

HOUSE BILL 350

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1998 Regular Session
(8r0820)

ENROLLED BILL
-- Appropriations/Budget and Taxation --

Introduced by **Delegates Rosenberg, B. Hughes, and Hecht**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Department of Human Resources - Maryland Emergency Food Program**

3 FOR the purpose of establishing, subject to the limitations in the State budget, the
4 Maryland Emergency Food Program in the State Department of Human
5 Resources to provide grants to certain emergency food providers for a certain
6 purpose; establishing a procedure for applying for grants and for allocating
7 Program funds; requiring certain reports; and generally relating to establishing
8 the Maryland Emergency Food Program.

9 BY adding to
10 Article 88A - Department of Human Resources
11 Section 130F through 130K, inclusive, to be under the new subtitle "Maryland
12 Emergency Food Program"
13 Annotated Code of Maryland
14 (1995 Replacement Volume and 1997 Supplement)

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

3 **Article 88A - Department of Human Resources**

4 MARYLAND EMERGENCY FOOD PROGRAM

5 130F.

6 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
7 INDICATED.

8 (B) "ADMINISTERING AGENCY" MEANS ~~A LOCAL LEAD AGENCY THAT WILL~~
9 ~~ADMINISTER THE PROGRAM IN A COUNTY~~ AN AGENCY APPROVED BY THE
10 DEPARTMENT, IN ACCORDANCE WITH § 130H OF THIS SUBTITLE, TO ADMINISTER
11 THE PROGRAM AT THE COUNTY LEVEL.

12 (C) "DEPARTMENT" MEANS THE DEPARTMENT OF HUMAN RESOURCES.

13 (D) "EMERGENCY FOOD PROVIDER" MEANS A NONPROFIT OR LOCAL
14 GOVERNMENT-RUN ORGANIZATION, INCLUDING A SOUP KITCHEN OR FOOD PANTRY,
15 WHICH PROVIDES FOOD TO NEEDY INDIVIDUALS AT NO CHARGE.

16 (E) "PROGRAM" MEANS THE MARYLAND EMERGENCY FOOD PROGRAM.

17 130G.

18 (A) (1) ~~SUBJECT TO THE LIMITATIONS IN THE STATE BUDGET, THERE IS A~~
19 ~~MARYLAND EMERGENCY FOOD PROGRAM IN THE DEPARTMENT OF HUMAN~~
20 ~~RESOURCES.~~

21 (2) THE COMMUNITY SERVICES ADMINISTRATION IN THE DEPARTMENT
22 SHALL MANAGE THE PROGRAM.

23 ~~(B) THE PURPOSE OF THE PROGRAM IS TO PROVIDE FUNDING TO ASSIST~~
24 ~~EMERGENCY FOOD PROVIDERS IN PURCHASING FOOD FOR NEEDY INDIVIDUALS.~~

25 (B) THE PURPOSE OF THE PROGRAM IS TO:

26 (1) PROVIDE FUNDING TO ASSIST EMERGENCY FOOD PROVIDERS IN
27 PURCHASING FOOD FOR NEEDY INDIVIDUALS; ~~AND~~

28 (2) ENCOURAGE NEEDY INDIVIDUALS TO BECOME SELF-SUFFICIENT;
29 AND

30 (3) DISTRIBUTE INFORMATION ON MARYLAND'S EARNED INCOME TAX
31 CREDIT.

32 (C) (1) NO MORE THAN ~~8%~~ 5% OF THE PROGRAM'S BUDGET MAY BE USED TO
33 COVER PROGRAM ADMINISTRATIVE COSTS.

1 (2) ALL REMAINING FUNDING SHALL BE ALLOCATED FOR FOOD
2 PURCHASE ONLY.

3 (3) NO PROGRAM FUNDS MAY BE USED FOR EQUIPMENT OR FOR ANY
4 OTHER CAPITAL EXPENDITURES.

5 130H.

6 (A) THE DEPARTMENT SHALL ~~DESIGNATE AN~~ ADOPT REGULATIONS TO
7 SELECT AND APPROVE A SINGLE ADMINISTERING AGENCY TO ADMINISTER THE
8 PROGRAM IN EACH COUNTY.

9 (B) THE REGULATIONS ADOPTED BY THE DEPARTMENT UNDER SUBSECTION
10 (A) OF THIS SECTION SHALL INCLUDE:

11 (1) STANDARDS AND CRITERIA TO ENSURE THAT THE SELECTED
12 ADMINISTERING AGENCY HAS ADEQUATE INTERNAL CONTROLS OVER CASH
13 RECEIPTS, MATERIALS, SUPPLIES, AND INVENTORIES; AND

14 (2) A DEFINITION OF "UNITS OF SERVICE" WHICH SHALL BE USED TO
15 TRACK PROGRAM UTILIZATION.

16 130-I.

17 (A) THE DEPARTMENT SHALL:

18 (1) ADOPT A FORMULA AND QUALIFICATIONS FOR ALLOCATING
19 PROGRAM FUNDS TO THE ~~COUNTIES;~~ AND COUNTIES BASED ON COUNTY-WIDE
20 STATISTICS FOR:

21 (I) THE NUMBER OF FAMILIES LIVING IN POVERTY;

22 (II) THE UNEMPLOYMENT RATE; AND

23 (III) THE NUMBER OF FAMILIES RECEIVING FOOD STAMPS;

24 (2) SUBMIT ANNUALLY TO THE GOVERNOR'S ADVISORY COUNCIL ON
25 NUTRITION A REPORT DETAILING ~~THE STATUS OF THE PROGRAM;~~

26 (I) THE TOTAL FUNDS APPROPRIATED TO THE PROGRAM FOR THE
27 CURRENT AND PRIOR FISCAL YEARS, INCLUDING THE AMOUNT ALLOCATED FOR
28 ADMINISTRATIVE COSTS, THE AMOUNT ALLOCATED TO EACH ADMINISTERING
29 AGENCY, AND THE AMOUNT ALLOCATED TO EMERGENCY FOOD PROVIDERS IN EACH
30 COUNTY; AND

31 (II) THE UNITS OF SERVICE PROVIDED IN EACH COUNTY; AND

32 (3) NOTIFY EACH LOCAL JURISDICTION THROUGH THE ADMINISTERING
33 AGENCY OF THE AVAILABILITY OF PROGRAM FUNDS BASED ON PARAGRAPH (1) OF
34 THIS SUBSECTION.

1 (B) EACH ADMINISTERING AGENCY SHALL:

2 (1) APPLY TO THE DEPARTMENT'S COMMUNITY SERVICES
3 ADMINISTRATION FOR A PROGRAM GRANT; AND

4 (2) INCLUDE IN THE APPLICATION A PROCEDURE THAT THE
5 ADMINISTERING AGENCY WILL USE ~~IN ALLOCATING THE PROGRAM GRANT LOCALLY~~
6 TO:

7 (I) NOTIFY EMERGENCY FOOD PROVIDERS OF THE AVAILABILITY
8 OF PROGRAM GRANTS;

9 (II) APPROVE EMERGENCY FOOD PROVIDERS AS RECIPIENTS OF
10 PROGRAM GRANTS; AND

11 (III) ALLOCATE PROGRAM GRANTS AMONG APPROVED EMERGENCY
12 FOOD PROVIDERS.

13 (C) THE DEPARTMENT'S COMMUNITY SERVICES ADMINISTRATION SHALL
14 APPROVE THE ~~ALLOCATION PROCEDURE~~ APPLICATION BEFORE AN ADMINISTERING
15 AGENCY MAY RECEIVE A PROGRAM GRANT.

16 130J.

17 (A) EACH ADMINISTERING AGENCY SHALL:

18 (1) ASSUME RESPONSIBILITY FOR PROVIDING EMERGENCY FOOD
19 PROVIDERS WITH INFORMATION ON THE PROGRAM, INCLUDING PROGRAM
20 GUIDELINES AND FUND AVAILABILITY;

21 (2) ACCEPT AND PROCESS REQUESTS FOR FUNDING ASSISTANCE FROM
22 THE EMERGENCY FOOD PROVIDERS; AND

23 (3) ALLOCATE THE FUNDING TO THE EMERGENCY FOOD PROVIDERS
24 ~~THAT REQUESTED ASSISTANCE~~ BASED ON THE PROCEDURES APPROVED IN THE
25 APPLICATION DESCRIBED IN § 130-I OF THIS SUBTITLE.

26 (B) AFTER AN EMERGENCY FOOD PROVIDER RECEIVES A PROGRAM GRANT,
27 THE PROVIDER SHALL:

28 (1) USE THE GRANT TO PURCHASE FOOD TO BE DISTRIBUTED TO NEEDY
29 INDIVIDUALS; ~~AND~~

30 (2) AS A CONDITION OF DISTRIBUTING FOOD, PROVIDE TO NEEDY
31 INDIVIDUALS INFORMATION, DEVELOPED IN COLLABORATION WITH THE
32 DEPARTMENT OF HUMAN RESOURCES, THAT ENCOURAGES SELF-SUFFICIENCY
33 CONSISTENT WITH THE GOALS OF THE FAMILY INVESTMENT PROGRAM;

34 (3) DISTRIBUTE INFORMATION ON MARYLAND'S EARNED INCOME TAX
35 CREDIT; AND

1 (2) (3) (4) SUBMIT A REPORT TO THE DEPARTMENT AND THE
2 ADMINISTERING AGENCY DETAILING HOW THE GRANT WAS USED AND THE UNITS OF
3 SERVICE PROVIDED.

130K.

4 WHEN FEASIBLE AND COST EFFECTIVE, FOOD PURCHASED UNDER THE
5 PROGRAM SHALL BE PRODUCED, GROWN, AND HARVESTED IN THE STATE.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 July 1, 1998.