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Hotline #5

February 17, 2023

Welcome to the fifth Hotline of the 2023 Maryland General Assembly session. Now that the bill introduction deadline has passed, bill hearings have started to ramp up. Wednesday was a busy day with MDFB testifying on bill hearings in both the House and Senate. One of MDFB's priority bills that added a Value-Added Ag Specialist (formerly Ombudsman) at the Department of Agriculture was heard in the House that day. The Senate cross file (SB34) passed out of the Senate with a unanimous 45-0 vote on February 9th and was already assigned to the House committee prior to the House bill hearing. The Value-Added Ag Specialist bill had no opposition and should be moving forward. Because the majority of bills were introduced so late this session, the next three weeks will have lengthy bill hearing days to make sure all 890 Senate bills and 1,226 House bills receive their guaranteed bill hearing.

The Hotline will be posted on the [MDFB website](#) each week. Maryland Farm Bureau members are urged to contact their legislators and members of relevant committees in support of Maryland Farm Bureau's positions. Visit Maryland Farm Bureau's [action center](#) to stay up to date on pending legislation on which we have position.

Monday, February 20, 2023

[HB987](#): Alcoholic Beverages – Use of Alcoholic Beverages for Educational Purposes

Delegate Valderrama, ECM at 1:00 PM

This bill authorizes college students who are at least 18 years old and under the age of 21 years to taste the alcoholic beverages while participating in a course or program in enology, fermenting, brewing, or hospitality and tourism offered by a qualified institution of higher education without criminal penalty to the student, instructor, or institution of higher education.

MARYLAND FARM
BUREAU SUPPORTS

Tuesday, February 21, 2023

SB143: Electricity – Net Energy Metering – Accrual of Net Excess Generation (Net Metering Flexibility Act)

Senator Feldman, EEE at 1:00 PM

This bill does two things. It moves the year end billing cycle from the end of April to the end of August. However, the primary focus of the bill is to create the ability to accrue net excess generation indefinitely instead of just until the year end billing cycle. A net energy generator can still decide to remain on the year by year system and be paid the dollar value of the excess energy produced for the year. However, if the net energy generator decides to take the indefinite accrual option, all excess net energy accrued shall be forfeited at the time the account is closed.

MARYLAND FARM
BUREAU SUPPORTS

SB433: Economic Development - Woman- and Minority-Owned Shellfish Aquaculture Enterprise Fund

Senator Klausmeier, B&T at 1:00 PM

This bill would create a fund to provide no-interest loans to women- and minority-business owners in the aquaculture sector. Loans up to \$50,000 would be administered by MARBIDCO, which already manages several other aquaculture loan programs. Because it creates a separate fund for this purpose, it does not impact or take funding away from any existing programs. The intent is to increase opportunities for groups underrepresented in the seafood/aquaculture industry by reducing financial barriers to entry.

MARYLAND FARM
BUREAU SUPPORTS

HB319: Pesticide Registration - PFAS Testing - Requirements

Delegate Stein, HGO at 1:00 PM

This bill, beginning January 1, 2024, would prohibit the Secretary of Agriculture from registering a pesticide for use against mosquitoes in the state unless the distributor of the pesticide submits to the Department test results indicating the pesticide has passed the PFAS test and an affidavit attesting to the legitimacy of the PFAS test results. Additionally, the bill, beginning January 1, 2026, would prohibit the Secretary from registering any pesticide for use in the State unless PFAS test results and a certain affidavit are submitted by the distributor. Currently, there are no PFAS tests available for accurately testing pesticides. The bill allows for the use of drinking water tests and these tests are inaccurate on pesticides as they generate many false positives and negatives.

**MARYLAND FARM
BUREAU OPPOSES**

HB592: Property Tax - Agricultural Land and Improvements - Assessment

Delegate Watson, W&M at 1:00 PM

This bill outlines that value-added agricultural activities are a farm or agricultural use of land for assessment purposes. It defines Value-added agricultural activities as: (I) Agricultural Alcohol Production; (II) Agritourism; (III) Equine Activities; (IV) Value Added Ag products processing from products derived from the farm; (V) Roadside Stands; (VI) other Ag uses that are permissible under local zoning; and (VII) other activities the Secretary of Ag determines are value-added Ag activities. It creates a subclass of real property consisting of improvements on an actively used farm that support value-added agricultural activities and requires these improvements on an actively used farm that support value-added agricultural activities to be assessed at the agricultural use rate. For a few years now, SDAT has reassessed the barns on value-added farms with a significantly higher assessment than years prior. The reasons given is these value-added farms generate more money and the improvements should be assessed as commercial uses instead of agricultural structures. This bill defines these barns and structures used in value-added farms as Ag structures and required to be assessed as such.

**MARYLAND FARM
BUREAU SUPPORTS**

Wednesday, February 22, 2023

SB418: Property Tax - Agricultural Land and Improvements - Assessment

Senator Elfreth, B&T at 1:00 PM

See bill summary HB592 above.

MARYLAND FARM
BUREAU SUPPORTS

Thursday, February 23, 2023

HB584: Income Tax Credit - Food Donations by Qualified Farms - Extension (Farmers Feeding Families Act)

Delegate Ebersole, W&M at 1:00 PM

This bill extends the tax credit against the state income tax for fresh farm and organic fresh farm food donations by farmers in Maryland from 2024 to 2026. It alters the amounts of the tax credit from 75% to 100% of the value of the donated certified organic produce a qualified farm is eligible to receive. The total tax credit per farm is \$5,000 per year. This statewide program allows a farmer to get a tax credit on the produce they donate to a food bank to help offset the cost of production.

MARYLAND FARM
BUREAU SUPPORTS

HB678: Sales and Use Tax - Electricity for Agricultural Purposes

Delegate Sample-Hughes, W&M at 1:00 PM

This bill adds to the existing agricultural sales and use tax exemption electricity that is used for agricultural purposes, such as raising livestock and poultry, irrigation, or crop production and grain harvest. Currently, only farms that all their electricity use is tied to the house meter is tax exempt. Electricity use from other farm meters are currently being taxed. This bill exempts these additional farm meters. In addition to residential electricity not being taxed, manufacturing businesses are not taxed. This includes Perdue's processing plant. Agriculture has always been considered manufacturing, so exempting all farm electricity would be consistent with current law.

MARYLAND FARM
BUREAU SUPPORTS

[HB908](#): Electricity – Community Solar Energy Generating Systems Program

Delegate Clippinger, ECM at 1:00 PM

Currently the community solar program is under a pilot status. This bill makes the Community Solar Energy Generating Systems Pilot Program a permanent program. The bill also defines “agrivoltaics” to mean the simultaneous use of areas of land for both solar power generation and agriculture. The bill also removes the requirement for a facility over two megawatts and up to five megawatts to not have to go before the Public Service Commission and receive a Certificate of Public Convenience & Necessity (CPCN).

Last year Maryland Farm Bureau opposed the expansion to five megawatts unless there was a restriction placed to not allow on class 1 or 2 soils when sited on agricultural zoned land. MDFB will seek amendments to further define agrivoltaics and restrict the larger projects from being placed on class 1 or 2 soils unless the project is an agrivoltaics project.

MARYLAND FARM BUREAU
SUPPORTS WITH AMENDMENT

Friday, February 24, 2023

[SB672](#): Alcoholic Beverages - Use of Alcoholic Beverages for Educational Purposes

Senator Klausmeier, FIN at 1:00 PM

See bill summary HB987 above.

MARYLAND FARM
BUREAU SUPPORTS

[HB449](#): Calvert County – Sunday Hunting – Repeal of Time Restrictions

Delegate T. Morgan, E&T at 1:00 PM

This bill removes the 10:30 AM restriction that was placed on the allowing of Sunday hunting in Calvert County. Last year the legislature passed a bill to

allow Sunday hunting in Calvert County. Unfortunately, that bill restricted the Sunday hunting to be only in the morning and until 10:30 AM.

**MARYLAND FARM
BUREAU SUPPORTS**

Committees & Room Numbers:

Senate: Budget & Taxation (B&T), 3 West Miller; Education, Energy and the Environment (EEE), 2 West Miller; Finance (FIN), 3 East Miller; Judicial Proceedings (JPR), 2 East Miller

House: Appropriations (APP), 120 HOB; Economic Matters (ECM), 230 HOB; Environment & Transportation (E&T), 250 HOB; Health & Government Operations (HGO), 240 HOB; Judiciary (JUD), 100 HOB; Ways & Means (W&M) 130 HOB



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