

[First Reprint]

SENATE, No. 3945

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED JUNE 10, 2021

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Senator FRED H. MADDEN, JR.

District 4 (Camden and Gloucester)

Co-Sponsored by:

Senators Ruiz and Turner

SYNOPSIS

Establishes Office of Food Insecurity Advocate.

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on June 17, 2021, with amendments.



(Sponsorship Updated As Of: 6/24/2021)

1 AN ACT establishing the Office of Food Insecurity Advocate and
2 supplementing Title 52 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. The Legislature finds and declares that:

8 (a) Over one million people are estimated to be food insecure in
9 New Jersey and more than one-third of them are children;

10 (b) The coronavirus disease 2019 pandemic is projected to cause
11 a disproportionate increase in the rate of food insecurity in this
12 State compared to the national rate and neighboring states;

13 (c) Several departments are responsible for administering
14 different food insecurity programs in the State: the Department of
15 Human Services administers the New Jersey Supplemental
16 Nutrition Assistance Program; the Department of Health
17 administers the New Jersey Supplemental Nutrition Program for
18 Women Infants and Children; and the Department of Agriculture
19 and Education administer the United States Department of
20 Agriculture's school nutrition program in New Jersey;

21 (d) The State's food insecurity programs are currently operating
22 in silos and, in some cases, they may all cover the same families,
23 yet not all eligible families are enrolled into each program; and

24 (e) Establishing an Office of the Food Insecurity Advocate by
25 statute will help coordinate the administration of the State's food
26 insecurity programs, advocate for the food insecure, and develop
27 new policy initiatives to combat hunger and facilitate greater access
28 to food relief programs.

29

30 2. As used in this act:

31 "Food insecurity program" means a nutrition program in this
32 State that provides nutrition assistance to individuals without
33 reliable access to a sufficient quantity of affordable, nutritious food
34 and includes, but is not limited to, the New Jersey Supplemental
35 Nutrition Assistance Program, the New Jersey Supplemental
36 Nutrition Program for Women Infants and Children, ¹the
37 Commodity Supplemental Food program, the Senior Farmers
38 Market Nutrition Program, the Child and Adult Care Program,¹ and
39 the United States Department of Agriculture's school nutrition
40 program.

41

42 3. There is created in the Executive Branch of the State
43 Government the Office of the Food Insecurity Advocate. For the
44 purpose of complying with the provisions of Article V, Section IV,

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SBA committee amendments adopted June 17, 2021.

1 paragraph 1 of the New Jersey Constitution, the Office of Food
2 Insecurity Advocate is allocated to the 'Economic Development
3 Authority in the' Department of 'the' Treasury, but notwithstanding
4 this allocation, the office shall be independent of any supervision or
5 control by the 'Economic Development Authority or by the'
6 department ',' or 'by' any board or officer thereof, in the performance
7 of its duties. The office shall have the duty to:

8 (a) coordinate outreach for food insecurity programs, including
9 developing new initiatives and outreach campaigns and identifying
10 best practices to increase enrollment in the State's food insecurity
11 programs;

12 (b) establish a 24-hour toll-free hunger hotline to assist in making
13 information about the State's food insecurity programs as widely
14 available as possible;

15 (c) support grant application processes related to food insecurity
16 for in-state providers and State departments by monitoring available
17 grants, recommending grant applications, and assisting with the grant
18 application process;

19 (d) coordinate communication with and between food banks;

20 (e) establish best practices for food banks to reduce food waste
21 and to distribute more fresh produce and proteins to food insecurity
22 programs and food banks;

23 (f) collaborate with research organizations and universities to
24 monitor ongoing gap analysis that identifies areas that are undeserved
25 by current food insecurity programs;

26 (g) collaborate with State and community partners to develop a
27 strategic plan to address identified gaps in areas that are undeserved by
28 current food insecurity programs;

29 (h) oversee the development and implementation of public-private
30 partnerships to address food insecurity;

31 (i) provide support in coordinating assistance to address food
32 insecurity during federal or State declared states of emergency;
33 '[and]'

34 (j) coordinate food insecurity programming and initiatives for
35 institutions of higher education with the Office of the Secretary of
36 Higher Education¹;

37 (k) develop new initiatives, establish an outreach campaign, and
38 identify best practices to reach senior citizens, persons with
39 disabilities, and other vulnerable population; and

40 (l) coordinate outreach efforts for the newly unemployed who
41 might be eligible for food insecurity programs¹.

42
43 4. The administrator and chief executive officer of the office is
44 the food insecurity advocate, who shall be a person qualified by
45 training and experience to perform the duties of the office. The
46 food insecurity advocate shall be appointed by the Governor and

1 shall serve at the pleasure of the Governor during the Governor's
2 term of office and until the appointment and qualification of the
3 food insecurity advocate's successor. The food insecurity advocate
4 shall devote time entirely to the duties of the position and shall
5 receive a salary as determined by law. Any vacancy occurring in
6 the position of the food insecurity advocate shall be filled in the
7 same manner as the original appointment; except that if the food
8 insecurity advocate dies, resigns, becomes ineligible to serve for
9 any reason, or is removed from office, the Governor shall appoint
10 an acting food insecurity advocate, who shall serve until the
11 appointment and qualification of the food insecurity advocate's
12 successor, but in no event longer than six months from the
13 occurrence of the vacancy, and who shall exercise during this
14 period all the powers and duties of the food insecurity advocate
15 pursuant to the provisions of this act.

16

17 5. The food insecurity advocate, as administrator and chief
18 executive officer of the office, shall:

19 a. administer and organize the work of the office and establish
20 therein such administrative subdivisions as the food insecurity
21 advocate may deem necessary, proper and expedient. The food
22 insecurity advocate may formulate and adopt rules and regulations
23 and prescribe duties for the efficient conduct of the business, work
24 and general administration of the office. The food insecurity
25 advocate may delegate to subordinate officers or employees in the
26 office such power as the food insecurity advocate may deem
27 desirable to be exercised under the food insecurity advocate's
28 supervision and control;

29 b. appoint and remove stenographic, clerical, and other
30 secretarial assistants as may be required for the proper conduct of
31 the office, subject to the provisions of Title 11A of the New Jersey
32 Statutes, and other applicable statutes, and within the limits of
33 funds appropriated or otherwise made available therefor. In
34 addition, and within funding limits, the food insecurity advocate
35 may appoint, retain, or employ, without regard to the provisions of
36 Title 11A of the New Jersey Statutes or any other statutes, any
37 officers, financial managers, social workers, or other professionally
38 qualified personnel on a contract basis or otherwise as the food
39 insecurity advocate deems necessary;

40 c. maintain suitable headquarters for the office and such other
41 quarters as the food insecurity advocate shall deem necessary to the
42 proper functioning of the office;

43 d. solicit and accept grants of funds from the federal
44 government and from other public and any private sources for any
45 of the purposes of this act; provided, however, that any such funds
46 shall be expended only pursuant to an appropriation made by law;

- 1 e. serve as the liaison between the Office of the Food
2 Insecurity Advocate and the Departments of Agriculture, Education,
3 Health, and Human Services; and
- 4 f. perform such other functions as may be prescribed in this act
5 or by any other law.
- 6
- 7 6. Pursuant to the "Administrative Procedure Act," P.L.1968,
8 c.410 (C.52:14B-1 et seq.), the food insecurity advocate and the
9 Commissioners of Agriculture, Education, Health, and Human
10 Services may adopt any rules and regulations necessary to
11 effectuate the purposes of this act.
- 12
- 13 7. This act shall take effect immediately.