

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: SB 80a

51st Legislature, 1st Session, 2013

Tracking Number: .190759.3

Short Title: NM-Grown Produce in School Meals

Sponsor(s): Senator Pete Campos

Analyst: James Ball

Date: February 14, 2013

AS AMENDED

The Senate Education Committee amendment inserts language requiring the Public Education Department to coordinate with the New Mexico Department of Agriculture in purchasing and delivering New Mexico-grown fresh fruits and vegetables to school districts and charter schools.

Original Bill Summary:

SB 80 makes an appropriation to:

- purchase New Mexico-grown fresh fruits and vegetables; and
- distribute the purchased produce to school districts and charter schools for school meal programs.

The bill also requires the Public Education Department (PED) to ensure that the appropriated funds be expended for the stated purpose.

Fiscal Impact:

\$1.44 million is appropriated from the General Fund to PED for FY 14 and subsequent fiscal years. Unexpended or unencumbered funds do not revert to the General Fund.

Substantive Issues:

According to PED, since SB 80 does not specifically identify how allocations to school districts and charter schools would be determined, PED would need to develop department rules and procedures for the distribution of funds.

Background:

The PED bill analysis states that:

- the US Department of Agriculture (USDA) Fresh Fruits and Vegetables Program (FFVP) provides funding for the purchase of fresh produce in New Mexico schools, including funds benefitting around 40,000 students in 39 school districts in FY 13; and

- the appropriation in SB 80 would supplement the federal funds by providing resources for schools that do not meet federal eligibility requirements.¹

According to the New Mexico Department of Agriculture's analysis of a related bill (SB 76, *NM-Grown Produce in School Lunches*):

- initiatives that link New Mexico farmers to school meal programs provide additional outlets for farm products produced locally; and
- both large- and small-scale farms are thereby able to take advantage of opportunities to secure additional income and provide economic development statewide.

Committee Referrals:

SEC/SFC

Related Bills:

SB 75 *Healthy School Lunch Rules*

SB 76 *NM-Grown Produce in School Lunches*

HB 59 *School Meal Program Commodities Deliveries*

HB 338 *NM Grown Fresh Produce for Meals* (Identical)

¹ According to the USDA website relating to the federal Fresh Fruit and Vegetable Program, the "requirements in the law for school selection are very prescriptive and require that schools with the highest level of free and reduced-price enrollment receive priority in selection." In addition, beginning in school year 2010-2011, only elementary schools will be eligible to participate in the federal program. As a result, secondary schools will no longer be allowed to participate.