

# The Maryland Farm Bureau Hotline

*Legislative proposals that impact Maryland's farm community*



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Great News to round out the third week of 2012 Maryland General Assembly session! A bi-partisan coalition of Senators, led by Senate President Mike Miller announced support for the Family Farm Preservation Act – estate tax reform for farms - in a press conference Thursday morning. Legislation will be formally introduced Friday to raise the estate tax exemption for farms to \$5 million and reduce the tax on the value over that to 5%. This is one of Farm Bureau's Priority Issues and we believe one of the best ways to preserve farmland in Maryland. We look forward to working with the Senate President and members in the both chambers to pass estate tax reform this session.

## ***DATES TO REMEMBER...***

### **Tuesday, February 14<sup>th</sup> - Maryland Farm Bureau Day in Annapolis**

8:30am Briefing for farmers at the Calvert House

12 noon lunch at the Calvert House, 58 State Circle, Annapolis

2:00pm Meeting of the MFB Board of Directors, Calvert House

Farm Bureau Members must register for the event in advance - including Board members

*All members of the Maryland General Assembly have been invited to attend.*

Hearings and briefings before Committees in the General Assembly can be monitored on-line through the Maryland General Assembly website. The House hearings can be viewed live and the Senate hearings can be listened to live. To access a committee hearing, log onto the MGA website at <http://mlis.state.md.us> and click (Listen/View) under the Hearings bullet.

Bill hearings and briefings for the week of January 30<sup>th</sup> include:

**Monday, January 30, 2012**

No agriculture related hearings or briefings.

**Tuesday, January 31, 2012**

### **HB 33 - Environment - Watershed Implementation Plans - Implementation Deadlines**

Delegate Clagett / House: *Environmental Matters, 150 HOB at 1pm*

This bill prohibits the State from submitting a draft document to the U.S. EPA for approval as a Watershed Implementation Plan (WIP), or submit a modification to a WIP, that contains a plan designed to achieve the preliminary nutrient reduction target before 2017 or the final nutrient reduction target

before 2025. This is an emergency bill, and if passed by 2/3 of the House and Senate, will take effect immediately. **MARYLAND FARM BUREAU SUPPORTS HB 33.**

**HB 80/ SB 102 - Criminal Law - Shelter and Weather Protection Requirement - Bison Exemption**

Delegate Eckardt / House: *Judiciary, 100 HOB, Tuesday 1/31/12 at 1pm*

Senator Colburn / Senate: *Judicial Proceedings, 2 East Miller SOB, Thursday 2/1/12 at 1:00pm*

This bill provides that the prohibition against unnecessarily failing to provide an animal with shelter or protection from the weather does not apply to a person who has charge or custody of bison, as owner or otherwise. Bison meat is a lean red meat and is in demand in the region. Bison ranchers understand that bison are not considered to be domesticated animals and therefore retain their wild instincts, including an aversion to being “contained” in structures, which naturally causes their adrenalin and aggressiveness to rise to unacceptable levels. Bison ranchers are committed to the welfare of their animals and believe full protection can be achieved under the terms of this legislation.

**MFB POSITION PENDING DISCUSSION BY THE BILL REVIEW COMMITTEE ON 1/30/12.**

**SB 105 - Dorchester County - Turkey Hunting on Private Property - Sundays**

Senator Colburn / Senate: *Education Health and Environmental Affairs, 2 West Miller at 1:30pm*

This bill would allow a person to hunt turkey on private property in Dorchester County on any Sunday during the spring turkey season. **MARYLAND FARM BUREAU & DORCHESTER COUNTY**

**FARM BUREAU SUPPORT SB 105.**

**HB 23 - Dedicated State Funds Protection Act**

Delegate McMillan / House: *Appropriations, 120 HOB at 2pm*

This is a constitutional amendment to provide that dedicated state funds may be used only for the specific purpose that are set forth in the law. The only exception is for a declared State of Emergency by the Governor and the funds diverted must be used for defense or relief if the state is invaded by land, sea, or air or a major catastrophe occurs. A proposal to divert funds must be presented for approval of 3/5 of the MD General Assembly members and must include a plan to repay the funds to the dedicated account within 5 years. Some of the existing dedicated funds are: Program Open Space (including MALPF funding) and the Transportation Trust Fund. If passed, this bill requires approval by voters in the November 2012 election. **MARYLAND FARM BUREAU SUPPORTS HB 23.**

<b>Wednesday, February 1, 2012</b>
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**SB 116 - Vehicle Laws - Weight and Load Requirements - Vehicles Carrying Perishable Products**

by request of MDOT / Senate: *Judicial Proceedings, 2 East Miller at 2pm.*

This bill would alter the current law enforcement response to overweight vehicles carrying perishable loads. Under this bill, an overweight vehicle carrying a perishable load shall be allowed to proceed to its destination without offloading its cargo if it is the first perishable load overweight violation by the motor carrier following a period of least 365 consecutive days without such a violation and the overweight does not exceed 5,000 lbs. Current law refers to the driver of the overweight vehicle and not the motor carrier (hauling company). **POSITION PENDING DISCUSSION BY THE BILL REVIEW COMMITTEE.**

**SB 65 - Dedicated Funds - Prohibition of Transfer - Chesapeake and Atlantic Coastal Bays 2010 Trust Fund and Bay Restoration Fund**

Senator Astle / Senate: *Budget and Taxation, 3 East Miller at 3pm*

This bill proposes an amendment to the Maryland Constitution prohibiting the transfer to the General Fund of funds dedicated to the Bay Restoration Fund or the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund. If passed by the MGA, the question will appear on voter ballots in November 2012.

**POSITION: MARYLAND FARM BUREAU SUPPORTS SB 65.**

**Thursday, February 2, 2012**

**HB 32 - Department of Planning - State Development Plan - Approval by the General Assembly**

Delegate Clagett / House: *Environmental Matters, 150 HOB at 1pm*

This bill would require the authorized state development plan, otherwise known as PlanMaryland, to be approved by the General Assembly prior to implementation of its policies. It is an emergency bill that requires 3/5 majority of both chambers to become effective on the date it is enacted. Currently, the Governor's approval is all that is required for adoption of the state development plan and he did so in December 2011. **MARYLAND FARM BUREAU SUPPORTS HB 32.**

**HB 35 - Private Property Rights - Regulatory Infringement - Compensation**

Delegate Smigiel / House: *Environmental Matters, 150 HOB at 1pm*

This bill gives a private property owner a cause of action against the State if the application of a regulation adopted on or after October 1, 2012 by the Department of the Environment, the Department of Natural Resources or the Department of Planning restricts, limits, or otherwise infringes on a right to the private property that would exist absent the application. Exceptions include those regulations that are required to meet Federal Law and those necessary to protect public safety. In an action under the law proposed in this bill, a property owner may recover a sum equal to the diminution in the fair market value of the portion of the private property affected; and court costs, reasonable attorney's fees and reasonable expenses. All awards must be paid out of the agency's budget and may not be paid from general funds. Regulations issued under Plan Maryland and possibly under a septic/growth restriction may be eligible under this bill. **MARYLAND FARM BUREAU SUPPORTS HB 35.**

**HB 36 - Department of Planning - State Development Plan - Approval or Modification by the General Assembly**

Delegate Smigiel / House: *Environmental Matters, 150 HOB at 1pm*

Very similar to HB 32, this bill would also require that the state development plan, PlanMaryland, not be finalized until approved by an act of the General Assembly. It also explicitly states that the General Assembly may modify the plan as submitted by the Secretary of the Department of Planning. This bill is not an emergency bill. **MARYLAND FARM BUREAU SUPPORTS HB 36.**

**SB 102 - Criminal Law - Shelter and Weather Protection Requirement - Bison Exemption**

Senator Colburn / Senate: *Judicial Proceedings, 2 East Miller*

See explanation under **HB 80** being heard Tuesday, January 31<sup>st</sup>.

**Friday, February 3, 2012**

**Senate Budget & Taxation Subcommittee on Public Safety, Transportation, and Environment**

*Schweinhaut Room, Miller Senate Building at 1pm*

Maryland Department of Agriculture Budget Briefing

### **Farm Bureau: EPA Proposal Threatens Food Security**

An Environmental Protection Agency proposal to expand the amount of data collected at large animal farms not only exceeds the agency's authority under the Clean Water Act, it creates "intense security, safety and privacy concerns" for farmers and ranchers, according to the American Farm Bureau Federation.

According to the terms of a settlement agreement with environmentalists, EPA is proposing gathering detailed data from animal operations, including locations, the number and types of animals, contact information, the number of acres where manure could be applied and whether the operation has a Clean Water Act permit.

EPA's proposal offers two options: collect information from all animal operations or limit the reporting requirements to certain watersheds. In comments submitted recently to EPA, Farm Bureau and dozens of other agriculture organizations laid out four reasons they oppose the agency's plan.

First, many livestock and poultry farms do not discharge and therefore should not be required to report. Second, both options would make too much information about farmers' and ranchers' operations available to the public. "This greatly raises the risk that these farm and ranch families will experience malicious acts of violence and intimidation by activists," the groups said in their comments. Third, the national registry the proposal would establish creates unacceptable biosecurity risks that are inconsistent with federal policy to protect the nation's food supply from such threats. Fourth, the reporting requirements would put the animals' health in danger. When people go onto farms unauthorized, even without malicious intent, "and fail to follow their animal health protocols, the risk of disease and death for their animals increases exponentially," Farm Bureau and the other organizations explained.

The groups said a third approach considered by EPA—to use information already available—would be acceptable, as long as the agency did not compile the data into a central registry.

### [EPA's Proposed Reporting Rule](#)

### **Farm Bureau Urges Opposition to H.R. 3704**

AFBF is urging members of the House to oppose [H.R. 3704](#), the Downed Animal and Food Safety Protection Act. The proposed legislation would restrict the professional judgment of veterinarians and Agriculture Department personnel by banning the processing of all non-ambulatory animals regardless of species, reason or health, including those fatigued, tired or simply resting in a recumbent position.

In a letter to House members, AFBF President Bob Stallman wrote, "H.R. 3704 would compromise the professional judgment of veterinarians and USDA personnel who conduct pre- and post-mortem inspections, while also causing significant negative economic consequences for producers and processors. Experienced livestock professionals know that animals sometimes become tired or fatigued, especially after transport, and may take several minutes to rest and recover. Unfortunately, the overly broad language in this amendment defines these animals as non-ambulatory without any consideration of possible causes or circumstances, forcing them to be removed from a USDA-regulated facility and needlessly destroyed."

In related news, earlier this week the U.S. Supreme Court knocked down a California law mandating that all downed livestock be euthanized. That law is pre-empted by the Federal Meat Inspection Act, which

allows a federal meat inspector to decide whether a non-ambulatory animal is fit to be slaughtered for meat, the justices ruled.

## State Update

### **Mid-Atlantic Farmers Offer Free Groceries for a Year!**

#### **Enter Sweepstakes at [www.FarmersFeedUS.org](http://www.FarmersFeedUS.org)**

Salisbury, Md. (JAN. 25, 2012) Whoever said there's no such thing as a free lunch has never met a Mid-Atlantic farmer. In fact, they are offering the chance for residents of Delaware, Maryland, Pennsylvania and Washington, D.C. to win a free breakfast, lunch and dinner by way of free groceries for an entire year.

Residents of the three states and Washington, D.C., can now register for a chance at one of four grand prizes of Free Groceries for a Year!\* courtesy of a group of Mid-Atlantic farmers, at [www.FarmersFeedUS.org](http://www.FarmersFeedUS.org). Upon visiting the site, consumers register by meeting a Mid-Atlantic farmer through a short video that shows how they produce safe, nutritious and affordable food. Consumers can register with each of the 10 featured farmers daily through April 3, the end of the 90-day program.

The Farmers Feed US website features chicken, corn, dairy, egg, grain, hog, mushroom, soybean, vegetable and watermelon farmers from across the state, each sharing information about their farm and their family. In addition to guiding visitors through their registration for free groceries, each farmer also offers a brief online tour of their farm.

Featured farmers include:

- Chip Councill, grain and vegetable farmer, Cordova, Md.
- Mike Harrison, soybean farmer, Woodbine, Md.
- Jordan Calloway, watermelon farmer, Mardela Springs, Md.
- Carla Blackwell-McKinney, mushroom farmer, Toughkenamon, Pa.
- Brian Krieder, soybean farmer, Lebanon, Pa.
- Doreen Shearer, hog farmer, Mount Joy, Pa.
- Ted Esbenshade, egg farmer, Marietta, Pa.
- Jay Baxter, soybean farmer, Georgetown, Del.
- Jesse Vanderwende, chicken farmer, Bridgeville, Del.
- Burli Hopkins, dairy farmer, Lewes, Del.

As Mid-Atlantic farmers, were thrilled to offer free groceries for a year to the consumers of our states, said Chip Councill, a grain and vegetable farmer from Cordova, Maryland, who is a featured farmer on [FarmersFeedUS.org](http://FarmersFeedUS.org). This is an opportunity for us to share what we produce with consumers of the region and to let them know we share their values - taking care of our families, taking care of our animals and land and giving back to our communities.

Over the course of the 90-day campaign, consumers throughout the state will also see and hear from these farmers as they are featured in television advertising and on Facebook and Twitter. Additional sweepstakes prizes include Free Chicken for a Year! (\$520 value) from Perdue Farms and Free Ice Cream for a Year! (\$250 value) from Turkey Hill Dairy.

Supporting Mid-Atlantic agriculture groups include the Delaware Soybean Board, Maryland Soybean Board, Pennsylvania Soybean Board, Maryland Grain Producers Utilization Board, Pennsylvania Pork Board, Mid-Atlantic Dairy Association, Mid-Atlantic Farm Credit, Perdue Farms, Delaware Farm

Bureau, Delmarva Poultry Industry, Inc., Delaware Department of Agriculture, Maryland Department of Agriculture, and Turkey Hill Dairy.

\*Based on Food Marketing Institute figures, a \$5,000 value.

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The Center for Food Integrity is a not-for-profit corporation established to build consumer trust and confidence in the contemporary U.S. food system. Our members, who represent every segment of the food system, are committed to providing accurate information and addressing important issues among all food system stakeholders. The Center does not lobby or advocate for individual food companies or brands. For more information, visit [www.foodintegrity.org](http://www.foodintegrity.org).

## Local Farm Bureau Fundraiser for the Hudson Family

**Saturday, February 18th from 3 PM to 8 PM  
at the 4-H Park in Centreville**

**Hosted by: Queen Anne's, Caroline, Cecil, Kent, and Talbot County Farm Bureaus**

The Hudson Family of Berlin, MD is being sued by the Waterkeeper Alliance for violations to the EPA Clean Water Act. (Violations that have been investigated by the MDE. The Hudson's were fined, took corrective actions and eventually the fines were reversed. Basically, they made a mistake and they fixed it.) Nevertheless, the Waterkeepers have persisted with their lawsuit. The Hudson's must retain their own representation and due to extensive legal fees, they now face possible bankruptcy and the loss of their land. Check out their story here: [The Hudson's Story](#)

### So what can you do?

#### BE A SPONSOR!

- Friend: \$100 = 1 Ticket
- Patron of the Cause: \$250 = 2 Tickets
- Defender of the Family Farm: \$500 = 3 Tickets, Small ad in program
- Warrior for Justice: \$750 = 4 Tickets, Large Ad
- Champion of Agriculture: \$1000 = 5 Tickets, Large Ad

#### BUY A TICKET!

Tickets can be purchased separately for \$25 per adult and \$15 per child under 12. Dinner featuring local foods! Beer available.

#### DONATE AUCTION ITEMS!

You can also donate items for a silent and live auction to be held during the fundraiser.

#### PURCHASE A RAFFLE TICKET!

Tickets are \$20 each. Good for the entire month of February! Winners based on the Maryland Lottery Evening Pick 3.  
Cash Prizes: \$200/day and \$1000 on Feb. 18th.

#### DONATE DIRECTLY TO THE CAUSE!

Or you could just donate directly to the [Maryland Family Farmers Legal Defense Fund, Inc.](#)

#### FOR TICKETS OR INFO CALL:

Jenny Rhodes at 410-310-0103  
Wayne Stafford at 443-309-2341  
Hannah Cawley at 410-479-3238  
Amy Priest at 410-924-8253  
Jennifer Debnam at 410-708-4923

Queen Anne's/ Kent County Farm Bureau at 410-758-4076 or [vialbers@yahoo.com](mailto:vialbers@yahoo.com)