

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 1067
Agriculture/Environment/Natural Resources Committee Substitute Adopted 5/12/09
House Committee Substitute Favorable 8/5/09

Short Title: Sustainable Local Food Policy Council/Goal.

(Public)

Sponsors:

Referred to:

March 31, 2009

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE NORTH CAROLINA SUSTAINABLE LOCAL FOOD
ADVISORY COUNCIL TO ADDRESS PROGRAM AND POLICY CONSIDERATIONS
REGARDING THE DEVELOPMENT OF A SUSTAINABLE LOCAL FOOD
ECONOMY IN NORTH CAROLINA.

The General Assembly of North Carolina enacts:

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

"Article 70.

"North Carolina Sustainable Local Food Advisory Council.

"§ 106-830. Purpose; definitions.

(a) Purpose. – It is the purpose of the North Carolina Sustainable Local Food Advisory Council to contribute to building a local food economy, thereby benefiting North Carolina by creating jobs, stimulating statewide economic development, circulating money from local food sales within local communities, 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. Recognizing the positive contributions of North Carolina's agricultural sector to the State's economy and environmental quality, it is the intent of the General Assembly that the Council consider and develop policies regarding the following subjects as they relate to North Carolinians:

- (1) Health and wellness.
- (2) Hunger and food access.
- (3) Economic development.
- (4) Preservation of farmlands and water resources.

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

- (1) Sustainable food. – An integrated system of plant and animal production practices that have a site-specific application and that over the long term are able to do all of the following:
 - a. Satisfy human food and fiber needs.
 - b. Enhance environmental quality and the natural resource base upon which the agriculture economy depends.
 - c. Sustain the economic viability of farm operations.
 - d. Enhance the quality of life for farmers and the society as a whole.
- (2) Local food. – Food grown within the borders of North Carolina.



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1 **"§ 106-831. The North Carolina Sustainable Local Food Advisory Council; creation;**
2 **membership; terms.**

3 (a) Council Established; Membership. – The North Carolina Sustainable Local Food
4 Advisory Council is hereby created within the Department of Agriculture and Consumer
5 Services. The Council shall consist of 27 members as follows:

- 6 (1) The Commissioner of Agriculture or the Commissioner's designee, ex
7 officio.
- 8 (2) The State Health Director or the State Health Director's designee, ex officio.
- 9 (3) The Secretary of Commerce or the Secretary's designee, ex officio.
- 10 (4) Two local organic food producers, one of which is an organic animal
11 producer and one of which is an organic crop producer, to be appointed by
12 the Speaker of the House of Representatives.
- 13 (5) Two local conventional food producers, one of which is an animal producer
14 and one of which is a crop producer, to be appointed by the Commissioner
15 of Agriculture.
- 16 (6) Two local sustainable food producers, one of which is an animal producer
17 and one of which is a crop producer, to be appointed by the Commissioner
18 of Agriculture.
- 19 (7) One representative of the commercial fishing industry, to be appointed by
20 the President Pro Tempore of the Senate.
- 21 (8) One representative of the NC State Grange, to be appointed by the Speaker
22 of the House of Representatives.
- 23 (9) One representative of the North Carolina Farm Bureau Federation, Inc., to be
24 appointed by the Speaker of the House of Representatives.
- 25 (10) One representative of the Sea Grant College Program at The University of
26 North Carolina, to be appointed by the President Pro Tempore of the Senate.
- 27 (11) One representative of the Carolina Farm Stewardship Association, to be
28 appointed by the Governor.
- 29 (12) One representative of the Center for Environmental Farming Systems, a
30 partnership among North Carolina State University, North Carolina
31 Agricultural and Technical State University, and the Department of
32 Agriculture and Consumer Services, to be appointed by the Governor.
- 33 (13) One representative of the North Carolina Association of Black Lawyers'
34 Land Loss Prevention Project, Inc., to be appointed by the Commissioner of
35 Agriculture.
- 36 (14) One representative of the Appalachian Sustainable Agriculture Project, to be
37 appointed by the President Pro Tempore of the Senate.
- 38 (15) One representative of the Center for Community Action, Inc., to be
39 appointed by the Commissioner of Agriculture.
- 40 (16) One representative of the North Carolina Association of County
41 Commissioners, to be appointed by the President Pro Tempore of the Senate.
- 42 (17) One representative of the Department of Public Instruction, Child Nutrition
43 Services Section, to be appointed by the President Pro Tempore of the
44 Senate.
- 45 (18) One representative of the North Carolina Cooperative Extension Service,
46 jointly administered by North Carolina State University and North Carolina
47 Agricultural and Technical State University, to be appointed by the
48 Governor.
- 49 (19) One representative of the Center for Health Promotion and Disease
50 Prevention at the University of North Carolina at Chapel Hill, to be
51 appointed by the President Pro Tempore of the Senate.

- 1 (20) One representative of a food bank located in North Carolina, to be appointed
2 by the Governor.
- 3 (21) One representative of the food retail or food service industry, to be
4 appointed by the Governor.
- 5 (22) One representative of the North Carolina Farm Transition Network, Inc., to
6 be appointed by the Speaker of the House of Representatives.
- 7 (23) One representative of the North Carolina Rural Economic Development
8 Center, Inc., to be appointed by the Speaker of the House of Representatives.
- 9 (24) One representative of a business engaged in the processing, packaging, or
10 distribution of food, to be appointed by the Speaker of the House of
11 Representatives, in consultation with the NC Agribusiness Council.
- 12 (b) Terms. – Appointments to the Council shall be for a term of three years. Terms shall
13 be staggered so that eight terms shall expire on June 30 of each year, except that members of
14 the Council shall serve until their successors are appointed and duly qualified as provided by
15 G.S. 128-7.
- 16 (c) Chair. – The Council shall have one chair. The Council shall, by a majority of the
17 members, select the chair every other year from among those members of the Council.
- 18 (d) Vacancies. – Any vacancy on the Council resulting from the resignation of a
19 member or otherwise shall be filled in the same manner in which the original appointment was
20 made, and the term shall be for the balance of the unexpired term of the member who created
21 the vacancy.
- 22 (e) Compensation. – The Council members shall receive no salary as a result of serving
23 on the Council but shall receive per diem, subsistence, and travel expenses in accordance with
24 G.S. 120-3.1, 138-5, or 138-6, as applicable.
- 25 (f) Removal. – Members may be removed in accordance with G.S. 143B-13 as if that
26 section applied to this Article.
- 27 (g) Meetings. – The chair shall call the meetings and shall notify the members of each
28 meeting being called at least seven days before the date on which the meeting is to occur.
29 Meetings shall be held as often as the chair deems necessary but not less than four times each
30 calendar year. The chair shall arrange for the location and staffing of the meetings, the costs of
31 which shall be borne by the Council from funds made available to the Council to conduct
32 business.
- 33 (h) Quorum. – A quorum of the Council shall consist of 13 members of the Council for
34 the transaction of business.
- 35 (i) Meeting Space. – The Department of Agriculture and Consumer Services shall
36 provide without compensation meeting space in Raleigh for use by the Council.
- 37 **§ 106-832. The North Carolina Sustainable Local Food Advisory Council; duties.**
- 38 In developing sustainable local food programs and policies for North Carolina, the Council
39 may consider any of the following programmatic and policy issues:
- 40 (1) An in-depth assessment of the foods that are served to public school students
41 under the National School Lunch Program and the School Breakfast
42 Program, including the possibility of increasing the amount of sustainable
43 local food used in these programs.
- 44 (2) An in-depth analysis of the possibility of making sustainable local food
45 available under public assistance programs, including the possibility of being
46 able to use food stamps at local farmers markets.
- 47 (3) An in-depth analysis of the possibility of promoting urban gardens and
48 backyard gardens for the purpose of improving the health of citizens, making
49 use of idle urban property, and lowering food costs for North Carolina urban
50 dwellers during times of economic hardship.

- 1 (4) An in-depth analysis of the potential impacts that the production of
2 sustainable local food would have on economic development in North
3 Carolina, both the direct impacts for the producers of sustainable local food
4 and the actual and potential indirect impacts, such as encouraging restaurants
5 that feature locally raised agricultural products and promoting food and wine
6 tourism.
- 7 (5) Issues regarding how local and regional efforts could promote a sustainable
8 local food economy by providing an information and engagement center that
9 would assist entrepreneurs and farmers in working around any current
10 barriers and in pursuing opportunities related to a sustainable local food
11 economy.
- 12 (6) Issues regarding the identification and development of solutions to
13 regulatory and policy barriers to developing a strong sustainable local food
14 economy.
- 15 (7) Issues regarding strengthening local infrastructure and entrepreneurial
16 efforts related to a sustainable local food economy.
- 17 (8) Any other program and policy issues the Council considers pertinent.

18 **"§ 106-833. The North Carolina Sustainable Local Food Advisory Council; report**
19 **requirement.**

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

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

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

- 30 (1) The terms of the members initially appointed to serve in the positions
31 established by G.S. 106-831(a)(4) through G.S. 106-831(a)(8) shall be three
32 years and shall expire on July 1, 2012.
- 33 (2) The terms of the members initially appointed to serve in the positions
34 established by G.S. 106-831(a)(9) through G.S. 106-831(a)(16) shall be four
35 years and shall expire on July 1, 2013.
- 36 (3) The terms of the members initially appointed to serve in the positions
37 established by G.S. 106-831(a)(17) through G.S. 106-831(a)(24) shall be
38 five years and shall expire on July 1, 2014.

39 **SECTION 4.** This act is effective when it becomes law and shall expire on July 31,
40 2012.