

SUBJECT: Replenishment of food banks and food pantries following a disaster

COMMITTEE: Defense and Veterans' Affairs — favorable, without amendment

VOTE: 7 ayes — Corte, Vaught, Edwards, Farias, Ortiz, Pickett, C. Turner

0 nays

2 absent — Chavez, Maldonado

WITNESSES: None

BACKGROUND: Government Code, sec. 418.042 requires the Governor's Division of Emergency Management (GDEM) to prepare and keep current a comprehensive state emergency management plan, including provisions for disaster mitigation and response, the identification of particularly vulnerable areas, and the coordination of federal, state, and local emergency management activities.

DIGEST: HB 1326 would require the GDEM to include provisions for quick replenishment of food supplies at food banks and food pantries following a disaster.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2009.

SUPPORTERS SAY: HB 1326 would address a problem seen after the last hurricane season, when Hurricane Ike devastated the state's food supply, already diminished after Hurricane Dolly. While the Federal Emergency Management Agency (FEMA) helped the state replenish its food supply this past year, it was the first such time FEMA contributed to a state's food banks, and it is unknown whether the practice will continue. Requiring the GDEM to provide for replenishment of the state's food supply after a disaster would allow food banks and food pantries to get immediate assistance and provide for greater coordination of efforts. The GDEM would not be expected to continue replenishment effort if FEMA began assistance.

OPPONENTS
SAY:

HB 1326 would require state involvement without providing a reliable source of funding. Most of the food in food banks is donated by producers and processors, grocery stores, or other private groups. Requiring the GDEM to provide for replenishment of these food supplies could cost the state additional disaster funds not likely be reimbursed under current FEMA guidelines.

The bill does not specify how long the GDEM would be required to replenish food banks. While hurricanes and other disasters typically last for a period of only days, disaster recovery can take an extended period of time. Legislation requiring the GDEM to replenish the state's food supply should include a timeline or cutoff point at which the division would be considered to have fulfilled its obligation.