

SENATE BILL 723

E4, M4

EMERGENCY BILL

11r2068
CF HB 831

By: **Senator Hester**

Introduced and read first time: February 5, 2021

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 7, 2021

CHAPTER _____

1 AN ACT concerning

2 **Maryland Food System Resiliency Council**

3 FOR the purpose of establishing the Maryland Food System Resiliency Council; providing
4 for the composition, co–chairs, co–vice chairs, and staffing of the Council; providing
5 that a member of the Council may not receive compensation but may be reimbursed
6 for certain expenses; authorizing the Council to establish certain subcommittees;
7 specifying the duties of the Council; requiring the Council to submit certain reports
8 to the General Assembly on or before certain dates; making this Act an emergency
9 measure; defining certain terms; and generally relating to the Maryland Food
10 System Resiliency Council.

11 BY adding to

12 Article – Public Safety

13 Section 14–1101 through 14–1103 to be under the new subtitle “Subtitle 11.
14 Maryland Food System Resiliency Council”

15 Annotated Code of Maryland

16 (2018 Replacement Volume and 2020 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
18 That the Laws of Maryland read as follows:

19 **Article – Public Safety**

20 **SUBTITLE 11. MARYLAND FOOD SYSTEM RESILIENCY COUNCIL.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 14-1101.

2 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
3 INDICATED.

4 (B) "COUNCIL" MEANS THE MARYLAND FOOD SYSTEM RESILIENCY
5 COUNCIL.

6 (C) "DIRECTOR" MEANS THE DIRECTOR OF THE MARYLAND EMERGENCY
7 MANAGEMENT AGENCY.

8 (D) "FOOD COUNCIL ORGANIZATION" MEANS A LOCAL FOOD COUNCIL
9 ORGANIZATION THAT IS ESTABLISHED IN THE STATE.

10 14-1102.

11 (A) THERE IS A MARYLAND FOOD SYSTEM RESILIENCY COUNCIL.

12 (B) THE COUNCIL CONSISTS OF THE FOLLOWING MEMBERS:

13 (1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE
14 PRESIDENT OF THE SENATE;

15 (2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE
16 SPEAKER OF THE HOUSE;

17 (3) THE DIRECTOR, OR THE DIRECTOR'S DESIGNEE;

18 (4) THE SECRETARY OF HUMAN SERVICES, OR THE SECRETARY'S
19 DESIGNEE;

20 (5) THE SECRETARY OF AGRICULTURE, OR THE SECRETARY'S
21 DESIGNEE;

22 ~~(6) THE SECRETARY OF HEALTH, OR THE SECRETARY'S DESIGNEE;~~

23 ~~(7)~~ (6) THE SECRETARY OF COMMERCE, OR THE SECRETARY'S
24 DESIGNEE;

25 ~~(8)~~ (7) THE EXECUTIVE DIRECTOR OF THE MARYLAND FARM
26 BUREAU, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

1 ~~(9)~~ (8) THE EXECUTIVE DIRECTOR OF THE MARYLAND
2 AGRICULTURAL AND RESOURCE-BASED INDUSTRY DEVELOPMENT CORPORATION,
3 OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

4 ~~(10)~~ (9) THE DEAN OF THE UNIVERSITY OF MARYLAND COLLEGE OF
5 AGRICULTURE AND NATURAL RESOURCES, OR THE DEAN'S DESIGNEE; AND

6 ~~(11)~~ (10) THE FOLLOWING MEMBERS APPOINTED BY THE DIRECTOR:

7 (I) FIVE REPRESENTATIVES OF FIVE DIFFERENT FOOD
8 COUNCIL ORGANIZATIONS WHO ARE RECOMMENDED BY MEMBERS OF FOOD
9 COUNCIL ORGANIZATIONS;

10 (II) ONE REPRESENTATIVE OF THE UNIVERSITY OF MARYLAND
11 EXTENSION;

12 (III) ONE REPRESENTATIVE OF THE UNIVERSITY OF MARYLAND
13 EASTERN SHORE SMALL FARM PROGRAM;

14 (IV) ONE REPRESENTATIVE OF THE HARRY R. HUGHES CENTER
15 FOR AGRO-ECOLOGY;

16 (V) ONE REPRESENTATIVE OF A PUBLIC SCHOOL SYSTEM IN
17 THE STATE WHO HAS EXPERIENCE IN FOOD SECURITY AND LOCAL FOOD
18 PROCUREMENT;

19 (VI) ONE REPRESENTATIVE OF A STATEWIDE FOOD SECURITY
20 ADVOCACY ORGANIZATION;

21 (VII) ONE FARMER IN THE STATE;

22 (VIII) ONE OWNER OF A FOOD BUSINESS IN THE STATE;

23 (IX) ONE EXPERT IN FOOD SYSTEM POLICY;

24 (X) ONE EXPERT ON RACIAL EQUITY IN THE FOOD SYSTEM;

25 (XI) ONE EXPERT ON FOOD SYSTEM IMPACTS ON CLIMATE AND
26 THE ENVIRONMENT;

27 (XII) ONE EXPERT ON FOOD NUTRITION AND PUBLIC HEALTH;
28 AND

1 (XIII) ANY OTHER INDIVIDUAL THAT THE DIRECTOR DEEMS
2 APPROPRIATE.

3 (C) THE DIRECTOR SHALL:

4 (1) ENSURE THAT ALL FIVE GEOGRAPHIC AREAS OF THE STATE ARE
5 REPRESENTED BY THE APPOINTED MEMBERS OF THE COUNCIL; AND

6 (2) APPOINT A SUCCESSOR IN THE EVENT OF A VACANCY ON THE
7 COUNCIL.

8 (D) (1) (I) THE TERM OF A MEMBER OF THE COUNCIL APPOINTED BY
9 THE DIRECTOR IS 3 YEARS.

10 (II) AN APPOINTED MEMBER MAY NOT SERVE FOR MORE THAN
11 2 CONSECUTIVE THREE YEAR TERMS.

12 (2) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL
13 A SUCCESSOR IS APPOINTED AND QUALIFIES.

14 (3) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SHALL
15 SERVE FOR THE REST OF THE TERM OR UNTIL A SUCCESSOR IS APPOINTED AND
16 QUALIFIES.

17 (E) A MEMBER OF THE COUNCIL:

18 (1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE
19 COUNCIL; BUT

20 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE
21 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

22 (F) A MAJORITY OF THE MEMBERS THEN SERVING ON THE COUNCIL IS A
23 QUORUM.

24 (G) (1) (I) THE DIRECTOR, OR THE DIRECTOR'S DESIGNEE, AND ONE
25 MEMBER REPRESENTING A FOOD COUNCIL ORGANIZATION WHO IS ELECTED IN
26 ACCORDANCE WITH SUBPARAGRAPH (II) OF THIS PARAGRAPH SHALL CO-CHAIR THE
27 COUNCIL.

28 (II) AT THE FIRST MEETING OF EACH YEAR, THE COUNCIL
29 SHALL ELECT A CO-CHAIR FROM AMONG THE FIVE COUNCIL MEMBERS
30 REPRESENTING FOOD COUNCIL ORGANIZATIONS FOR A TERM OF 1 YEAR.

1 **(2) THE SECRETARY OF AGRICULTURE, OR THE SECRETARY'S**
2 **DESIGNEE, THE SECRETARY OF HUMAN SERVICES, OR THE SECRETARY'S**
3 **DESIGNEE, AND THE DEAN OF THE UNIVERSITY OF MARYLAND COLLEGE OF**
4 **AGRICULTURE AND NATURAL RESOURCES, OR THE DEAN'S DESIGNEE SHALL**
5 **CO-VICE CHAIR THE COUNCIL.**

6 **(H) (1) THE COUNCIL MAY ESTABLISH SUBCOMMITTEES TO PROVIDE**
7 **TECHNICAL ASSISTANCE TO THE COUNCIL.**

8 **(2) THE COUNCIL MAY ESTABLISH SUBCOMMITTEE TOPICS AND**
9 **MEMBERSHIP AS THE COUNCIL DEEMS APPROPRIATE.**

10 **(I) THE MARYLAND EMERGENCY MANAGEMENT AGENCY AND THE**
11 **UNIVERSITY OF MARYLAND COLLEGE OF AGRICULTURE AND NATURAL**
12 **RESOURCES SHALL PROVIDE STAFF FOR THE COUNCIL, AS DEEMED NECESSARY BY**
13 **THE CO-CHAIRS.**

14 **14-1103.**

15 **(A) THE COUNCIL SHALL:**

16 **(1) MEET REGULARLY FOR A PERIOD OF AT LEAST 2 YEARS TO**
17 **ADDRESS FOOD INSECURITY IN THE STATE; AND**

18 **(2) WORK TOWARD THE FOLLOWING GOALS:**

19 **(I) TO ADDRESS THE FOOD INSECURITY CRISIS IN THE STATE**
20 **RESULTING FROM THE COVID-19 PANDEMIC AND RESULTING ECONOMIC CRISIS**
21 **BY:**

22 **1. COORDINATING STATE AND LOCAL LEVEL FOOD**
23 **INSECURITY SERVICES TO SUPPORT RESIDENTS OF THE STATE;**

24 **2. TRACKING AND ANALYZING DATA TO CREATE A**
25 **COMPREHENSIVE MAP OF FOOD INSECURITY ACROSS THE STATE AND IDENTIFY THE**
26 **GAPS IN SERVICE;**

27 **3. LEVERAGING FEDERAL AND PRIVATE SECTOR**
28 **GRANTS AND OTHER RESOURCES IN ORDER TO ADDRESS FOOD INSECURITY NEEDS;**

29 **4. ADVISING THE STATE ON HOW BEST TO ALLOCATE**
30 **RESOURCES AND INCREASE EFFICIENCY; AND**

1 **5. A. EXPLORING THE ROLE OF AND POTENTIAL FOR**
2 **THE FEDERAL COMMUNITY ELIGIBILITY PROVISION TO ENSURE ALL STUDENTS IN**
3 **THE STATE ARE FED; AND**

4 **B. MAKING RECOMMENDATIONS TO THE MARYLAND**
5 **STATE DEPARTMENT OF EDUCATION AND THE MARYLAND GENERAL ASSEMBLY TO**
6 **IMPLEMENT RELEVANT FINDINGS UNDER ITEM A. OF THIS ITEM;**

7 **(II) TO DEVELOP, ON OR BEFORE NOVEMBER 1, 2021, EQUITY**
8 **AND SUSTAINABILITY POLICY RECOMMENDATIONS TO INCREASE THE LONG-TERM**
9 **RESILIENCY OF THE FOOD SYSTEM, INCLUDING:**

10 **1. ADDRESSING AND ELIMINATING RACIAL INEQUITIES**
11 **IN THE FOOD SYSTEM;**

12 **2. ADDRESSING AND ELIMINATING DIET-RELATED**
13 **PUBLIC HEALTH DISPARITIES;**

14 **3. ADDRESSING AND ELIMINATING FOOD DESERTS; AND**

15 **4. REDUCING FOOD WASTE, INCREASING RECYCLING,**
16 **AND ENCOURAGING OTHER RELEVANT ENVIRONMENTAL IMPACTS;**

17 **(III) TO EXPAND THE IMPACT OF EXISTING FOOD COUNCIL**
18 **ORGANIZATIONS BY:**

19 **1. PROVIDING COORDINATION AND FACILITATION OF**
20 **KNOWLEDGE EXCHANGE AT THE STATE LEVEL; AND**

21 **2. SUPPORTING IDENTIFICATION AND APPLICATION OF**
22 **GRANTS TO OPERATING FUNDS TO SUPPORT EXISTING AND NEW FOOD COUNCIL**
23 **ORGANIZATIONS AS NEEDED; AND**

24 **(IV) TO DEVELOP, ON OR BEFORE NOVEMBER 1, 2021, A**
25 **STRATEGIC PLAN TO INCREASE THE PRODUCTION AND PROCUREMENT OF**
26 **MARYLAND CERTIFIED FOOD, INCLUDING:**

27 **1. INCREASING THE QUALITY AND QUANTITY OF**
28 **PRODUCTION, AS WELL AS AGGREGATION, MARKETING, AND DISTRIBUTION OF**
29 **LOCAL FOOD IN URBAN, SUBURBAN, AND RURAL SETTINGS;**

30 **2. INCREASING PROCUREMENT OF LOCAL FOOD**
31 **THROUGH SCHOOLS, UNIVERSITIES, AND OTHER INSTITUTIONS;**

1 **3. CREATING ADDITIONAL MARKET OPPORTUNITIES**
2 **FOR MARYLAND FOOD BUSINESSES; AND**

3 **4. EXPANDING ACCESS TO SMALL SCALE**
4 **MANUFACTURING AND FOOD PRODUCTION INFRASTRUCTURE.**

5 **(B) TO ADVANCE THE GOALS OF THE COUNCIL, THE COUNCIL SHALL**
6 **ENGAGE AND COLLABORATE WITH INTERESTED STAKEHOLDERS, INCLUDING:**

7 **(1) RESIDENTS OF THE STATE WITH LIVED EXPERIENCE OF FOOD**
8 **INSECURITY; AND**

9 **(2) FOOD COUNCIL ORGANIZATIONS AND SIMILAR LOCAL LEVEL**
10 **FOOD SYSTEM CONVENING ORGANIZATIONS.**

11 **(C) (1) ON OR BEFORE NOVEMBER 1, 2021, THE COUNCIL SHALL SUBMIT**
12 **AN INTERIM REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257**
13 **OF THE STATE GOVERNMENT ARTICLE, ON KEY FINDINGS AND ACTIVITIES**
14 **UNDERTAKEN BY THE COUNCIL.**

15 **(2) ON OR BEFORE NOVEMBER 1, 2022, THE COUNCIL SHALL SUBMIT**
16 **A REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE**
17 **STATE GOVERNMENT ARTICLE, ON THE COUNCIL'S RECOMMENDATIONS FOR A**
18 **LONG TERM STRUCTURE FOR A STATEWIDE FOOD POLICY COUNCIL INCLUDING**
19 **PROVIDING RECOMMENDATIONS ON:**

20 **(I) APPROPRIATE POLICY AND LEGISLATIVE CHANGES;**

21 **(II) POTENTIAL WAYS TO RESTRUCTURE THE COUNCIL SUCH AS:**

22 **1. PLACING THE COUNCIL WITHIN A DIFFERENT**
23 **AGENCY OR ORGANIZATION; AND**

24 **2. ENACTING A SUNSET PROVISION FOR THE COUNCIL;**
25 **AND**

26 **(III) ANY OTHER RECOMMENDATIONS OF THE COUNCIL.**

27 **(3) ON OR BEFORE NOVEMBER 1, 2023, AND EACH YEAR**
28 **THEREAFTER, THE COUNCIL SHALL SUBMIT A REPORT TO THE GENERAL**
29 **ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE,**
30 **ON KEY FINDINGS AND ACTIVITIES UNDERTAKEN BY THE COUNCIL.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
2 measure, is necessary for the immediate preservation of the public health or safety, has
3 been passed by a yea and nay vote supported by three-fifths of all the members elected to
4 each of the two Houses of the General Assembly, and shall take effect from the date it is
5 enacted.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.