

HOUSE BILL 305

P2, M4

9lr1096
CF 9lr1705

By: **Delegates Charkoudian, Adams, Arian, Barron, Boyce, Bromwell, Charles, Crosby, Cullison, Ebersole, Feldmark, Fraser-Hidalgo, Hill, Johnson, Kelly, Kerr, Kipke, Krebs, Lafferty, Lehman, R. Lewis, Lisanti, Mautz, Moon, Qi, Sample-Hughes, Smith, Terrasa, and C. Watson**

Introduced and read first time: January 28, 2019

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **State Procurement – Maryland Food for Maryland Institutions Task Force**

3 FOR the purpose of establishing the Maryland Food for Maryland Institutions Task Force;
4 providing for the composition, chair, and staffing of the Task Force; prohibiting a
5 member of the Task Force from receiving certain compensation, but authorizing the
6 reimbursement of certain expenses; requiring the Task Force to study and make
7 recommendations regarding certain matters; requiring the Task Force to report its
8 findings and recommendations to the Governor and certain committees of the
9 General Assembly on or before a certain date; defining a certain term; providing for
10 the termination of this Act; and generally relating to the Maryland Food for
11 Maryland Institutions Task Force.

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 That:

14 (a) In this section, “locally grown food” means food grown in the State.

15 (b) There is a Maryland Food for Maryland Institutions Task Force.

16 (c) The Task Force consists of the following members:

17 (1) one member of the Senate of Maryland, appointed by the President of
18 the Senate;

19 (2) one member of the House of Delegates, appointed by the Speaker of the
20 House;

21 (3) the Secretary of General Services, or the Secretary’s designee;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (4) the Executive Secretary of the Board of Public Works, or the Executive
2 Secretary's designee;

3 (5) the Secretary of Agriculture, or the Secretary's designee;

4 (6) the Secretary of Juvenile Services, or the Secretary's designee;

5 (7) the Secretary of Education, or the Secretary's designee;

6 (8) the Secretary of Health, or the Secretary's designee;

7 (9) the Secretary of Public Safety and Correctional Services, or the
8 Secretary's designee;

9 (10) the following members, jointly appointed by the President of the Senate
10 and the Speaker of the House:

11 (i) three farmers, representing small, medium, and large farms in
12 Maryland;

13 (ii) one representative of a food service operator; and

14 (iii) one representative of a private institution that has made
15 progress on purchasing local food; and

16 (11) the following members, appointed by the Governor:

17 (i) one representative of the Maryland Association of Counties;

18 (ii) one representative of the Maryland Farm Bureau;

19 (iii) one representative of Future Harvest CASA;

20 (iv) one representative of the Maryland Vegetable Growers
21 Association;

22 (v) one representative of the Maryland Agricultural and
23 Resource-Based Industry Development Corporation;

24 (vi) one representative of the Maryland Young Farmers Coalition;

25 (vii) one representative of the Southern Maryland Agricultural
26 Development Commission;

27 (viii) one representative of the Maryland Food Center Authority;

1 (ix) one representative of Fair Farms;

2 (x) one representative of MidAtlantic Farm Credit;

3 (xi) one representative of an aggregator or a distributor currently
4 working with Maryland farmers;

5 (xii) one representative of the Maryland Higher Education
6 Commission;

7 (xiii) two representatives of the University of Maryland College of
8 Agriculture and Natural Resources, including one representative of the University of
9 Maryland Extension; and

10 (xiv) two representatives of University of Maryland Student
11 Government Associations, one from the College Park campus and one from the Eastern
12 Shore campus, who work on food-related issues.

13 (d) The President of the Senate and the Speaker of the House shall jointly
14 designate the chair of the Task Force.

15 (e) The Department of General Services shall provide staff for the Task Force.

16 (f) A member of the Task Force:

17 (1) may not receive compensation as a member of the Task Force; but

18 (2) is entitled to reimbursement for expenses under the Standard State
19 Travel Regulations, as provided in the State budget.

20 (g) The Task Force shall:

21 (1) study Maryland's procurement statutes and regulations to identify
22 changes necessary to increase the procurement of locally grown food under State contracts;

23 (2) identify opportunities for local governments to participate in State
24 contracts for food;

25 (3) explore the role of unbundling State contracts to create greater
26 opportunities for Maryland farmers to bid;

27 (4) review procurement processes used by public and private institutions
28 in the State that have successfully increased their procurement of locally grown food;

29 (5) identify and make recommendations regarding achievable benchmarks
30 for increasing the percentage of State food-budget dollars spent on locally grown food by
31 2021, 2023, 2025, and 2027, with subtargets within different agricultural sectors;

1 (6) identify federal and private funding sources for developing the
2 infrastructure necessary to achieve benchmarks for increasing the percentage of State
3 food–budget dollars spent on locally grown food;

4 (7) assess current and potential Maryland agricultural production, in
5 terms of crop opportunities and volume;

6 (8) assess the value and logistics of including reciprocal preferences for
7 farms located in the region, but outside Maryland, in benchmarks for purchasing locally
8 grown food; and

9 (9) make recommendations regarding:

10 (i) the development of a system for tracking and reporting the
11 percentage of State food–budget dollars spent on locally grown food to ensure that
12 benchmarks are being met;

13 (ii) technical assistance that may be needed from the Department of
14 Agriculture, the University of Maryland Extension, or other institutions in order to support
15 local farmers in meeting food safety and other requirements to engage in State institutional
16 procurement opportunities;

17 (iii) technical assistance that may be needed by procurement officers
18 and other purchasers in order to meet benchmarks for purchasing locally grown food;

19 (iv) possible changes to the 5% price preference for locally grown food
20 established under § 14–407 of the State Finance and Procurement Article;

21 (v) the structure of contracts for the protection of farmers and State
22 institutions in the case of crop failure or unexpected surplus;

23 (vi) creating opportunities for small and medium–size farms as well
24 as large farms seeking to diversify their current crops in order to compete for State
25 contracts;

26 (vii) creating opportunities in State procurement processes for new
27 farmers, women farmers, minority farmers, and veteran farmers;

28 (viii) supporting farmers involved in State procurement to engage in
29 the Maryland Healthy Soils Program and other environmental programs;

30 (ix) other opportunities within State purchasing to increase the
31 market for Maryland farmers, including special events and office purchases; and

32 (x) opportunities for increasing transparency in the supply chain
33 from farm to institution.

1 (h) On or before January 1, 2020, the Task Force shall report its findings and
2 recommendations to the Governor and, in accordance with § 2-1246 of the State
3 Government Article, the Senate Education, Health, and Environmental Affairs Committee
4 and the House Health and Government Operations Committee.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
6 1, 2019. It shall remain effective for a period of 1 year and, at the end of May 31, 2020, this
7 Act, with no further action required by the General Assembly, shall be abrogated and of no
8 further force and effect.