

SENATE No. 380

The Commonwealth of Massachusetts

PRESENTED BY:

Michael O. Moore

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 passage of the accompanying bill:

An Act relative to food trusts.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>Michael J. Rodrigues</i>	<i>First Bristol and Plymouth</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>Linda Dorcena Forry</i>	<i>12th Suffolk</i>
<i>Daniel A. Wolf</i>	<i>Cape and Islands</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>James T. Welch</i>	<i>Hampden</i>
<i>Karen E. Spilka</i>	<i>Second Middlesex and Norfolk</i>
<i>Thomas P. Conroy</i>	<i>13th Middlesex</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>

SENATE No. 380

By Mr. Michael O. Moore, a petition (accompanied by bill, Senate, No. 380) of Michael O. Moore, Michael J. Rodrigues, Sal N. DiDomenico, Linda Dorcena Forry and other members of the General Court for legislation relative to food trusts. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to food trusts.

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

1 Chapter 20 of the General Laws is hereby amended by inserting after section 6C the
2 following 2 sections:-

3 Section 6D. Food Trust; definitions applicable to section 6E

4 (a) community development financial institution' means a person (other than an
5 individual) that—

6 1. has a primary mission of promoting community development;

7 2. serves an investment area or targeted population;

8 3. directly, through an affiliate, or through a community partnership, provides
9 development services and equity investments or loans;

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

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

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

17 (b) An underserved community shall be defined as a low or moderate income census
18 tract, having an area of below average supermarket density or an area having a supermarket
19 customer base with more than 50% population living in a low income census tract.

20 Section 6E. Food Trust

21 (a) A Community Development Financial Institution, hereafter referred to as a CDFI,
22 as defined by section 6D of Chapter 20 of the 2010 General Laws, is hereby authorized to
23 develop and implement flexible financing programs, including loans, grants, and technical
24 assistance to support the development, renovation, and expansion of supermarkets, farmers
25 markets, and other retailers selling healthy foods within underserved communities.

26 (b) The CDFI shall work with existing state and federal agencies such as the
27 Massachusetts Capital Access Program and the United States Departments of Treasury, Health
28 and Human Services and Agriculture to participate in this financing effort, and shall consult with
29 the Food Access Organization to analyze market opportunities in underserved communities,
30 conduct outreach and marketing to food retailers, determine applicants site eligibility, and in the
31 interest of securing grants from private sources of interest.

32 (c) The CDFI shall work in conjunction with local community colleges and
33 vocational education institutions to develop programs designed to train and educate food sellers
34 respecting the designating and marketing of nutritious foods and to assist in the development of
35 public education programs designed to make the buying public aware of the need for nutritious
36 foods and their identity.

37 (d) The CDFI serving an “underserved community” as defined by Section 6D of
38 Chapter 20 of the 2010 General Laws, shall cooperate with the Massachusetts Food Policy
39 Council to promote and develop farmer’s market programs within the targeted communities
40 whereby local Massachusetts growers will be given the opportunity to market fresh grown
41 produce, and to educate residents as to the nutritional importance of their product.

42 (e) A supermarket, farmers market, or food store, in order to be eligible for financial
43 assistance must demonstrate to the CDFI, through regular impact statements, that the applicant is
44 able to provide, a positive economic and social impact to the local community.

45 (f) Impact statements must be submitted to the CDFI upon application, and no later
46 than February 1 annually thereafter, that includes the positive economic impact provided to the
47 community through job training and employment practices, and shall include information on
48 women, people of color and veteran status of ownership, and full-time employees. An inability
49 of the recipient to show positive economic and social impact can be considered cause for the
50 CDFI to discontinue support.

51 (g) To the maximum extent practicable CDFI recipients must provide healthy,
52 nutritious food to its customer base, and promote community development by working with other
53 state and local programs.

54 (h) The CDFI serving an underserved community shall forward the annual impact
55 reports collected from supermarkets, farmers markets, or food stores to the Massachusetts Food
56 Policy Council, and include the following additional information: 1) the recipients of CDFI
57 benefits, 2) the total amount of money obtained by each recipient, and 3) the number of
58 employees in each supermarket, farmers market, or food store.

59 (i) The CDFI which services an underserved community shall consult with on a
60 periodic basis the Massachusetts Grocery Access Task Force in the interest of insuring the task
61 force awareness of the CDFI efforts and to seek informational assistance when necessary.