

HOUSE BILL 441

M4, J1

11r0533

By: **Delegates Niemann, Beidle, Cane, Glenn, and Lafferty**

Introduced and read first time: February 4, 2011

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

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

3 FOR the purpose of creating the Maryland Food and Nutrition 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; authorizing the Council to
7 establish certain subcommittees; requiring the Governor to appoint the chair
8 and vice chair of the Council; authorizing the Council to appoint certain
9 nonvoting affiliate members; specifying the duties of the Council; requiring the
10 Council to adopt certain action plans; requiring the Council to report to the
11 Governor, the Secretary of Agriculture, and the General Assembly on or before
12 certain dates; defining certain terms; providing for the termination of this Act;
13 and generally relating to the Maryland Food and Nutrition Policy Council.

14 BY adding to

15 Article – Agriculture

16 Section 10–1801 through 10–1803 to be under the new subtitle “Subtitle 18.
17 Maryland Food and Nutrition Policy Council”

18 Annotated Code of Maryland

19 (2007 Replacement Volume and 2010 Supplement)

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

22 **Article – Agriculture**

23 **SUBTITLE 18. MARYLAND FOOD AND NUTRITION POLICY COUNCIL.**

24 **10–1801.**

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 NUTRITION POLICY
4 COUNCIL.

5 (C) “SUSTAINABLE AGRICULTURE” MEANS AN INTEGRATED SYSTEM OF
6 PLANT, ANIMAL, AND AQUACULTURE PRODUCTION PRACTICES THAT OVER THE
7 LONG TERM WILL:

8 (1) SATISFY HUMAN FOOD AND NUTRITIONAL NEEDS;

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

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

15 (4) SUSTAIN THE ECONOMIC VIABILITY OF AGRICULTURAL
16 OPERATIONS; AND

17 (5) ENHANCE THE HEALTH AND QUALITY OF LIFE FOR THE
18 RESIDENTS OF RURAL AND URBAN AREAS AND SOCIETY AS A WHOLE.

19 10-1802.

20 (A) THERE IS A MARYLAND FOOD AND NUTRITION POLICY COUNCIL.

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

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

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

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

28 (4) THE SECRETARY OF HEALTH AND MENTAL HYGIENE, OR THE
29 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 MEMBERS, APPOINTED BY THE GOVERNOR:**

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

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

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

16 **(IV) ONE REPRESENTATIVE OF AN ORGANIZATION WORKING**
17 **ON ISSUES OF FOOD, NUTRITION, AND HUNGER IN RURAL COMMUNITIES;**

18 **(V) ONE REPRESENTATIVE WITH A BACKGROUND IN FOOD**
19 **PRODUCTION AND PUBLIC HEALTH POLICY;**

20 **(VI) ONE FARMER IN THE STATE PRACTICING SUSTAINABLE**
21 **AGRICULTURE;**

22 **(VII) ONE INDIVIDUAL WORKING ON FOOD POLICY IN AN**
23 **URBAN AREA;**

24 **(VIII) ONE INDIVIDUAL REPRESENTING AN ENTITY THAT**
25 **DISTRIBUTES FARM AND FOOD PRODUCTS IN THE STATE;**

26 **(IX) ONE INDIVIDUAL REPRESENTING A FOOD PROCESSOR**
27 **OPERATING IN THE STATE; AND**

28 **(X) TWO RESIDENTS OF THE STATE WITH A BACKGROUND**
29 **IN FOOD, NUTRITION, AND AGRICULTURAL POLICY.**

1 **(C) THE GOVERNOR SHALL APPOINT A SUCCESSOR IN THE EVENT OF A**
2 **VACANCY ON THE COUNCIL.**

3 **(D) A MEMBER OF THE COUNCIL:**

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

6 **(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE**
7 **STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE**
8 **BUDGET.**

9 **(E) A MAJORITY OF THE MEMBERS THEN SERVING ON THE COUNCIL IS**
10 **A QUORUM.**

11 **(F) THE GOVERNOR SHALL APPOINT A CHAIR AND VICE CHAIR OF THE**
12 **COUNCIL.**

13 **(G) (1) THE COUNCIL MAY ESTABLISH SUBCOMMITTEES TO PROVIDE**
14 **TECHNICAL ASSISTANCE TO THE COUNCIL.**

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

17 **(H) THE COUNCIL MAY APPOINT NONVOTING AFFILIATE MEMBERS TO**
18 **PROVIDE TECHNICAL ASSISTANCE TO THE COUNCIL, WITH MEMBERSHIP AS THE**
19 **COUNCIL DETERMINES, INCLUDING A REPRESENTATIVE OF:**

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

21 **(2) MARYLAND FOOD RETAILERS;**

22 **(3) NONFOOD MANUFACTURERS; AND**

23 **(4) THE MARYLAND RESTAURANT ASSOCIATION.**

24 **(I) THE COUNCIL SHALL MEET QUARTERLY.**

25 **(J) THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF**
26 **HEALTH AND MENTAL HYGIENE SHALL PROVIDE STAFF FOR THE COUNCIL.**

27 **10-1803.**

1 (A) IN CONSULTATION WITH APPROPRIATE STATE AGENCIES AND
2 OTHER INTERESTED ORGANIZATIONS, THE COUNCIL SHALL:

3 (1) DEVELOP STRATEGIES, INCLUDING LEGISLATIVE AND
4 REGULATORY INITIATIVES, TO:

5 (I) REDUCE HUNGER IN THE STATE FOR MARYLAND'S
6 CHILDREN;

7 (II) CULTIVATE A FARM-FRIENDLY ENVIRONMENT FOR
8 LOCAL FOOD PRODUCTION, THE MARKETING OF LOCAL FOOD AND
9 AGRICULTURAL PRODUCTS TO RESIDENTS OF THE STATE THROUGH DIRECT
10 AND INDIRECT CHANNELS, AND INCREASED USE OF LOCAL PRODUCTS BY
11 GOVERNMENTAL AND NONGOVERNMENTAL INSTITUTIONS;

12 (III) INCREASE ACCESS TO NUTRITIOUS, AFFORDABLE FOOD,
13 INCLUDING MARYLAND-GROWN FOODS, FOR RESIDENTS OF THE STATE, WITH A
14 FOCUS ON CHILDREN, LOW-INCOME FAMILIES, AT-RISK SENIORS, INNER-CITY
15 RESIDENTS, AND THOSE LIVING IN RURAL AREAS WITH LIMITED ACCESS;

16 (IV) IMPROVE COORDINATION BETWEEN STATE AND LOCAL
17 GOVERNMENT AGENCIES AND OTHER PUBLIC AND PRIVATE SECTOR
18 ORGANIZATIONS WORKING ON FOOD AND NUTRITION ISSUES;

19 (V) MAXIMIZE COORDINATION OF EXISTING FEDERAL,
20 STATE, AND LOCAL RESOURCES AND CAPTURE ADDITIONAL FEDERAL
21 RESOURCES FOR THE STATE; AND

22 (VI) ENHANCE CONNECTIONS AMONG STATE GROWERS AND
23 STATE FOOD OUTLETS; AND

24 (2) PROMOTE INSTITUTIONAL PURCHASE AND CONSUMPTION OF
25 MARYLAND-GROWN FOOD PRODUCTS, INCLUDING FOOD PRODUCTS FOR
26 HOSPITALS, CORRECTIONAL INSTITUTIONS, AND HIGHER EDUCATION
27 FACILITIES;

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

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

1 **(5) RECOMMEND POLICIES AND ACTIVITIES THAT WOULD**
2 **INCREASE SPENDING OF FOOD DOLLARS IN THE STATE ON MARYLAND-GROWN**
3 **FOOD PRODUCTS.**

4 **(B) ON OR BEFORE JANUARY 1 OF EACH YEAR, THE MARYLAND FOOD**
5 **AND NUTRITION POLICY COUNCIL SHALL REPORT TO THE GOVERNOR, THE**
6 **SECRETARY OF AGRICULTURE, AND THE GENERAL ASSEMBLY, IN ACCORDANCE**
7 **WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE**
8 **IMPLEMENTATION, INCLUDING LEGISLATIVE AND REGULATORY INITIATIVES, OF**
9 **THIS ACT.**

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 July 1, 2011. It shall remain effective for a period of 3 years and, at the end of June
12 30, 2014, with no further action required by the General Assembly, this Act shall be
13 abrogated and of no further force and effect.