

MARYLAND FARM BUREAU[®]

Day in Annapolis

INFLUENCE. ACTION. IMPACT.

Maryland Farm Bureau depends on champion advocates like you to stand up for policies that affect agriculture in our state. Whether you are a leader or just getting started in Farm Bureau, you can raise your voice to influence policies impacting agriculture. Visiting your legislators and sharing your story is by far the most effective means of conveying your message.

SCHEDULE OF EVENTS

- 7:30 AM Welcome
- 7:40 AM Overview of Bills, Colby Ferguson
- 8:30 AM Connecting with your Legislator, Mac Middleton

TAKE ACTION

Stay up-to-date with what's happening in Annapolis during the legislative session by visiting our Action Center at www.mdfarmbureau.com/action-center.

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AGRICULTURAL POLICY & PRODUCT MARKETING

SB 412 / HB 84: Consumer Protection - Right to Repair

Senator Hester & Delegate Feldmark

This bill requires an original equipment manufacturer, on fair and reasonable terms, to make available to an independent repair provider or owner of digital electronic equipment any documentation, parts, tools, or updates to information or embedded software. It also requires, as it applies to equipment that contains a security-related function, any documentation, tools, parts, or updates needed to reset the lock or function when disabled.

MDFB SUPPORTS SB 412 & HB 84

AQUACULTURE

SB 203: Aquaculture Lease Applications - Notices, Protests, Meetings, and Conflict Resolution

Senator Bailey

This bill extends the riparian land owners that have standing on a Aquaculture lease application from land directly in front of the proposed lease to land that is within 500 feet from the edge of a proposed lease. It also requires DNR to work with the landowners that have an issue with the proposed lease and the lease applicant to mitigate the concerns raised in the petition and consider conflict resolution between the shoreline property owners and lease applicants before issuing they can issue the lease permit. Lastly, the bill further defines when DNR is required to hold a public hearing on a lease application. It adds: if the department determines that the person is raising a significant public health, safety, or welfare concern.

MDFB OPPOSES SB 203

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ENERGY

SB 549 / HB 682: Renewable Energy Portfolio Standard - Thermal Biomass Systems

Senator Hershey & Delegate Buckel

This bill authorizes thermal biomass systems, for purposes of the State's Renewable Energy Portfolio Standard (RPS), to use food waste, qualifying biomass, or animal manure as a source of fuel, regardless of the relative mix of those fuel sources. Other eligibility requirements related to thermal biomass systems and their fuel components are unchanged.

MDFB SUPPORTS SB 549 & HB 682

ENVIRONMENT

SB 119 / HB 507: Clean Water Commerce Act of 2021

Senator Guzzone & Delegate Stein

This bill addresses the sunset of the pilot program and establishes the Clean Water Commerce Fund as a special, nonlapsing fund. It requires the Department of the Environment to transfer \$20,000,000 from the Bay Restoration Fund to the Clean Water Commerce Fund beginning in fiscal year 2022. The bill alters the authorized uses of the Bay Restoration Fund and repeals the authorization to use funds in the Bay Restoration Fund for costs associated with nutrient or sediment load reductions.

MDFB SUPPORTS SB 119 & HB 507

SB 151 / HB 82: Constitutional Amendment - Environmental Rights

Senator Patterson & Delegate Fisher

This proposed constitutional amendment establishes that every person has the right to a

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clean and healthy environment, including the right to clean air; pure water; ecosystems that sustain the State's natural resources, including the waters of the State, air, flora, fauna, climate, and public lands; and the preservation of the natural, healthful, scenic, and historic values of the environment. The bill authorizes the State, a political subdivision of the State, and any person to enforce these rights against any public party through appropriate legal proceedings. Every person also has the right to intervene in an action brought by the State or a political subdivision of the State to protect the rights established by the bill. The bill also (1) establishes that the State's natural resources are the common property of every person and (2) establishes standards of treatment for the State's natural resources. This would give citizens in Maryland standing to intervene on any state application process if they believe it interferes with any of those clean environment definitions mentioned above. Some examples would include, CAFO's, irrigation, hemp, new buildings, composting, commercial fishing and aquaculture permits.

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MDFB OPPOSES SB 151 & HB 82

HB 8: Maryland Strategic Energy Investment Fund - Regional Greenhouse Gas Initiative - Use of Proceeds for Maryland Healthy Soils Program *Delegate Krimm*

This bill would add the Maryland Healthy Soils Program to what is considered climate change and resiliency programs within the Maryland Strategic Energy Investment Fund. In addition, this bill would dedicate \$500,000 of the fund to be used for the Maryland Healthy Soils Program to help meet the air quality goals outlined in the statute and in Maryland's 40 by 30 Regional Greenhouse Gas goals. Carbon sequestration

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from production agriculture has proven to greatly reduce the greenhouse gases in our atmosphere. Healthy soils practices like cover crops, no-till farming, rotational grazing and conservation tillage greatly increase the removal of greenhouse gasses. Increasing these practices in Maryland will help lessen climate volatility in the region. Healthy soils programs are a key part of Maryland's regional greenhouse gas reduction goals. Data collected that compares Maryland's current healthy soils practices to the State's Regional Greenhouse Gas Initiative (RGGI) finds that over the last 10 years, Maryland's healthy soils practices have reduced the amount of GHG by 6.14 mmt compared to 3.6 mmt for RGGI over the same timeframe.

MDFB SUPPORTS HB 8

HB 317: Maryland Green Purchasing Committee - Food and Beverage Procurement - Greenhouse Gas Emissions *Delegate Gilchrist*

This bill requires the Maryland Green Purchasing Committee in consultation with the Departments of the Environment, Agriculture, General Services, and other stakeholders, to develop, by January 1, 2022, a methodology for State agencies to estimate greenhouse gas emissions of food and beverages procured. They will need to establish a baseline measurement by January 1, 2023 and develop strategies and policy recommendations while establishing a goal to reduce food generated greenhouse gas emissions in State units by 25% by fiscal year 2031. As was said during last year's bill hearing, there is no direction in this bill on how food products will be measured and what impacts this will have on Maryland farmers, especially livestock and poultry producers. Without guidelines in the bill to ensure Maryland farmers are not excluded from the procurement process due to national or international baseline GHG emissions, this bill could/would put Maryland farmers out of business.

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MDFB OPPOSES HB 317

HB 1078: Attorney General - Climate Change Actions - Authorization

Delegate Terrasa

This bill authorizes the Attorney General to investigate, commence, and prosecute or defend any civil or criminal suit or action that holds accountable businesses whose tortious or otherwise unlawful conduct has contributed to climate change through fraud, deception, or any other mechanism, action, inaction, or practice. The bill also authorizes the Attorney General to hire outside counsel on a contingency fee basis to assist if the Attorney General determines that hiring outside counsel is in the State's best interest.

This bill is extremely broad and would open up farms to potential lawsuits if the Attorney General determines a farming practice, action or inaction contributes to Climate Change.

MDFB OPPOSES HB 1078

HUNTING/WILDLIFE & NATURAL RESOURCES

SB 798 / HB 594: Prohibition on Sale of Wildlife - Local Venison Donation Programs - Application

Senator Gallion & Delegate Fraser-Hidalgo

This bill establishes that the prohibition against selling, offering for sale, bartering, or exchanging deer taken from the wild does not apply to venison from a lawfully-harvested white-tailed deer that is donated to a venison donation program, administered by the county in which the deer was harvested, for processing and distribution to a food bank. Deer cause on average \$50/acre of crop damage to Maryland crops. The farmer receives no repayment for this economic loss. A farmer is allowed to harvest deer under a deer management permit, but

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has to foot the cost to have the deer processed and is required to either keep the meat to donate it to a food bank. This bill does two things. It allows a farmer or hunter that ability to re-coop the cost of harvesting and processing a deer that they donate to a food bank. Secondly, it helps provide a high quality, lean protein source for food banks around the state.

MDFB SUPPORTS SB 798 & HB 594

LABOR

SB 486 / HB 581: Labor and Employment - Employment Standards During an Emergency (Maryland Essential Workers' Protection Act)

Senator Augustine & Delegate Davis

This bill would require an essential employer to give a written statement regarding hazard pay paid to their essential workers for each pay period; require an essential employer to take actions related to occupational safety and health during an emergency; authorize an essential worker to refuse to fulfill a work responsibilities if the working conditions don't meet the requirements in this bill; prohibits an essential employer from retaliating or taking other adverse action against an essential worker or other worker if they refuse to work. This bill would put in state law, requirements over and above the guidance provided by the Centers for Disease Control (CDC) and the US Department of Labor. These restrictions would be almost impossible for a farm to adhere to and would most likely put them out of business. The retroactive hazard pay would cost every farmer and farm business nearly \$5,000 per employee to cover the days in 2020 that there has been a state of emergency due to the COVID Pandemic. In addition, MD Department of Labor doesn't have the manpower to inspect these operations in time to meet the limited timelines farmers have to apply for and receive H-2A visa workers. H-2A housing is already inspected annually. Production agriculture is a time sensitive

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business that can't shut down for a few days or weeks. This bill would be devastating to the Ag community.

MDFB OPPOSES SB 486 & HB 581

SB 502 / HB 841: Labor and Employment - Maryland Wage and Hour Law - Agricultural Stands, Retail Farms, and Farmers' Markets

Senator Carozza & Delegate Otto

This bill establishes an exemption from the Maryland Wage and Hour Law for an individual employed at an agricultural stand, a retail farm, or a farmers' market that primarily sells agricultural products that the farmer has produced. If passed, the minimum wage would be \$10.10/hour. Most of the employees that fill these seasonal farm market jobs are youth between 16 and 18 years old. In most cases, this is their first job. The cost of labor is a major issue with farm profitability especially when the farmer retains ownership in their crop and looks to retail it to the consumer. Even at a retail price, margins are very small. Increasing the minimum wage 33% prevents a farmer from offering youth opportunities to have their first job at their operation. This bill would allow the farmer to offer those beginning jobs without a massive increase in labor costs.

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MDFB SUPPORTS SB 502 & HB 841

HB 577: Health and Welfare of H-2 Visa and Migrant Workers – COVID-19 Pandemic – Regulations (Healthy Farmworkers Act)

Delegate Stewart

This bill would require the Secretary of Labor to adopt regulations, on or before October 1, 2021, relating to housing, accommodations, safety,

health, rights, and welfare of H-2A and H-2B visa and migrant workers during the COVID-19 pandemic. This bill would put in state law requirements over and above the guidance provided by the Centers for Disease Control (CDC) and the US Department of Labor. These restrictions would be almost impossible for a farm to adhere to and would most likely put them out of business due to the not being allowed H-2A seasonal workers. In addition, MD Department of Labor doesn't have the manpower to inspect these operations in time to meet the limited timelines farmers have to apply for and receive H-2A visa workers. H-2A housing is already inspected annually. The farm worker housing requirements to meet the COVID pandemic have already been created by CDC and are being adhered to by farmers in Maryland. This legislation is a solution looking for a problem and is not needed.

HEARING:

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2/02

MDFB OPPOSES HB 577

