

SCHEDULE OF EVENTS

June

- 4 - Worcester County Farm Bureau Picnic and Miss Contest, Sturgis Park, 4 p.m.
- 12 - Anne Arundel County Farm Bureau Picnic and Miss Contest, Annapolis
- 12 - Montgomery County Farm Bureau Picnic and Miss Contest
- 14 - Maryland Farm Bureau Executive Committee Meeting, Randallstown
- 23-25 - Frederick County Farm Bureau Farm Safety Camp, 4-H Camp Center

July

- 7 - Maryland Farm Bureau Board of Directors Meeting, Randallstown
- 12 - Maryland Farm Bureau Women's Leadership Committee Meeting, Randallstown
- 13 - Queen Anne's County Farm Bureau Picnic and Miss Contest, Centreville
- 14 - Caroline County Farm Bureau Picnic and Miss Contest, Denton
- 15 - Frederick County Farm Bureau Miss Contest, Old Woodsboro Fire Hall, 8 p.m.
- 17 - Dorchester County Farm Bureau Picnic and Miss Contest, Cambridge
- 31 - Talbot County Farm Bureau Picnic and Miss Contest, Talbot Ag Center

August

- 4 - Kent County Farm Bureau Picnic and Miss Contest, Chestertown
- 9 - Miss Maryland Agriculture Orientation Day
- 9 - Caroline County Farm Bureau Policy Development Meeting, Denton
- 16 - Maryland Farm Bureau Executive Committee Meeting, Randallstown
- 25-26 - Miss Maryland Agriculture Contest, Maryland State Fairgrounds

September

- 8 - Caroline County Farm Bureau Annual Meeting, Denton
- 13 - Maryland Farm Bureau Board of Directors Meeting, Randallstown

(To get your county's activities listed on the calendar, please send the date, event, place and time to Susan Summers at ssummers@comcast.net.)

Maryland Farm Bureau
8930 Liberty Road
Randallstown, MD 21133-4295

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spotlight

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A PUBLICATION FOR VOTING MEMBERS OF MARYLAND FARM BUREAU

Let your voice be heard on *Plan*Maryland

By Kurt Fuchs
MFB Assistant Government Relations Director

Although Maryland law has authorized the creation of a statewide development plan for over 40 years, it has been only for the past several years that serious time, effort and state resources have been devoted to making it a reality.

This latest effort, spearheaded by the Maryland Department of Planning (MDP) at the direction of Gov. Martin O'Malley, has been dubbed PlanMaryland. An initial draft was recently published in conjunction with a 120-day public comment period and statewide open house tour. In his message at the beginning of the draft, MDP Secretary Richard Hall intends PlanMD to provide a framework, process and actions for furthering Smart Growth and for implementing 12 planning visions that were created by legislation passed during the 2009 General Assembly Session.

Due in part to the tremendous boom and bust of the housing market, there has been much debate in recent years about whether or not the state's revered Smart Growth laws have had a significant impact on the development patterns in Maryland. For many that believe Smart Growth has not measured up, they point to a lack of consequences and a need for more centralized control over growth. Enter PlanMaryland. Through this statewide plan MDP wants to: ensure a vast majority of residential and business development occurs in compact, sustainable communities; identify and protect critical agricultural, water, natural and living resources necessary for resource-based economies; and minimize sprawl development. Laudable goals to say the least, but for the average

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Maryland hosts national conference



Twenty-six women from the Maryland Farm Bureau assisted with and attended the American Farm Bureau Federation's National Conference in Baltimore in April. Members of the MFB Women's Leadership Committee gave out nearly 500 goody bags to registrants that they had previously filled with Maryland products, including spices, Cow Tales, crab mallets, soy crayons and more. Many of the women also assisted as guides during the final day of tours.

WORKERS' COMPENSATION INSURANCE - WELL WORTH THE INVESTMENT

By Valerie Connelly
MFB Government Relations Director

The Maryland Farm Bureau's Labor Advisory Committee meeting this spring featured an informative discussion on workers' compensation insurance. Committee members heard from farmers who had opted out of the insurance, believing they were exempt. What they ended up with was significant legal expense and the potential to lose the farm over unlimited liability.

Workers' compensation insurance pays an employee for an injury, disability or disease caused in the scope of employment. The insurance payment often covers medical expenses for the injury, lost wages and payments to dependents of the worker. The insurance premium is paid by the employer, who benefits from the liability limits of the policy.

Maryland law requires all businesses that employ workers to purchase workers' compensation insurance. Generally, any employer who hires at least one covered employee and each governmental

unit or quasi-public corporation with at least one covered employee must obtain the insurance. An individual, including a minor, is a covered employee while in the service of an employer under an express or implied contract of hire.

Farm employers with at least three full-time employees or an annual payroll of at least \$15,000 for full-time employees must obtain workers' compensation insurance for all covered employees. The employee/payroll threshold for farm employers is often viewed as an exemption.

Unfortunately, this perceived exemption has lulled many farmers into a false sense of security. Many choose not to purchase the insurance. When a worker is injured, he or she usually finds a lawyer willing to sue the farmer. If sued, even a generous farm liability umbrella policy will not cover the worker's injury costs if the state

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Let your voice be heard on *Plan*Maryland

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taxpayer, and particularly for the men and women that depend on the land to earn their living, how these goals are brought to fruition is the crux of the matter.

The plan seeks to pick up where Smart Growth left off in three ways. The first and most important aspect of PlanMD is the establishment of clearly defined Designated Places with classifications intended to focus on development and growth, conservation and a sustainable quality of life. At the onset, these priority overlay zones will be determined by MDP, but as jurisdictions incorporate PlanMD into their Comprehensive Plans, designations will become a more collaborative process. Second, state capital spending, noncapital plans, programs and procedures will all be realigned and focused through the lens of PlanMD. And lastly, the establishment of a PlanMD Consistency Process, headed by the Governor's Smart Growth Subcabinet, will require state agencies and local governments that are "contemplating actions that might contradict established goals and commitments" to bring them forward for review.

It seems like every time the agricultural community is able to absorb and consider one major industry-affecting government measure another crops up right behind. PlanMaryland will have a profound impact on how local communities are able to plan for residential and economic growth and conserve/preserve agricultural lands. The Department of Planning is holding open houses across the state this spring and early summer to provide the public an opportunity to view and discuss the plan. Links to view the open house schedule as well as to view the plan are listed at the end of the article. It is an extremely busy time of year for farmers to take time out of their field work and away from their families to attend these open houses, but it is critical that the ag community makes its voice heard on this issue. The 120-day public comment period will run until September 1, 2011 with comments able to be received via hard copy or electronically. Maryland Farm Bureau leadership and staff are currently reviewing the document and working on official comments.

LINKS:

PlanMaryland Website: <http://plan.maryland.gov/home.shtml>

Public Comment Information: <http://plan.maryland.gov/draftPlan/publicReview.shtml>

Executive Summary: http://plan.maryland.gov/PDF/draftPlan/PM_draft_execsummary.pdf

Full Draft Plan: http://plan.maryland.gov/PDF/draftPlan/pmddraft_April.pdf

Open House Schedule: <http://plan.maryland.gov/getInvolved/PublicForumsSchedule2011.shtml>

MDA announces cover crop sign-up dates

The Maryland Department of Agriculture (MDA) has announced that sign-up for the 2011-2012 Cover Crop Program will take place June 21 through July 15, at soil conservation district offices statewide. Farmers are asked to mark their calendars and check with their soil conservation districts in upcoming weeks for this year's program requirements and highlights.

New this year, farmers who plant traditional cover crops receive a base rate of \$45 per acre and up to \$55 per acre in add-on incentives for using highly valued planting practices. Traditional cover crops may not be harvested, but can be grazed or chopped for livestock forage for on-farm use after becoming well established.

Farmers who choose to harvest their cover crops receive \$25 per acre with a bonus payment of \$10 per acre if rye is used as the cover crop. Farmers may fill out one application to enroll in both program options. There are no enrollment caps and certain restrictions apply.

Additional program details will be mailed to farmers who participated in the program during the last three years. Planted after the summer harvest, cover crops are used to control erosion and reduce nutrient runoff during the fall and winter. They are a key feature of Maryland's Watershed Implementation Plan (WIP) to protect the Chesapeake Bay. Last fall, Maryland farmers planted 400,331 acres of cover crops on their fields - the largest cover crop planting in Maryland history.

The 2011-2012 Cover Crop Program is administered by the Maryland Agricultural Water Quality Cost-Share Program and funded by the Chesapeake Bay Restoration Fund and the Chesapeake Bay 2010 Trust Fund. Applicants must be in good standing with MACS to participate and must be in compliance with the Nutrient Management Program.

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MARYLAND FARM BUREAU SPOTLIGHT

Susan G. Summers, Editor
 12221 Fingerboard Road
 Monrovia, MD 21770
 (301) 865-1045 • Fax (301) 865-1057
 ssummers@comcast.net

Creative Director: Jennifer C. Hankey, Pres.
 HDI Corporation
 PO Box 3583 • Frederick, MD 21705
 301.668.3333 • 301.668.3334 fax
 jhankey@hdicorporation.net

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County Farm Bureau Membership Report

(As of May 13, 2011)

County Farm Bureau Membership Goals are based upon regular members, represented in the first column. The second column reports the total members paid, including both regular and associates.

County	YTD Regular Members Paid	YTD All Members Paid
Allegany	102	227
Anne Arundel	792	3882
Baltimore	250	5265
Calvert	251	844
Caroline	410	1752
Cecil	289	867
Charles	175	1103
Dorchester	226	694
Frederick	794	2269
Garrett	150	252
Harford	432	1840
Howard	181	1276
Kent	235	353
Montgomery	327	3992
Prince George's	192	3005
Queen Anne's	269	605
St. Mary's	300	815
Somerset	205	433
Talbot	239	682
Washington	231	825
Wicomico	361	853
Worcester	226	635
Maryland Totals	7,421	33,260



Southern Maryland meeting

The Maryland Farm Bureau Women's Leadership Committee District 3 and 4 Bi-District meeting was held at the Dr. Samuel Mudd House in Waldorf. The historical tour took the 15 attendees back to the time of the Lincoln assassination. A tour and lunch completed the event.



Shore Bi-District gathering

Over 40 members of the Maryland Farm Bureau Women's Leadership Committee attended the Eastern Shore Districts 5 and 6 meeting in May at the Burrsville Ruritan in Denton. Janice Davis organized the event that included a look at the profitability of alpacas led by Phil Liske, owner/operation of Outstanding Dreams Farm. Attendees then visited Hidden Acre Farm for lunch and a tour of the 50-acre Clydesdale horse farm in a horse-drawn carriage. Visits to the stables, gift shop and with the goats and miniature donkeys completed the tour. The event concluded with a presentation and samples from Shore Gourmet.

WORKERS' COMPENSATION INSURANCE - WELL WORTH THE INVESTMENT

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Worker's Compensation Commission rules that a farmer should have purchased the mandated workers' compensation insurance. And, there can be significant fines and attorney's fees associated with the entire process.

HERE ARE THREE TRUE CASES DISCUSSED BY THE COMMITTEE:

CASE # 1: A dairy farmer from western Maryland employed one worker to help milk cows in the morning and do odd jobs around the farm. Believing he was exempt from the workers' comp requirement because he did not meet the payroll threshold, the farmer did not purchase the insurance. One day, the worker was operating weed trimming equipment and a rock flew up and caused serious injury to his eye. Even though the farmer paid the medical bills for emergency care, he was still vulnerable in the suit filed by the worker's attorney. The attorney filed a claim with the state Workers' Compensation Commission. The commission reviewed the case and ruled that the breakfast the farmer's wife served the worker each morning was compensation. The value of that breakfast added to the salary paid to the worker put the annual payroll cost over \$15,000 and put the farmer in violation of the law.

CASE # 2: A farmer with a roadside market hired local teens during the summer. An injury occurred. The farmer thought his farm liability policy would cover any claim against the farm. He did not have a separate workers' compensation policy because he did not hire full-time workers. When the claim was filed and the Workers' Compensation Commission reviewed the case the farmer and his attorney struggled over the definition of "full time employee" for the purposes of interpreting the farm exemption. Were the teens full-time if only hired for several weeks? Could the farmer's wife be considered a full-time employee and thus trigger the requirement for workers' compensation insurance for all employees? After over a year of hearings, the Workers' Comp Commission ruled that his wife was not an employee because the business was a Limited Liability Corporation that they elected to run as a partnership. No checks were written to his wife for her work on the farm. While the farmer technically won his case, he still spent a fortune on legal experts – well beyond what the premium costs would have been for the workers' compensation insurance. And the injured worker could have expenses not covered by an insurance policy.

CASE # 3: A dairy farmer from central Maryland hired a worker to milk and help out around the farm. No workers' compensation insurance was purchased because of the exemption and because the dairy economy is such that all efforts were made to reduce the expenses of the business. The worker fell and sustained injuries that could lead to permanent disability. The worker's attorney filed a case against the farmer and the Workers' Compensation Commission began to review the case. The farmer was stressed out for months over the lawsuit that could potentially bankrupt the business. In the end, the workers' compensation board's investigation determined the employee was fraudulent in his claim. The injury actually occurred at his home, not at the farm. While the farmer escaped serious liability in this case, if the injury had actually occurred on the farm, the result would have been much different.

In all three of the cases discussed by the Labor Advisory Committee, the farmers involved said they wished they would have purchased the workers' compensation insurance, even though they believed they were exempt at the time. One farmer thought he was ineligible to buy the insurance since he was below the payroll/employee threshold. He learned that all employers are eligible and most are required.

Another member of the committee confirmed the value of workers' compensation insurance for farm owners as well as employees. Her brother was carrying out a normal farm activity last year - straightening a metal fence post. Unfortunately, something went wrong and he sustained a cerebral hematoma and died from his injury. While the outcome was tragic, the workers' compensation insurance helps to meet some of the financial needs for his family.

The MFB Labor Advisory Committee urges all farmers to invest in workers' compensation coverage, even those who are below the payroll/employee threshold. They suggest that farmers cover themselves and their spouse as well as all employees. Since Maryland Farm Bureau is a Nationwide Insurance sponsor, we urge you to contact your local Nationwide agent, who can either add the coverage to your farm policy or help you buy the product through the Maryland Injured Workers' Insurance Fund. For a list of Nationwide agents near you, call MFB at 1-800-248-9012 or visit our website at www.mdfarmbureau.com. For more information on workers' compensation insurance please visit www.wcc.state.md.us.



Maryland General Assembly session reviewed

The 2011 Maryland General Assembly session was challenging for the farm community. While the ongoing economic recession continued to plague the state budget debate, its impact was also evident in the opposition farmers and other small business owners expressed over the vast number of environmental proposals introduced this year.

Fortunately, the Legislature recognized the economic impact and/or faulty science behind many of the proposals and we able to defeat them. Bills we defeated include the impervious surface/stormwater utility fee, the septic ban and rural growth control mandate, the septic upgrade to nitrogen removal technology, burdensome pesticide reporting requirements, a ban on chicken feed supplements, a ban on the herbicide Atrazine, energy surcharges for residential and business users and a ban on the extraction of Marcellus Shale. The septic ban discussion will be the subject of a task force established by the Governor to meet over the summer and report back in December. The use of arsenic as a chicken feed supplement was referred to the AgroEcology Center for summer study as well. Both issues are likely to come up again in the 2012 session.

Bills we helped pass to the benefit of the farm community include legislation to allow Maryland wineries to ship directly to customers, a bill to allow the Comptroller to extend the deferral of farm estate taxes beyond three years, phosphorous reductions in lawn fertilizer and an exceptional hauling permit for farm products. Unfortunately, the bills to further exempt farmers from the estate tax did not make it through this year, despite hard work by many rural legislators and endorsement by the Governor. Also left on the table was the bill to create the Maryland Livestock and Poultry Care Advisory Board. Farm Bureau members and our allies in the community will regroup and develop a strategy for both issues for next year.

Maryland Farm Bureau's Final Hotline lists many of the bills we tracked during the session. You can read the final Hotline by logging onto our website at www.mdfarmbureau.com. Bills that were "Returned Passed" or "Passed Enrolled" are expected to be signed by the Governor and become law. The effective date for most new laws is October 1, 2011. For the remainder of the year, Maryland Farm Bureau will keep members informed through the Government Relations Bulletin, published every other week. The GRB will be sent to those on our email subscription list only but will be posted on our website for all members to review.

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