

**SENATE BILL REPORT**

**SB 6157**

**AS REPORTED BY COMMITTEE ON WAYS & MEANS, FEBRUARY 8, 1994**

**Brief Description:** Addressing hunger in the state of Washington.

**SPONSORS:** Senators Talmadge, Winsley, Wojahn, McAuliffe and Fraser

**SENATE COMMITTEE ON HEALTH & HUMAN SERVICES**

**Majority Report:** That Substitute Senate Bill No. 6157 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Talmadge, Chairman; Wojahn, Vice Chairman; Deccio, Erwin, Franklin, Fraser, Hargrove, McAuliffe, Moyer, Niemi, Prentice, L. Smith and Winsley.

**Staff:** Joanne Conrad (786-7472)

**Hearing Dates:** January 19, 1994; February 2, 1994

**SENATE COMMITTEE ON WAYS & MEANS**

**Majority Report:** That Second Substitute Senate Bill No. 6157 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Rinehart, Chairman; Quigley, Vice Chairman; Bauer, Bluechel, Cantu, Gaspard, Hargrove, Hochstatter, Ludwig, Moyer, Niemi, Pelz, L. Smith, Snyder, Spanel, Talmadge, West and Wojahn.

**Staff:** Linda Brownell (786-7913)

**Hearing Dates:** February 8, 1994

**BACKGROUND:**

In July, 1993 the Senate Health and Human Services Committee held a hearing on hunger in Washington State. Many persons expressed concern about the growing demand for food assistance, the special needs of populations such as children and the elderly, and the barriers to effectiveness created by lack of connectivity among state food programs. An Interim Study Project on Hunger received recommendations and comment from a representative array of state and private entities concerned with improving food policy in Washington State. This legislation arose from those recommendations.

**SUMMARY:**

The office of Antihunger Coordinator is established in the Department of Agriculture to contact, monitor, coordinate and provide technical support among new and existing state food

programs. The Information and Referral Service for Food Donation Program in the Department of Agriculture is repealed.

The federal Model Good Samaritan Food Donation Act is codified to limit liability of nonnegligent donors and gleaners of food and grocery product. The former Good Samaritan Act is repealed.

Charitable food service by some nonprofit organizations are inspected by health authorities without being charged a fee.

Specified Agricultural Commodities Commissions adopt rules to encourage and facilitate the gleaning and donation of surplus commodities and nonmarketable product as a condition of statutory authority.

The Washington National Guard, in cooperation with the Antihunger Coordinator, provides labor and equipment for gleaning, transportation and distribution of food and grocery products consistent with resources.

Inmate labor is provided at no cost to food donors or charitable institutions for the voluntary gleaning and distribution of food and grocery products for charitable purposes.

The Transportation Commission, in cooperation with the Department of Health and the Antihunger Coordinator, identifies barriers to improved utilization of donated backhauling and transport of donated food products.

The Department of Fish and Wildlife implements a pilot program on charitable fish donation.

School districts without school lunch programs develop plans and establish timelines for instituting such programs.

The Superintendent of Public Instruction identifies and grants funds to the six most severe-needs schools, and applies for all available federal funds for school lunch and breakfast program outreach and summer food service program outreach.

Schools with existing breakfast or lunch programs assess whether students have sufficient time to be served and eat, and allow more time if necessary.

School districts ensure that food sold on school grounds is consistent with dietary guidelines as specified.

The Department of Health establishes a WIC (Women, Infants and Children) Capacity-Building Task Force, and considers implementation of enhanced cost-containment options.

The Department of Social and Health Services expedites food stamps to eligible applicants within 36 hours of application, and initiates a pilot program using electronic benefit transfer technology for food stamps.

The Washington State University cooperative extension service Food Stamp Nutrition Education Program is expanded, to collocate or coordinate with WIC program clinics.

The Department of Social and Health Services assures that funds allocated for senior meal and nutrition programs are not transferred or reallocated to other departmental programs; the position of senior nutrition professional is established; and outreach to vulnerable, underserved elders is improved.

The Washington "Fine Foods" program is created to allow occasional waiver of minor traffic and civil fines upon the charitable donation of canned food in an amount equal to the fines.

The position of tribal nutritionalist is established in the Department of Health to travel between the tribes and consult with tribal health programs, WIC and Head Start, to improve nutritional education and service access.

**EFFECT OF PROPOSED SUBSTITUTE:**

The requirement for expedited food stamps, the establishment of a senior nutritionalist, the creation of the "Washington Fine Foods Program" and the request that the Governor seek extension of the Temporary Emergency Food Program and the Charitable Institutions Commodities Program are all deleted. Appropriations for a seafood pilot program and provision of refrigeration equipment are also deleted.

The Office of Antihunger Coordinator is moved from the Department of Agriculture to the Department of General Administration, with language clarifying the duties of the coordinator, the Agricultural Commodities Commissions and the Washington National Guard. The Department of Fish and Wildlife, and the Department of Corrections provide technical assistance to the Antihunger Coordinator in enhancing fish donation. Criteria for severe needs schools are established, and schools are required to allow sufficient and realistic time for student meals. A task force is created, with the voluntary participation of the financial services and grocery industries, to study the initiation of electronic benefit transfer technology.

**EFFECT OF PROPOSED SECOND SUBSTITUTE:**

An Antihunger Coordinator is provided for within current resources at General Administration. Various named agencies are allowed to provide information and data within available resources. Gleaning is defined and liability of nonnegligent donors and gleaners and donors of food and grocery products is limited.

The National Guard and the Department of Corrections can contribute to food distribution and gleaning efforts within their current resources. The Department of Health identifies barriers to backhauling of food along with the Transportation Commission. The Departments of Fish and Wildlife and

Corrections provide technical assistance on the distribution of fisheries surplus. The Superintendent of Public Instruction is required to keep school breakfast programs if the school qualifies as a severe need school. SPI is required to ensure that food sold on school grounds meets U.S. Agriculture dietary guidelines. The Department of Social and Health Services develops outcome measures for their elderly nutrition program.

**Appropriation:** \$1,700,000 plus an additional unspecified amount

**Revenue:** none

**Fiscal Note:** requested January 12, 1994

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**TESTIMONY FOR (Health & Human Services):**

Reduction in the level of unmet food and nutritional needs will improve the health of Washingtonians, especially children and older persons. Children need adequate nutrition to perform well in school, and school food programs need enhancement. The WIC program needs to build capacity to serve more women and children. Tribal and senior populations need nutritionalist services. State agencies should coordinate more effectively to help feed persons in need.

**TESTIMONY AGAINST (Health & Human Services):**

Legislation should not extend "Good Samaritan" protection from donor liability to food banks and distributors that require shared maintenance fees.

**TESTIFIED (Health & Human Services):** PRO: Kathleen Clark, WA State Dietetic Assn.; Sue Butkus, Maria Fanas, Margaret Viebach, Treena Welch, Patrick Welch, Consuelo Coronel, Maria Jesus Andrade, Doris Torkelson, WA State University Extension Nutrition Education Program; Winnie Nazarko, Food Lifeline; David Westberg, Stationary Engineers; Jamie Fisher, Harbor High School; Diane Schmidt, Friendship House; Carol Johnson, Washington School Food Service Assn.; Margaret Casey, Antihunger and Nutrition Coalition; Diane Armbrost, Public Health Nutritionist; Mary Podrabsky, Senior Services of Seattle-King County; Betty Marcelynas, OSPI; CON: Ruth Veloso, Northwest Harvest

**TESTIMONY FOR (Ways & Means):**

There is great support for the state to play a major coordinating role in combating hunger.

**TESTIMONY AGAINST (Ways & Means):** None

**TESTIFIED (Ways & Means):** Margaret Casey (pro)