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**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
53rd Legislature, 2nd Session, 2018**

Bill Number SB106 **Sponsor** Woods

Tracking Number .209642.1 **Committee Referrals** SCC/SCONC/SFC

Short Title NM-Grown Produce in School Meals

Analyst Bedeaux **Original Date** 1/24/18
Last Updated _____

BILL SUMMARY

Synopsis of Bill

Senate Bill 106 (SB106) appropriates \$400 thousand to the Public Education Department (PED) for the purchase and distribution of fresh fruits and vegetables grown in New Mexico to school districts, charter schools, and juvenile detention centers.

FISCAL IMPACT

The bill appropriates \$400 thousand from the general fund to PED for expenditure in FY19 and subsequent fiscal years. Any unexpended or unencumbered balance remaining at the end of FY19 shall not revert to the general fund.

The table below summarizes the use of the NM-Grown Fruits and Vegetables appropriation between FY15 and FY17. Attachment 1 lists allocations to school districts, charter schools, Bureau of Indian Education (BIE) schools, and private schools between FY15 and FY17. In FY18, the executive did not recommend and the Legislature did not appropriate funds for NM-grown fruits and vegetables. The Legislature reauthorized the use of \$29 thousand for NM-grown fruits and vegetables in FY18. To date, these funds have not been spent.

**Table 1. Appropriated, Spent, and Unspent Funding for NM-Grown Fruits and Vegetables
FY15 through FY17**

	FY15	FY16	FY17
Appropriation in General Appropriations Act	\$240,000	\$364,600	\$250,000
Allocations to School Districts, and Charter, BIE, and Private Schools	\$87,125	\$232,455	\$220,667
Percent of Appropriation Spent	36%	64%	88%
Number of Allocations to School Districts and Schools	22	65	46

Source: SHARE

SUBSTANTIVE ISSUES

According to the Statewide Human Resources Accounting Reporting system (SHARE), PED has not allocated the entirety of the NM-grown fruits and vegetables appropriation since FY15 but has

spent a larger portion of appropriated funds each year. In FY15, 64 percent of the appropriated \$240 thousand went unspent. In FY16, 36 percent of the appropriated \$364.3 thousand went unspent. In FY17, 12 percent of the \$250 thousand appropriation went unspent (see Table 1).

Because funds are allocated at the school district level, it is unclear exactly how many students were impacted by the program. It is likely that school districts implemented the program by prioritizing funds in certain schools. Without data showing which schools received funding, it is difficult to estimate the exact number of students who are served, and therefore the unmet need and cost of providing NM-grown fruits and vegetables statewide.

Versions of a NM-grown produce bill have been introduced every year since 2013. Until the 2017 Legislature, these bills died in committee but were consolidated into the General Appropriations Act. During the 2017 Legislature, state funds were limited due to reduced oil and gas revenues. The executive budget recommendation for FY18 did not include and the Legislature did not make an appropriation for NM-grown fruits and vegetables. The Legislature reduced funds carried forward for FY18 NM-grown fruits and vegetables by \$132 thousand, leaving \$29 thousand for expenditure in FY18. To date, this \$29 thousand has not been spent.

The methodology for allocations to school districts and charter schools has changed every year. For example, PED used a competitive application process in FY15 then determined allocations would go to school districts participating in the school lunch program in FY16. As a result, more school districts and schools received allocations in FY16, but the average allocation was much smaller, with a majority of school districts and schools receiving less than \$1,000. The department returned to a competitive application process in FY17.

OTHER SIGNIFICANT ISSUES

A NM-grown produce bill introduced in the 2017 Legislature included language establishing one FTE position at PED to administer the NM-grown fruits and vegetables program. Centrally coordinating the program as opposed providing discretionary funds to districts may increase access to NM-grown fruits and vegetables. The \$400 thousand appropriation in SB106 may be enough to fund one FTE position and implement such a program, but it is difficult to estimate the cost of providing the program to every school.

RELATED BILLS

Duplicates HB62, NM-Grown Produce in School Meals.

SOURCES OF INFORMATION

- LESC Files
- SHARE

TCB/rab

New Mexico-Grown Fresh Fruits and Vegetables Allocations
FY15 through FY17

	School District or School Name	FY15	FY16	FY17	Three-Year Total
1	ALAMOGORDO PUBLIC SCHOOLS		\$3,229		\$3,229
2	ALBUQUERQUE PUBLIC SCHOOLS	\$14,602	\$91,194	\$63,100	\$168,896
3	ARTESIA PUBLIC SCHOOLS		\$1,235	\$773	\$2,008
4	AZTEC MUNICIPAL SCHOOL DISTRICT	\$3,635		\$1,000	\$4,635
5	BELEN CONSOLIDATED SCHOOLS	\$6,210	\$4,294	\$6,999	\$17,503
6	BERNALILLO MUNICIPAL SCHOOL	\$9,987	\$3,120	\$4,985	\$18,092
7	BLOOMFIELD SCHOOLS	\$2,696	\$3,199	\$3,500	\$9,395
8	CAPITAN MUNICIPAL SCHOOLS		\$511		\$511
9	CARLSBAD MUNICIPAL SCHOOLS		\$6,920	\$7,817	\$14,737
10	CENTRAL CONSOLIDATED SCHOOLS	\$1,020	\$5,666	\$5,000	\$11,686
11	CHAMA VALLEY INDEPENDENT		\$405		\$405
12	CORONA PUBLIC SCHOOLS	\$256	\$74	\$990	\$1,320
13	DEMING PUBLIC SCHOOLS		\$5,792	\$5,560	\$11,352
14	DEXTER CONSOLIDATED SCHOOLS		\$1,045	\$2,000	\$3,045
15	DORA CONSOLIDATED SCHOOL		\$258	\$493	\$751
16	ELIDA MUNICIPAL SCHOOLS		\$120		\$120
17	ESPANOLA PUBLIC SCHOOLS	\$9,585	\$4,120	\$5,995	\$19,700
18	ESTANCIA MUNICIPAL SCHOOLS		\$776		\$776
19	FARMINGTON MUNICIPAL SCHOOLS	\$1,426	\$8,643	\$15,000	\$25,069
20	FLOYD MUNICIPAL SCHOOLS		\$243	\$769	\$1,012
21	FORT SUMNER MUNICIPAL SCHOOLS		\$82		\$82
22	GRADY MUNICIPAL SCHOOLS		\$140	\$500	\$640
23	JEMEZ MOUNTAIN SCHOOLS		\$273	\$587	\$860
24	JEMEZ VALLEY PUBLIC SCHOOLS		\$367		\$367
25	LAKE ARTHUR MUNICIPAL SCHOOLS		\$120		\$120
26	LAS CRUCES SCHOOL DISTRICT	\$3,504	\$26,470	\$19,734	\$49,708
27	LAS VEGAS CITY SCHOOLS	\$2,199	\$1,750	\$3,000	\$6,949
28	LORDSBURG MUNICIPAL SCHOOLS	\$832		\$1,000	\$1,832
29	LOS LUNAS SCHOOLS		\$9,121	\$8,000	\$17,121
30	MAGDALENA MUNICIPAL SCHOOLS	\$104	\$384	\$1,000	\$1,488
31	MAXWELL MUNICIPAL SCHOOL	\$1,982		\$532	\$2,514
32	MELROSE MUNICIPAL SCHOOLS		\$235	\$513	\$748
33	MORA INDEPENDENT SCHOOLS		\$458	\$993	\$1,451
34	MORIARTY MUNICIPAL SCHOOLS		\$2,689	\$3,982	\$6,671
35	MOUNTAINAIR PUBLIC SCHOOLS		\$288	\$500	\$788
36	PENASCO INDEPENDENT SCHOOLS		\$627	\$392	\$1,019
37	POJOAQUE VALLEY SCHOOLS		\$2,063		\$2,063
38	QUESTA INDEPENDENT SCHOOLS		\$425	\$963	\$1,388
39	RESERVE SCHOOL DISTRICT	\$60			\$60
40	RIO RANCHO PUBLIC SCHOOLS		\$6,626	\$6,908	\$13,534
41	ROSWELL INDEPENDENT SCHOOLS		\$11,051	\$15,000	\$26,051
42	ROY MUNICIPAL SCHOOLS		\$37		\$37
43	SANTA FE PUBLIC SCHOOLS	\$13,782	\$15,563	\$14,310	\$43,655

**New Mexico-Grown Fresh Fruits and Vegetables Allocations
FY15 through FY17**

	School District or School Name	FY15	FY16	FY17	Three-Year Total	
44	SANTA ROSA CONSOLIDATED SCHOOLS		\$680		\$680	44
45	SILVER CONSOLIDATED SCHOOLS		\$1,601	\$2,749	\$4,350	45
46	SPRINGER MUNICIPAL SCHOOLS	\$828	\$190		\$1,018	46
47	T OR C MUNICIPAL SCHOOLS		\$613	\$619	\$1,232	47
48	TAOS MUNICIPAL SCHOOLS	\$9,960	\$3,012	\$3,999	\$16,971	48
49	TUCUMCARI PUBLIC SCHOOLS	\$1,545	\$1,025	\$1,000	\$3,570	49
50	WAGON MOUND PUBLIC SCHOOLS	\$123	\$71		\$194	50
51	WEST LAS VEGAS SCHOOLS		\$1,623		\$1,623	51
CHARTER SCHOOLS						
52	ACADEMY OF TRADES AND TECHNOLOGY		\$148		\$148	52
53	ALICE KING COMMUNITY SCHOOL		\$354		\$354	53
54	CESAR CHAVEZ COMMUNITY SCHOOL		\$220		\$220	54
55	CHRISTINE DUNCAN HERITAGE ACADEMY			\$1,000	\$1,000	55
56	CORAL COMMUNITY CHARTER		\$152		\$152	56
57	HORIZON ACADEMY WEST		\$439		\$439	57
58	INTERNATIONAL SCHOOL AT MESA DEL SOL		\$226		\$226	58
59	J. PAUL TAYLOR ACADEMY	\$1,958	\$202	\$1,000	\$3,159	59
60	LA ACADEMIA DE ESPERANZA		\$391	\$1,000	\$1,391	60
61	LA PROMESA EARLY LEARNING CENTER		\$305	\$990	\$1,295	61
62	LA RESOLANA LEADERSHIP ACADEMY			\$960	\$960	62
63	LOS PUENTES CHARTER SCHOOL		\$197		\$197	63
64	MONTE DEL SOL CHARTER SCHOOL		\$336	\$500	\$836	64
65	MISSION ACHIEVEMENT & SUCCESS CHARTER			\$1,958	\$1,958	65
66	NUESTROS VALORE CHARTER SCHOOL		\$122		\$122	66
67	RED RIVER VALLEY CHARTER SCHOOL		\$90		\$90	67
68	ROBERT F KENNEDY CHARTER		\$278		\$278	68
69	SAN DIEGO RIVERSIDE SCHOOL		\$100		\$100	69
70	SOUTH VALLEY ACADEMY		\$302		\$302	70
71	SOUTH VALLEY PREPORATORY SCHOOL		\$103	\$1,000	\$1,103	71
72	WALATOWA CHARTER HIGH SCHOOL		\$63		\$63	72
BUREAU OF INDIAN EDUCATION SCHOOLS						
73	PUEBLO OF LAGUNA DEPARTMENT OF EDUCATION			\$1,000	\$1,000	73
PRIVATE SCHOOLS						
74	GUADALUPE MONTESSORI SCHOOL	\$832		\$996	\$1,829	74
75	STATEWIDE TOTAL	\$87,125	\$232,455	\$220,667	\$540,246	75
76	Appropriation in General Appropriations Act	\$240,000	\$364,600	\$250,000	\$854,600	76
77	Percent of Appropriation Spent	36%	64%	88%	63%	77
78	Students in School Districts and Charter Schools with Allocations	167,471	239,897	192,987		78
79	Students in School Districts and Charter Schools without Allocations	172,495	99,327	144,756		79
80	Percent of Students Potentially Served (Unserved)	49% (51%)	71% (29%)	57% (43%)		80

Source: SHARE