

The Maryland Farm Bureau Hotline

Legislative proposals that impact Maryland's farm community



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DATES TO REMEMBER...

Wednesday, January 27th - MD Association of Soil Conservation Districts Lunch

* Note new time due to the change of date for the State of the State Address *

12:00pm – 1:00pm – Lunch in 180 Lowe HOB

All members of the Maryland General Assembly are invited to attend.

Tuesday, February 9th - 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

Farm Bureau Members must register for the event in advance.

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

Welcome to the first *Hotline* of the 2010 Maryland General Assembly session. The *Hotline* will be sent to you each week during the session to make you aware of upcoming hearings for bills that will impact Maryland's agricultural community. In some cases we will ask Farm Bureau members to take action on proposed legislation to help further the Maryland Farm Bureau agenda. *Hotline* is distributed to more than 800 farmers across the state and to all 188 members of the Maryland General Assembly.

Valerie Connelly and Kurt Fuchs will staff Maryland Farm Bureau's Annapolis office. The office is located on the 2nd floor at 68 State Circle, on the corner of Maryland Avenue. Our telephone number is (410) 269-0656. The best time to reach us is during the morning hours. If we are out at a hearing or attending another meeting you may leave a message on the answering machine and we will return your call as soon as possible. You can also reach Valerie on her cell phone at (443) 690-2411 or by email at valeriec.mdfb@verizon.net. You may reach Kurt on his cell phone at (443)786-0855 or by email at kurtf.mdfb@verizon.net.

The information in the *Hotline* will be presented to you in a standard format that indicates the date of the hearing, bill number and title, sponsor, committee, room number and time of the hearing. Below that information will be a brief explanation of the bill and the position of Maryland Farm Bureau. Please keep in mind that the positions taken in each *Hotline* by the Maryland Farm Bureau are based on the information available on the bill at the time of publication. Our position may change if the bill is amended after publication. Beginning this year, Maryland Farm Bureau has asked our Legislative Affairs Committee to meet by conference call each Monday to review select bills and help interpret Farm Bureau policy. This process will be called the Bill Review Committee or BRC. In some cases, positions on bills may not be final until Monday afternoon after the call.

The *Hotline* will be posted on the MFB website each week. Our website address is www.mdfarmbureau.com. The Maryland General Assembly's website can also serve as a valuable tool for legislative information. The site offers the proceedings and agendas of the House and Senate, hearing schedules, bill information and status, and other data. You may also obtain contact information (phone & email) for your legislators at this site. The website is updated nightly, and may be accessed at www.mlis.state.md.us.

Bill hearings for the week of January 25th include:

Tuesday, January 26, 2010

SB 16 - **Legislative Districting - Resident Delegates by County** – Senator Colburn

Senate: *Education Health and Environmental Affairs, 2 West Miller SOB at 1:00pm*

This bill amends the Constitution of Maryland to provide that legislative districting shall, to the greatest extent practicable, result in a resident delegate from every county. A three-fifths vote of the members of the House and Senate is required to pass a constitutional amendment. If passed by the General Assembly, the issue would be put to the voters in the November 2010 General Election for adoption or rejection.

MARYLAND FARM BUREAU SUPPORTS SB 16.

HB 31 - **Maryland Constitution - Laws Making an Appropriation Made Subject to Petition**

Referendum – Delegate Smigiel - House: *Appropriations, 120 Lowe HOB at 1:00pm*

This is a Constitutional Amendment to make legislation that appropriates funds for maintaining the state government eligible for voter referendum. **FOR INFORMATION ONLY**

Wednesday, January 27, 2010

SB 59 - **Agricultural Land Transfer Tax - Distribution and Use of Revenue** – Chair of B&T by request of MDA - Senate: *Budget and Taxation, 3 West Miller SOB at 2:00pm*

This bill removes the dedication of \$4 million per year of MALPF funds to MARBIDCO to implement an installment purchase program (IPA) for ag easements. A provision in legislation that passed in 2008 to allow MARBIDCO to undertake “leveraged” IPAs on behalf of MALPF was determined to be unconstitutional by the State Attorney General’s office. The \$4 million will be used by MALPF for traditional easement purchases. **MARYLAND FARM BUREAU SUPPORTS SB 59.**

SB 62 - **Maryland Horse Industry Fund - Fees** – Chair of EHEA by request of MDA

Senate: *Education Health and Environmental Affairs, 2 West Miller SOB at 2:00pm*

This bill directs all revenue collected for the licensing and inspection of horse stables to the Maryland Horse Industry Fund rather than the General Fund. The bill also increases the fees for licensing a horse stable from \$50 to \$75 annually and inspecting horse stables from \$25 to \$50 annually. MDA reports that the stable inspection fee has not increased in over 29 years and the cost of licensing has not increased for 18 years. **MARYLAND FARM BUREAU SUPPORTS SB 29.**

SB 82 - **Maryland Commercial Feed Law - Definitions - Prohibition on Sale** – Chair of EHEA by request of MDA - Senate: *Education Health and Environmental Affairs, 2 West Miller SOB at 2:00pm*

This bill updates Maryland’s Commercial Feed Law to reflect changes to the definitions of “commercial feed” and “adulterated” as proposed in the model bill presented by the Association of Feed Control Officials. The model bill has been broadly endorsed by industry, other state departments of ag and the U.S. Food and Drug Administration. The bill also mandates that a person may not adulterate or misbrand

a commercial feed, distribute a commercial feed that is not registered with the Department (commercial feed does not include commodities that are not intermixed with other materials or adulterated), remove or dispose of commercial feed in violation of a “stop sale” order, or detach, alter, deface or destroy, wholly or partially, any label or labeling required by law or regulation. **FOR INFORMATION ONLY**

SB 90 - Secretary of Agriculture - Farm Quarantine – Chair of EHEA by request of MDA

Senate: *Education Health and Environmental Affairs, 2 West Miller SOB at 2:00pm*

This bill gives the Secretary of Agriculture the authority to quarantine farmland and agricultural products and stop-sale on-farm agricultural products that have been contaminated by a chemical or radiological material or agent after consulting with the Governor and the Secretaries of Health & Mental Hygiene and the Environment. The bill requires the Secretary to give reasonable notice of quarantine in a newspaper, through radio or TV, by circulating notices or posting signs, and by notifying each landowner or tenant affected. Maryland Farm Bureau supports an amendment that will be offered by MDA to also add poultry companies and other livestock integrators to the list of those notified of the quarantine.

MARYLAND FARM BUREAU SUPPORTS SB 90 WITH AMENDMENT.

SB 93 - Agriculture - Pest Control - Fees and Registration - Chair of EHEA by request of MDA

Senate: *Education Health and Environmental Affairs, 2 West Miller SOB at 2:00pm*

This bill allows the Maryland Department of Agriculture to charge pest control businesses a new fee of \$30 per year for each employee registered to apply pest control products. The bill also institutes a \$30 late fee if the application for the renewal of a license, certificate or registration for a pest control business is more than 10 days late. Finally, the bill establishes a \$10 fee to retake pesticide applicator certification exams. MDA estimates that approximately 1350 businesses will pay to register an average of 3 employees. The funds would be deposited into the Pesticide Fund at MDA and would be used to operate the program. Under current law, any excess money in the Pesticide Fund reverts to the General Fund at the end of the year. MDA does not anticipate any excess funds under the new fee structure.

FOR INFORMATION ONLY

SB 94 - Department of Agriculture - Weights and Measures - Registration Fees - Chair of EHEA by request of MDA - Senate: *Education Health and Environmental Affairs, 2 West Miller SOB at 2:00pm*

This bill would increase the current cap on registration fees for small scales from \$225 to \$300 annually and increase the cap on retail motor fuel meter fees from \$275 to \$350 annually. Fees on gas pumps have not been increased since 1992 when they were first implemented and the fee on small scales has not increased since 2005. In the meantime, operating expenses for these programs have exceeded special fund revenue and the Department contends this bill will help bring program revenues in line with program costs. **FOR INFORMATION ONLY**

SB 95 - Maryland Agricultural Land Preservation Foundation - Farmland Preservation Partnership Program - Chair of EHEA by request of MDA

Senate: *Education Health and Environmental Affairs, 2 West Miller*

This bill gives the MALPF Board explicit authority to acquire preservation easements on farmland in partnership with outside public and private entities. No state funds or additional staff would be used in the purchases of these easements. The legislation authorizes the use of different ranking criteria, valuation methods and easement provisions than what is used in the standard MALPF program. The bill also changes the due date for the MALPF annual report from November 1st to January 15th. MALPF anticipates making easement agreements with groups like Ducks Unlimited that have complementary goals such as carbon offsets, habitat protection or environmental management.

MARYLAND FARM BUREAU SUPPORTS SB 95.

Thursday, January 28, 2010

SB 3 - Environment - Wetlands and Waterways Program Fees - Aquaculture – Senator Klausmeier
Senate: *Education Health and Environmental Affairs, 2 West Miller SOB at 1:45pm*

This bill would exempt aquaculture activities permitted by DNR under the Wild Stock Protection section of the Natural Resources Article from application fees established for projects that impact wetlands and waterways. Current activities that are exempt include regulated activities conducted by various government agencies and agricultural and forestry best management practices when accompanied by a certified soil conservation and water quality plan and/or an erosion and sediment control plan. Non-exempt projects can incur fees from \$500 - \$7500 and up, based on size and scope.

MARYLAND FARM BUREAU SUPPORTS SB 3.

SB 8 - Environment - Bay Restoration Fund - Payments to Contractors – Senator Colburn
Senate: *Education Health and Environmental Affairs, 2 West Miller SOB at 1:45pm*

This bill changes the way the state makes payments from the Bay Restoration Fund to upgrade failing septic systems. Under the bill, payments would be made directly from the state to the contractor who installs the new system rather than to the homeowner. There have been numerous reports of homeowners failing to pay the contractor after receiving payment by the state. Many of the contractors providing septic services are based in rural communities. In 2009, the MGA passed legislation mandating upgrades to nitrogen removal septic systems in the Critical Area when replacing a failing system or building a new home. The critical areas is the first 1000 feet from the water's edge of the Chesapeake Bay and its tributaries. **MARYLAND FARM BUREAU SUPPORTS SB 8.**

SB 20 - Environment - Bay Restoration Fund - Authorized Uses – Senator Colburn
Senate: *Education Health and Environmental Affairs, 2 West Miller SOB at 1:45pm*

This bill allows the septic upgrade section of the Bay Restoration Fund to be used, alternatively, to connect a property using a septic system to an existing municipal wastewater facility that is achieving enhanced nutrient removal level treatment. **FOR INFORMATION ONLY**

National Legislative & Regulatory Update

Murkowski Plans Disapproval Resolution on EPA Plan

Sen. Lisa Murkowski (R-Alaska) will likely introduce a resolution of disapproval to block plans by the Environmental Protection Agency (EPA) to regulate greenhouse gas emissions, rather than offer the measure as a floor amendment to legislation to raise the federal debt limit. “At this point in time, my inclination is to proceed with the resolution of disapproval. I think that is a more clear path forward,” Murkowski said at a press conference Wednesday. Her resolution, if successful, would overturn EPA’s “endangerment finding” that greenhouse gases threaten human welfare. Senate Agriculture Committee Chairwoman Blanche Lincoln (D-Ark.) announced today that she has agreed to co-sponsor Murkowski’s resolution of disapproval. “I am very concerned about the burden that EPA regulation of carbon emissions could put on our economy and have questions about the actual benefit EPA regulations would have on the environment. Heavy-handed EPA regulation, as well as the current cap-and-trade bills in Congress, will cost us jobs and put us at an even greater competitive disadvantage to China, India and others,” Lincoln said.

In a letter to Murkowski that was sent to all senators on Wednesday, American Farm Bureau Federation President Bob Stallman said the EPA proposal is ill-timed because climate discussions held in Copenhagen last month did not produce a “meaningful international agreement that puts all nations on a level playing field with respect to carbon emissions.”