

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 1094

Short Title: Continue Local Food Advisory Council. (Public)

Sponsors: Representatives Bradley and Dixon (Primary Sponsors).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Agriculture.

May 24, 2012

A BILL TO BE ENTITLED

AN ACT TO RENAME THE NORTH CAROLINA SUSTAINABLE LOCAL FOOD
ADVISORY COUNCIL AS THE NORTH CAROLINA LOCAL FOOD ADVISORY
COUNCIL AND TO EXTEND THE SUNSET ON THE LAW ESTABLISHING THE
COUNCIL, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON
AGRICULTURAL REGULATIONS.

The General Assembly of North Carolina enacts:

SECTION 1. Section 4 of S.L. 2009-530 reads as rewritten:

"SECTION 4. This act is effective when it becomes law and shall expire on July 31, ~~2012~~
2017."

SECTION 2. Article 70 of Chapter 106 of the General Statutes reads as rewritten:

"Article 70.

"North Carolina ~~Sustainable~~ Local Food Advisory Council.

"§ 106-830. (For expiration date, see note) 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.~~



1 e. ~~Sustain the economic viability of farm operations.~~
2 d. ~~Enhance the quality of life for farmers and the society as a whole.~~
3 (2) ~~Local food.~~ Food Article, "local food" shall mean food grown within the borders
4 of North Carolina.

5 **"§ 106-831. (For expiration date, see note) The North Carolina Sustainable- Local Food**
6 **Advisory Council; creation; membership; terms.**

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

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

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

- 1 (2) An in-depth analysis of the possibility of making ~~sustainable~~ local food
2 available under public assistance programs, including the possibility of being
3 able to use food stamps at local farmers markets.
- 4 (3) An in-depth analysis of the possibility of promoting urban gardens and
5 backyard gardens for the purpose of improving the health of citizens, making
6 use of idle urban property, and lowering food costs for North Carolina urban
7 dwellers during times of economic hardship.
- 8 (4) An in-depth analysis of the potential impacts that the production of
9 ~~sustainable~~ local food would have on economic development in North
10 Carolina, both the direct impacts for the producers of ~~sustainable~~ local food
11 and the actual and potential indirect impacts, such as encouraging restaurants
12 that feature locally raised agricultural products and promoting food and wine
13 tourism.
- 14 (5) Issues regarding how local and regional efforts could promote a ~~sustainable~~
15 local food economy by providing an information and engagement center that
16 would assist entrepreneurs and farmers in working around any current
17 barriers and in pursuing opportunities related to a ~~sustainable~~ local food
18 economy.
- 19 (6) Issues regarding the identification and development of solutions to
20 regulatory and policy barriers to developing a strong ~~sustainable~~ local food
21 economy.
- 22 (7) Issues regarding strengthening local infrastructure and entrepreneurial
23 efforts related to a ~~sustainable~~ local food economy.
- 24 (8) Any other program and policy issues the Council considers pertinent.

25 **"§ 106-833. (For expiration date, see note) The North Carolina ~~Sustainable~~ Local Food**
26 **Advisory Council; report requirement.**

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

30 **SECTION 3.** This act is effective when it becomes law.