HOUSE DOCKET, NO. 3454 FILED ON: 1/18/2013

HOUSE . . . . . No. 168

The Commonwealth of Massachusetts

PRESENTED BY:

Linda Dorcena Forry

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to expand access to healthy foods and create the Massachusetts Food Trust.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Linda Dorcena Forry	*12th Suffolk*	*1/18/2013*
Frank I. Smizik	*15th Norfolk*	*1/18/2013*
Michael O. Moore	*Second Worcester*	*1/18/2013*
Jason M. Lewis	*Fifth Middlesex*	*1/18/2013*
Kay Khan	*11th Middlesex*	*1/18/2013*
Cory Atkins	*14th Middlesex*	*1/18/2013*
Jonathan Hecht	*29th Middlesex*	*1/18/2013*
Alan Silvia	*7th Bristol*	*1/18/2013*
Dennis A. Rosa	*4th Worcester*	*1/18/2013*
Gailanne M. Cariddi	*1st Berkshire*	*1/18/2013*
Aaron Vega	*5th Hampden*	*1/18/2013*
Peter V. Kocot	*1st Hampshire*	*1/18/2013*
Thomas P. Conroy	*13th Middlesex*	*1/18/2013*
Cheryl A. Coakley-Rivera	*10th Hampden*	*1/18/2013*
James B. Eldridge	*Middlesex and Worcester*	*1/18/2013*
Carl M. Sciortino, Jr.	*34th Middlesex*	*1/18/2013*
Elizabeth A. Malia	*11th Suffolk*	*2/1/2013*
Kenneth I. Gordon	*21st Middlesex*	*1/18/2013*

Ellen Story	*3rd Hampshire*	*1/18/2013*
Russell E. Holmes	*6th Suffolk*	*1/18/2013*

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HOUSE . . . . . No. 168

By Ms. Forry of Boston, a petition (accompanied by bill, House, No. 168) of Linda Dorcena Forry and others for legislation to expand access to healthy foods through improved nutritional products at corner stores and farmers markets. Community Development and Small Businesses.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act to expand access to healthy foods and create the Massachusetts Food Trust.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1:

Chapter 20 of the 2010 General Laws is hereby amended by inserting after section 6C the following section:-

Section 6D. (a) For the purposes of section 6E, the following words and phrases shall have the following meanings:

"community development financial institution," as defined in Section 4702 of Chapter 12 U.S.C., a person (other than an individual) that—

(1) has a primary mission of promoting community development;

(2) serves an investment area or targeted population;

(3) directly, through an affiliate, or through a community partnership, provides development services and equity investments or loans;

(4) maintains, through representation on its governing board or otherwise, accountability to residents of its investment area or targeted population; and

(5) is not an agency or instrumentality of the United States, or of any State or political subdivision of a State.

(6) A subsidiary of a CDFI may only qualify as a community development financial institution if its parent company and the subsidiaries thereof (on a consolidated basis) also qualify as community development financial institutions.

"underserved community" a low or moderate income census tract with below average food store density or in which residents have limited access to healthy, fresh and locally-grown food.

SECTION 2:

Chapter 20 of the 2010 General Laws is hereby amended by inserting after section 6D the following section:-

Section 6E.

(a) A Community Development Financial Institution, hereafter referred to as a CDFI, as defined by section 6D of Chapter 20 of the 2010 General Laws, is hereby authorized to develop and implement flexible financing programs, including loans, grants, and technical assistance to support the development, renovation, and expansion of food stores, farmers markets and other retailers selling healthy, fresh and locally-grown food in underserved communities.

(b) The CDFI shall work with existing state and federal agencies including but not limited to the United States Departments of Treasury, the United States Department of Agriculture, the Massachusetts Executive Office of Housing and Economic Development, the Massachusetts Department of Agricultural Resources, and the Massachusetts Department of Public Health and in consultation with the Massachusetts Food Policy Council and the Massachusetts Grocery Access Task Force to participate in the flexible financing programs, analyze market opportunities in underserved communities, conduct outreach and marketing to food retailers, determine applicants' site eligibility and encourage public-private funding partnerships.

(c) The CDFI shall work in conjunction with community colleges, vocational educational programs and other educational organizations including local organizations in underserved communities to develop programs designed to train and educate food sellers regarding the designation, marketing and promotion of nutritious foods to the buying public.

(d) The CDFI shall cooperate with the Massachusetts Department of Agricultural Resources, the Massachusetts Food Policy Council, municipalities and local community development organizations to promote and develop farmers' market programs within underserved communities whereby local Massachusetts farmers, fisherman and agricultural producers will be given the opportunity to market fresh and local products and educate residents as to their nutritional value.

(e) A food store, farmers market or other retailer selling healthy food, in order to be eligible for financial assistance, must demonstrate to the CDFI, through regular impact statements, that they are able to provide a positive economic and social impact to an underserved community. Impact statements must be submitted to the CDFI upon application, and no later than February 1 annually thereafter, that detail the positive economic and social impact provided to the community. To the maximum extent practicable, CDFI benefits recipients must provide healthy food, including nutritious, fresh and locally-grown products, to their customer base, and promote community development by collaborating with other state and local programs. In addition to describing these activities, impact statements shall detail job training and employment practices including data on women, people of color and veteran status of ownership and full-time employees. An inability of the recipient to show positive economic and social impact may be considered cause for the discontinuation of financial assistance.

(f) The CDFI shall submit the annual impact statements collected from each CDFI benefits recipient to the Massachusetts Food Policy Council, and include the following additional information: 1) the name, address and telephone number of each CDFI benefits recipient 2) the total amount of financial assistance obtained by each CDFI benefit recipient.

(g) The CDFI shall consult with, on a periodic basis, the Massachusetts Food Policy Council and the Massachusetts Grocery Access Task Force in the interest of insuring relevant state-level stakeholders are aware of the CDFI's efforts and to seek informational assistance when necessary.