to be
28 appointed by the Speaker of the House of Representatives.

29 (11) One representative of the Appalachian Sustainable Agriculture Project, to be
30 appointed by the President Pro Tempore of the Senate.

31 (12) One representative of the North Carolina Farm Transition Network, Inc., to
32 be appointed by the Speaker of the House of Representatives.

33 (13) One representative of the Sea Grant College Program at The University of
34 North Carolina, to be appointed by the President Pro Tempore of the Senate.

35 (14) One representative of the North Carolina Association of Black Lawyers'
36 Land Loss Prevention Project, Inc., to be appointed by the Speaker of the
37 House of Representatives.

38 (15) One representative of the Department of Public Instruction, Child Nutrition
39 Services Section, to be appointed by the President Pro Tempore of the
40 Senate.

41 (16) One representative of the North Carolina Association of County
42 Commissioners, to be appointed by the Speaker of the House of
43 Representatives.

44 (17) One representative of the North Carolina Rural Economic Development
45 Center, Inc., to be appointed by the President Pro Tempore of the Senate.

46 (18) One representative of the Department of Commerce, to be appointed by the
47 Secretary of Commerce.

48 (19) One representative of the North Carolina Cooperative Extension Service,
49 jointly administered by North Carolina State University and North Carolina
50 Agricultural and Technical State University, to be appointed by the
51 Commissioner of Agriculture.

1 (20) One representative of the Center for Environmental Farming Systems, a
2 partnership among North Carolina State University, North Carolina
3 Agricultural and Technical State University, and the Department of
4 Agriculture and Consumer Services, to be appointed by the Speaker of the
5 House of Representatives.

6 (21) One representative of the commercial fishing industry, to be appointed by
7 the President Pro Tempore of the Senate.

8 (22) One representative of the Center for Community Action, Inc., to be
9 appointed by the President Pro Tempore of the Senate.

10 (b) Terms. – Appointments to the Council shall be for a term of three years. Terms shall
11 be staggered so that eight terms shall expire on June 30 of each year, except that members of
12 the Council shall serve until their successors are appointed and duly qualified as provided by
13 G.S. 128-7.

14 (c) Chair. – The Council shall have one chair. The Council shall, by a majority of the
15 members, select the chair every other year from among those members of the Council.

16 (d) Vacancies. – Any vacancy on the Council resulting from the resignation of a
17 member or otherwise shall be filled in the same manner in which the original appointment was
18 made, and the term shall be for the balance of the unexpired term of the member who created
19 the vacancy.

20 (e) Compensation. – The Council members shall receive no salary as a result of serving
21 on the Council but shall receive per diem, subsistence, and travel expenses in accordance with
22 G.S. 120-3.1, 138-5, or 138-6, as applicable.

23 (f) Removal. – Members may be removed in accordance with G.S. 143B-13 as if that
24 section applied to this Article.

25 (g) Meetings. – The chair shall call the meetings and shall notify the members of each
26 meeting being called at least seven days before the date on which the meeting is to occur.
27 Meetings shall be held as often as the chair deems necessary but not less than four times each
28 calendar year. The chair shall arrange for the location and staffing of the meetings, the costs of
29 which shall be borne by the Council from funds made available to the Council to conduct
30 business.

31 (h) Quorum. – A quorum of the Council shall consist of 13 members of the Council for
32 the transaction of business.

33 (i) Meeting Space. – The Department of Agriculture and Consumer Services shall
34 provide without compensation meeting space in Raleigh for use by the Council.

35 **"§ 106-832. The North Carolina Sustainable Local Food Policy Council; duties.**

36 In developing sustainable local food policies for North Carolina, the Council may consider
37 any of the following policy issues:

38 (1) An in-depth assessment of the foods that are served to public school students
39 under the National School Lunch Program and the School Breakfast
40 Program, including the possibility of increasing the amount of sustainable
41 local food used in these programs.

42 (2) An in-depth analysis of the possibility of making sustainable local food
43 available under public assistance programs, including the possibility of being
44 able to use food stamps at local farmers markets.

45 (3) An in-depth analysis of the possibility of promoting urban gardens and
46 backyard gardens for the purpose of improving the health of citizens, making
47 use of idle urban property, and lowering food costs for North Carolina urban
48 dwellers during times of economic hardship.

49 (4) An in-depth analysis of the potential impacts that the production of
50 sustainable local food would have on economic development in North
51 Carolina, both the direct impacts for the producers of sustainable local food

1 and the actual and potential indirect impacts, such as encouraging restaurants
2 that feature locally raised agricultural products and promoting food and wine
3 tourism.

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

9 (6) Issues regarding the identification and development of solutions to
10 regulatory and policy barriers to developing a strong sustainable local food
11 economy.

12 (7) Issues regarding strengthening local infrastructure and entrepreneurial
13 efforts related to a sustainable local food economy.

14 (8) Any other policy issues the Council considers pertinent.

15 **"§ 106-833. The North Carolina Sustainable Local Food Policy Council; report**
16 **requirement.**

17 No later than October 1 of each year, the Council shall report its findings and
18 recommendations, including any legislative proposals or proposals for administrative action, to
19 the General Assembly, the Governor, and the Commissioner of Agriculture."

20 **SECTION 2.** The first report due under G.S. 106-833, as enacted by Section 1 of
21 this act, is due no later than October 1, 2010.

22 **SECTION 3.** The initial terms of the members of the North Carolina Sustainable
23 Local Food Policy Council created by G.S. 106-831, as enacted by Section 1 of this act, shall
24 commence no later than October 1, 2009. In order to provide for a system of staggered
25 three-year terms for the members of the North Carolina Sustainable Local Food Policy Council,
26 the following provisions shall apply:

27 (1) The terms of the members initially appointed to serve in the positions
28 established by G.S. 106-831(a)(1) through G.S. 106-831(a)(6) shall be three
29 years and shall expire on July 1, 2012.

30 (2) The terms of the members initially appointed to serve in the positions
31 established by G.S. 106-831(a)(7) through G.S. 106-831(a)(14) shall be four
32 years and shall expire on July 1, 2013.

33 (3) The terms of the members initially appointed to serve in the positions
34 established by G.S. 106-831(a)(15) through G.S. 106-831(a)(22) shall be
35 five years and shall expire on July 1, 2014.

36 **SECTION 4.** Of the funds available to the Department of Agriculture and
37 Consumer Services, up to one hundred thousand dollars (\$100,000) for the 2009-2010 fiscal
38 year and up to one hundred thousand dollars (\$100,000) for the 2010-2011 fiscal year shall be
39 made available to the North Carolina Sustainable Local Food Policy Council created by
40 G.S. 106-831, as enacted by Section 1 of this act, for the costs of its work and for any costs
41 associated with implementing this act.

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