

Department of Legislative Services
 Maryland General Assembly
 2023 Session

FISCAL AND POLICY NOTE
 First Reader

House Bill 1083 (Delegate Jacobs, *et al.*)
 Environment and Transportation

Food System Resiliency Council – Invasive Species Coalition

This bill establishes an Invasive Species Coalition within the Maryland Food System Resiliency Council to make recommendations on the most appropriate actions to reduce the spread of and eradicate invasive species in the State. The coalition, in consultation with the council, must include the coalition’s findings and a specified comprehensive management and control plan in the council’s annual report submitted to the General Assembly. The bill also increases – from two to five years – the minimum amount of time that the council must meet regularly to address food insecurity in the State. **The bill takes effect July 1, 2023.**

Fiscal Summary

State Effect: General fund expenditures increase by up to \$2.2 million in FY 2024. Future years reflect reduced ongoing costs, as discussed below. Revenues are not affected.

(in dollars)	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	2,150,800	140,700	146,500	152,400	159,700
Net Effect	(\$2,150,800)	(\$140,700)	(\$146,500)	(\$152,400)	(\$159,700)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The coalition must include at least six members of the council with expertise in invasive species, including blue catfish and snakeheads. The coalition must:

- monitor and track the containment levels of invasive species in the State;
- research (1) detection and control measures and (2) eradication methods;
- study and analyze the financial impact invasive species have on the seafood industry in the State;
- research blue catfish harvesting, including (1) harvesting methods and technology; (2) the number and productivity of the aggregation centers in the State; (3) processing and the yield of blue catfish; (4) packaging, distribution, and potential markets; and (5) the price per pound for blue catfish in the State compared to other states;
- develop a comprehensive management and control plan to reduce the spread of invasive species in the State; and
- hold at least one public meeting per year for public comment and public education on the issue of combatting invasive species in the State.

Current Law:

Maryland Food System Resiliency Council

Chapters 724 and 725 of 2021 established the Maryland Food System Resiliency Council to work toward the following goals:

- to address the food insecurity crisis in the State resulting from the COVID-19 pandemic and resulting economic crisis through several specified actions;
- to develop, by November 1, 2021, equity and sustainability policy recommendations to increase the long-term resiliency of the food system;
- to expand the impact of existing food council organizations through specified actions; and
- to develop, by November 1, 2021, a strategic plan to increase the production and procurement of Maryland certified food.

The council must meet regularly for a period of at least two years to address food insecurity in the State.

The council was required to submit an interim report to the General Assembly by November 1, 2021, and a report on the council's recommendations for a long-term structure for a statewide food policy council by November 1, 2022. By November 1, 2023, and each

year thereafter, the council must submit a report to the General Assembly on key findings and activities of the council.

Statute requires the Maryland Department of Emergency Management (MDEM) and the University of Maryland College of Agriculture and Natural Resources to provide staff for the council as deemed necessary by the cochairs.

Fishery Management Plans

The Department of Natural Resources (DNR) is required by statute to prepare fishery management plans for various listed species, including catfish, and has specified authority to prepare plans for additional species. The plans contain a systematic description of a given fishery and the objectives and conservation and management measures for the fishery. Various requirements apply to both the plans and the conservation and management measures in the plans. Once a fishery management plan has been adopted by regulation, the fishery must be harvested in accordance with the conservation and management measures in the plan and any regulations implementing or amending that plan.

The invasive blue and flathead catfish are covered, along with native and non-native, non-invasive catfish species, under DNR’s Fishery Management Plan for Tidewater Catfish (2021), incorporated by reference in DNR regulations.

State Expenditures: General fund expenditures increase by up to \$2.2 million in fiscal 2024, which accounts for the bill’s July 1, 2023 effective date. This estimate reflects the costs of (1) contractual services to assist the coalition in meeting the bill’s requirements (because MDEM has no expertise in the subject matter) and (2) hiring a program manager to manage administrative support for the coalition and coordinate the research and other efforts required under the bill. The estimate includes salaries, fringe benefits, contractual services, one-time start-up costs, and ongoing operating expenses.

Position	1.0
Salary and Fringe Benefits	\$128,089
Contractual Services	2,015,000
Other Operating Expenses	<u>7,674</u>
Total FY 2024 State Expenditures	\$2,150,763

While this analysis reflects the costs for contractual services in fiscal 2024, they may be incurred over the course of more than one fiscal year. Also, this analysis assumes that the coalition accomplishes the work required under the bill independent of other State or federal agencies or universities (since coordination is not mentioned in the bill) – in particular, DNR, which is responsible for fisheries management, and the Maryland Department of Agriculture (MDA), which is responsible for seafood marketing. If,

however, the coalition works with DNR and MDA to meet the bill's requirements, costs are expected to be much less.

Future year expenditures reflect a salary with annual increases and employee turnover, ongoing contractual services for holding public meetings (\$15,000 annually), as well as annual increases in ongoing operating expenses.

This analysis assumes that, other than the minimal ongoing costs for contractual services to hold public meetings (\$15,000 annually), the remainder of the costs for contractual services identified above (\$2.0 million) are one-time costs; however, MDEM indicates that because the bill does not indicate that the coalition's duties conclude at some point in the future, the \$2.0 million is an annual cost that would be incurred on an ongoing basis. The Department of Legislative Services advises that while the coalition is ongoing, it is not clear that the same level of contractual services will be needed after the initial monitoring and research has been completed and the comprehensive management and control plan has been developed, in part because the coalition is not given the authority to implement the plan. Because the level of ongoing effort is unclear, and because any ongoing effort may be able to be accomplished in conjunction with State and federal agencies and universities at a limited cost to the coalition, this analysis only accounts for the ongoing costs of the program manager and contractual services for public hearings. To the extent additional contractual services are needed in the out-years, costs are higher.

The bill's change that increases – from two to five years – the minimum amount of time that the council must meet regularly to address food insecurity in the State is not expected to affect State finances.

Additional Information

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

Designated Cross File: None.

Information Source(s): Maryland Department of Emergency Management; Department of Natural Resources; Department of Legislative Services

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js/lgc

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