

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 32

(Delegate Charkoudian)

Environment and Transportation

Education, Energy, and the Environment

Maryland Food System Resiliency Council

This bill establishes that the existing Maryland Food System Resiliency Council is in the Office of Resilience within the Maryland Department of Emergency Management (MDEM). MDEM must provide staff for the council. The bill (1) repeals the requirement that the elected cochair of the council be one of the five food council organization representatives on the council and (2) adds one representative of the seafood industry as a member of the council. The bill also makes technical changes reflecting the recent establishment of MDEM as a principal department of the Executive Branch.

Fiscal Summary

State Effect: As the bill does not create additional duties for the council and MDEM already provides staff for the council, the bill alone does not require additional expenditures, as discussed below. Revenues are not affected.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law:

Maryland Food System Resiliency Council

Established under Chapters 724 and 725 of 2021, the council must meet regularly for a period of at least two years to address food insecurity in the State. The cochairs of the

council are the Director of the Maryland Emergency Management Agency (MEMA), (the predecessor of MDEM), or the director's designee, and one elected cochair who must be one of the five food council organization representatives on the council. MEMA and the University of Maryland College of Agriculture and Natural Resources must provide staff for the council, as deemed necessary by the cochairs.

Among other entities, the council consists of representatives from several State agencies, one member of the Senate of Maryland, one member of the House of Delegates, and members appointed by the Director of MEMA (including a representative of a public school system, specified food council organizations, specified experts, and one farmer, among others). The director must (1) ensure that all five geographic areas of the State are represented by the appointed members of the council and (2) appoint a successor in the event of a vacancy.

The council must pursue specified goals, including addressing the food insecurity crisis in the State resulting from the COVID-19 pandemic and resulting economic crisis; developing, by November 1, 2021, specified equity and sustainability policy recommendations to increase the long-term resiliency of the food system; expanding the impact of existing food council organizations by providing coordination and facilitation of knowledge exchange at the State level and supporting identification and application of grants to operating funds to support existing and new food council organizations; and developing, by November 1, 2021, a strategic plan to increase the production and procurement of Maryland certified food. The council must also submit interim reports to the General Assembly, as specified. Among other requirements, the council was required to submit a report to the General Assembly by November 1, 2022, on the council's recommendations for a long-term structure for a statewide food policy council, including providing recommendations on (1) appropriate policy and legislative changes; (2) potential ways to restructure the council, as specified; and (3) any other recommendations of the council. This bill reflects one of the recommendations in the council's [November 2022 report](#).

Maryland Department of Emergency Management and the Office of Resilience

Chapters 287 and 288 of 2021 established MDEM as a principal department of the Executive Branch of State government and as the successor to MEMA. MDEM is responsible for coordinating the State response in any major emergency or disaster. This includes supporting local governments as needed or requested and coordinating assistance with the Federal Emergency Management Agency and other federal partners. MDEM manages many of the federal grants that fund a broad range of initiatives leading to enhanced protection from and responses to the full range of natural and man-made disasters that could threaten the State's citizens.

Chapter 482 of 2022 established the Office of Resilience within MDEM. Led by the Chief Resiliency Officer (CRO), the office must (1) coordinate and administer federal prevention, protection, mitigation, and recovery-focused programs; (2) administer State mitigation grants and loans; (3) identify flood risk assessment tools for use by programs and projects statewide; (4) administer other programs as directed by the Secretary of Emergency Management and CRO; (5) prioritize vulnerable communities and ensure that investments are made with a focus on environmental justice; and (6) conduct outreach and provide technical assistance to local jurisdictions to support the development of local resiliency plans.

State Expenditures: According to MDEM, continued staffing for the council under the bill requires one full-time food resilience specialist and \$100,000 annually for contractual services, at a total cost of approximately \$167,800 in fiscal 2024 (which reflects the bill's October 1, 2023 effective date), increasing to \$232,600 by fiscal 2028. The Department of Legislative Services (DLS) disagrees. While the bill formally houses the council within MDEM's Office of Resilience, MDEM already staffs the council, and the bill does not alter the duties of the council. Thus, the bill alone does not require additional MDEM expenditures. However, as discussed below, current funding for the council and the Office of Resilience may affect MDEM's ability to meet the full scope of the council's responsibilities and goals. While DLS acknowledges that both the council and the office may well be underfunded, any funding required for the council has already been accounted for in the fiscal and policy notes for Chapters 724 and 725 and is not a result of this bill.

Chapters 724 and 725 established the council and, among other things, required MEMA (now MDEM) and the University of Maryland College of Agriculture and Natural Resources to provide staff for the council as deemed necessary by the council's cochairs. The fiscal and policy notes for that legislation estimated the need to hire one program manager within MEMA (now MDEM) to staff the council, assist the council in working toward its stated goals, collaborate with stakeholders, and submit the required reports.

MDEM advises that it is currently the sole staffing agency for the council. MDEM currently staffs the council with one full-time contractual food resilience specialist, who is funded through a federal grant set to expire in September 2023; one part-time administrative assistant with shared responsibilities within the department; and \$100,000 in contractual services to provide research, training, and other administrative support for the council. However, MDEM advises that there is no funding for the council in the fiscal 2024 budget as introduced.

Further, while the bill houses the council within the Office of Resilience, MDEM advises that it has not yet hired any staff for the office. The fiscal 2024 budget as introduced, however, includes two positions for the office (one CRO and one contractual administrator). For context, the fiscal and policy note for Chapter 482 of 2022, which

established the office, estimated the need for five full-time staff and three half-time staff (one CRO, one half-time administrative assistant, one half-time fiscal services officer, four program administrators, and one half-time human resource officer) within MDEM to establish and maintain the office and to comply with the office's duties and responsibilities under that legislation (which did not include staffing the council).

As the University of Maryland College of Agriculture and Natural Resources does not provide staff for the council, the bill does not affect the expenditures of the University System of Maryland.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 124 (Senator Hester, *et al.*) - Education, Energy, and the Environment.

Information Source(s): Maryland Department of Emergency Management; University System of Maryland; Department of Legislative Services

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