

HOUSE BILL 1158

M4, J1

9lr3072
CF SB 816

By: **Delegates V. Clagett, Ali, Bobo, Cardin, Frush, Hucker, Love, Morhaim, Niemann, and Stein**

Introduced and read first time: February 13, 2009

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Food and Hunger Policy Council – Department of Agriculture**

3 FOR the purpose of creating the Maryland Food and Hunger Policy Council in the
4 Department of Agriculture; providing for the composition and staffing of the
5 Council; providing that a member of the Council may not receive compensation
6 but may be reimbursed for certain expenses; specifying the terms of the initial
7 members of the Council; authorizing the Council to establish certain
8 subcommittees and elect certain officers; authorizing the Council to appoint
9 certain nonvoting affiliate members; specifying the duties of the Council;
10 requiring the Council to adopt certain action plans; requiring the Commission to
11 report to the Governor, the Secretary of Agriculture, and the General Assembly
12 on or before certain dates; defining certain terms; specifying the terms of the
13 initial members of the Council; and generally relating to the Maryland Food and
14 Hunger Policy Council.

15 BY adding to

16 Article – Agriculture

17 Section 10–1701 through 10–1703 to be under the new subtitle “Subtitle 17.
18 Maryland Food and Hunger Policy Council”

19 Annotated Code of Maryland

20 (2007 Replacement Volume and 2008 Supplement)

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

23 **Article – Agriculture**

24 **SUBTITLE 17. MARYLAND FOOD AND HUNGER POLICY COUNCIL.**

25 **10–1701.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 (B) “COUNCIL” MEANS THE MARYLAND FOOD AND HUNGER POLICY
4 COUNCIL.

5 (C) “SUSTAINABLE AGRICULTURE” MEANS AN INTEGRATED SYSTEM OF
6 PLANT AND ANIMAL PRODUCTION PRACTICES HAVING A SITE-SPECIFIC
7 APPLICATION THAT OVER THE LONG TERM WILL:

8 (1) SATISFY HUMAN FOOD AND FIBER NEEDS;

9 (2) ENHANCE ENVIRONMENTAL QUALITY AND THE NATURAL
10 RESOURCE BASE ON WHICH THE AGRICULTURAL ECONOMY DEPENDS;

11 (3) MAKE THE MOST EFFICIENT USE OF NONRENEWABLE
12 RESOURCES AND ON-FARM RESOURCES AND INTEGRATE, WHERE
13 APPROPRIATE, NATURAL BIOLOGICAL CYCLES AND CONTROLS;

14 (4) SUSTAIN THE ECONOMIC VIABILITY OF FARM OPERATIONS;
15 AND

16 (5) ENHANCE THE QUALITY OF LIFE FOR FARMERS AND SOCIETY
17 AS A WHOLE.

18 **10-1702.**

19 (A) THERE IS A MARYLAND FOOD AND HUNGER POLICY COUNCIL.

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

21 (1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY
22 THE PRESIDENT OF THE SENATE;

23 (2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY
24 THE SPEAKER OF THE HOUSE;

25 (3) THE SECRETARY OF AGRICULTURE, OR THE SECRETARY’S
26 DESIGNEE;

27 (4) THE SECRETARY OF HEALTH AND MENTAL HYGIENE, OR THE
28 SECRETARY’S DESIGNEE;

1 **(5) THE DIRECTOR OF THE MARYLAND WOMEN, INFANTS, AND**
2 **CHILDREN PROGRAM, OR THE DIRECTOR’S DESIGNEE;**

3 **(6) THE SECRETARY OF HUMAN RESOURCES, OR THE**
4 **SECRETARY’S DESIGNEE;**

5 **(7) THE STATE SUPERINTENDENT OF SCHOOLS, OR THE**
6 **SUPERINTENDENT’S DESIGNEE; AND**

7 **(8) THE FOLLOWING NINE MEMBERS, APPOINTED BY THE**
8 **GOVERNOR:**

9 **(I) ONE REPRESENTATIVE OF THE MARYLAND FARM**
10 **BUREAU;**

11 **(II) ONE REPRESENTATIVE OF AN AGRICULTURAL**
12 **NONPROFIT ORGANIZATION FOCUSED ON THE DEVELOPMENT OF SUSTAINABLE**
13 **AGRICULTURE;**

14 **(III) ONE REPRESENTATIVE OF THE EXPANDED FOOD AND**
15 **NUTRITION EDUCATION PROGRAM;**

16 **(IV) ONE REPRESENTATIVE OF A NONPROFIT**
17 **ORGANIZATION FOCUSED ON HEALTHY CHILDREN AND SCHOOL-BASED**
18 **NUTRITION;**

19 **(V) ONE REPRESENTATIVE OF ANTIHUNGER**
20 **ORGANIZATIONS IN THE STATE;**

21 **(VI) ONE FARMER IN THE STATE PRACTICING AT LEAST ONE**
22 **OF THE FOLLOWING FARMING PRACTICES:**

23 **1. “ORGANIC FARMING”;**

24 **2. “PASTURE-RAISED LIVESTOCK”; OR**

25 **3. “SUSTAINABLE AGRICULTURE”;**

26 **(VII) ONE REPRESENTATIVE OF A FARMER’S MARKET IN THE**
27 **STATE; AND**

28 **(VIII) TWO RESIDENTS OF THE STATE.**

1 **(C) (1) THE TERM OF A MEMBER OF THE COUNCIL APPOINTED BY**
2 **THE GOVERNOR IS 3 YEARS.**

3 **(2) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY**
4 **THE TERMS PROVIDED FOR MEMBERS OF THE COUNCIL ON JULY 1, 2009.**

5 **(3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE**
6 **UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.**

7 **(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN**
8 **SHALL SERVE FOR THE REST OF THE TERM OR UNTIL A SUCCESSOR IS**
9 **APPOINTED AND QUALIFIES.**

10 **(D) THE GOVERNOR SHALL APPOINT A SUCCESSOR IN THE EVENT OF A**
11 **VACANCY ON THE COUNCIL.**

12 **(E) A MEMBER OF THE COUNCIL:**

13 **(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE**
14 **COUNCIL; BUT**

15 **(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE**
16 **STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE**
17 **BUDGET.**

18 **(F) A MAJORITY OF THE MEMBERS THEN SERVING ON THE COUNCIL IS**
19 **A QUORUM.**

20 **(G) THE COUNCIL MAY ELECT FROM AMONG ITS MEMBERS A CHAIR,**
21 **VICE CHAIR, SECRETARY, AND OTHER OFFICERS THE COUNCIL DEEMS**
22 **APPROPRIATE.**

23 **(H) (1) THE COUNCIL MAY ESTABLISH SUBCOMMITTEES TO PROVIDE**
24 **TECHNICAL ASSISTANCE TO THE COUNCIL.**

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

27 **(I) THE COUNCIL MAY APPOINT NONVOTING AFFILIATE MEMBERS TO**
28 **PROVIDE TECHNICAL ASSISTANCE TO THE COUNCIL, WITH MEMBERSHIP AS THE**
29 **COUNCIL DETERMINES, INCLUDING A REPRESENTATIVE OF:**

30 **(1) MARYLAND FOOD PROCESSORS;**

- 1 (2) **MARYLAND FOOD RETAILERS;**
- 2 (3) **NONFOOD MANUFACTURERS; AND**
- 3 (4) **THE MARYLAND RESTAURANT ASSOCIATION.**

4 **(J) THE COUNCIL SHALL MEET QUARTERLY.**

5 **(K) THE GOVERNOR’S INTERGOVERNMENTAL COMMISSION ON**
6 **AGRICULTURE SHALL PROVIDE APPROPRIATE STAFF FOR THE COUNCIL.**

7 **10-1703.**

8 **(A) IN CONSULTATION WITH APPROPRIATE STATE AGENCIES AND**
9 **OTHER INTERESTED ORGANIZATIONS, THE COUNCIL SHALL:**

10 **(1) DEVELOP STRATEGIES, INCLUDING LEGISLATIVE AND**
11 **REGULATORY INITIATIVES, TO:**

12 **(I) ELIMINATE HUNGER IN THE STATE FOR MARYLAND’S**
13 **CHILDREN;**

14 **(II) CULTIVATE A FARM-FRIENDLY STATE FOR LOCAL FOOD**
15 **PRODUCTION, MARKETING TO RESIDENTS OF THE STATE, AND DISTRIBUTION**
16 **TO GOVERNMENT INSTITUTIONS;**

17 **(III) INCREASE ACCESS TO NUTRITIOUS, AFFORDABLE FOOD,**
18 **INCLUDING MARYLAND-GROWN FOODS, FOR RESIDENTS OF THE STATE, WITH A**
19 **FOCUS ON CHILDREN, LOW-INCOME FAMILIES, AT-RISK SENIORS, AND**
20 **INNER-CITY RESIDENTS;**

21 **(IV) IMPROVE NUTRITION AT STATE INSTITUTIONS,**
22 **INCLUDING STATE EDUCATIONAL FACILITIES AND CORRECTIONAL FACILITIES;**

23 **(V) MAXIMIZE COORDINATION OF EXISTING FEDERAL,**
24 **STATE, AND LOCAL RESOURCES AND CAPTURE ADDITIONAL FEDERAL**
25 **RESOURCES FOR THE STATE; AND**

26 **(VI) ENHANCE CONNECTIONS AMONG STATE GROWERS AND**
27 **STATE FOOD OUTLETS; AND**

28 **(2) PROMOTE INSTITUTIONAL PURCHASE AND CONSUMPTION OF**
29 **MARYLAND-GROWN FOOD PRODUCTS, INCLUDING FOOD PRODUCTS FOR**

1 HOSPITALS, CORRECTIONAL INSTITUTIONS, AND HIGHER EDUCATION
2 FACILITIES;

3 (3) RECOMMEND PROGRAMS OR PILOT PROGRAMS THAT WOULD
4 INCREASE ACCESS TO MARYLAND-GROWN FOODS FOR RESIDENTS OF THE
5 STATE;

6 (4) IDENTIFY MECHANISMS BY WHICH THE STATE MAY EXPAND
7 MARKETS FOR MARYLAND AGRICULTURAL PRODUCTS, INCLUDING
8 "ORGANICALLY PRODUCED" AND "PASTURE-RAISED"; AND

9 (5) RECOMMEND POLICIES AND ACTIVITIES THAT WOULD
10 INCREASE SPENDING OF FOOD DOLLARS IN THE STATE ON MARYLAND-GROWN
11 FOOD PRODUCTS.

12 (B) ON OR BEFORE JANUARY 1 OF EACH YEAR, THE MARYLAND FOOD
13 AND HUNGER POLICY COUNCIL SHALL REPORT TO THE GOVERNOR, THE
14 SECRETARY OF AGRICULTURE, AND THE GENERAL ASSEMBLY, IN ACCORDANCE
15 WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE
16 IMPLEMENTATION, INCLUDING LEGISLATIVE AND REGULATORY INITIATIVES, OF
17 THIS ACT.

18 (C) ON OR BEFORE DECEMBER 1, 2009, THE COUNCIL SHALL ADOPT A
19 12-MONTH AND 24-MONTH STRATEGIC PLAN FOR ACHIEVING THE DUTIES OF
20 THE COUNCIL.

21 (D) ON OR BEFORE JULY 1, 2011, THE COUNCIL SHALL ADOPT A
22 36-MONTH STRATEGIC PLAN FOR ACHIEVING THE DUTIES OF THE COUNCIL AND
23 ADOPT A NEW STRATEGIC PLAN EVERY 36 MONTHS THEREAFTER.

24 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial
25 appointed members of the Maryland Food and Hunger Policy Council shall expire as
26 follows:

27 (1) three members in 2010;

28 (2) three members in 2011; and

29 (3) three members in 2012.

30 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 July 1, 2009.