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## #4 February 7, 2019

This week in Annapolis has proven to be a hectic one due to bill introduction deadlines in both the House and the Senate. On Tuesday alone, the Senate introduced 367 bills. Delegates of the house have until Friday to introduce their bills to be guaranteed a bill hearing. We fully expect as many, if not more, House bills to be introduced on the final day as was in the Senate. If you were able to walk around the House Office Building this week, you would have seen Delegates and advocates for bills popping in and out of offices explaining their bills and seeking co-sponsors. Committee bill hearings this week were still relatively slow with several agency and department briefings being mixed in with handfuls of bills each day. Next week looks to be the week committee hearings get into full swing with a mad dash to get all the bills heard and discussed before the next legislative deadline of March 12<sup>th</sup>, which is the committee reporting courtesy date.



With that said, here are the bills of interest for next week:

## Tuesday, February 12, 2019

### [SB0608/ HB0305](#) - **State Procurement - Maryland Food for Maryland Institutions Task Force**

*Senator Hester, EHEA at 1:00pm in 2 West Miller*

*Delegate Charkoudia, HGO at 1:00pm in 240 HOB*

This bill establishes the Maryland Food for Maryland Institutions Task Force to investigate and study ways to increase the procurement of locally grown foods in State contracts and to promote participation by Maryland farmers in the process. Maryland Farm Bureau would have a member on this task force.

Maryland Farm Bureau Policy: We support the State's Farm-to-School program and recommend funding be increased. We encourage all school systems to participate in and actively promote this program and purchase more locally grown products for school nutrition programs.

### **MARYLAND FARM BUREAU SUPPORTS SB 608 & HB 305**

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### [HB0386](#) - **Admissions and Amusement Tax - Limitations on Municipal Corporations - Agricultural Tourism**

*Delegate Hornberger, W&M at 1:00pm in 130 HOB*

This bill prohibits a municipality from imposing the admissions and amusement tax on gross receipts derived from agricultural tourism event on a farm located in the city limits.

Maryland Farm Bureau Policy: Recreational activities that are carried out in conjunction with a farm operation should be exempt from admission and amusement tax.

### **MARYLAND FARM BUREAU SUPPORTS HB 386**

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### [SB0249](#) - **Regional Initiative to Limit or Reduce Greenhouse Gas Emissions in Transportation Sector - Authorization (Regional Transportation and Climate Protection Act of 2019)**

*Senator Lam, EHEA at 1:00pm in 2 West Miller*

This bill would authorize the Governor to include Maryland as a full participant in any regional governmental initiative, agreement, or compact that limits or reduces greenhouse gas emissions from the transportation sector. If Virginia or Washington D.C. imposes a statewide or citywide greenhouse gas emission fee on the sale or distribution of motor fuel, the governor may impose a similar fee of up to the same amount as the fee imposed by Virginia or D.C.

Because farm commodities are priced on a regional or national level, a farmer is unable to increase the price of a farm product to absorb increased cost of production. The proposed Greenhouse Gas Reduction (GHG) fee that

would be added to fuel would severely limit the profitability of a farmer in Maryland. Farmers large and small rely on farm machinery to plant and harvest crops, deliver livestock and do daily activities on a working farm. Farm equipment uses primarily diesel fuel, gasoline and, in some cases, propane. All of these fuels would be subject to this proposed fee.

Farmers work hard to plant crops that sequester carbon and are one of the two GHG sinks in Maryland that remove GHG from our atmosphere. If we implement additional taxes and fees as proposed in this bill, the ability to farm and sequester carbon in Maryland could be lost.

Maryland Farm Bureau Policy: We oppose the creation of a state carbon and/or Greenhouse Gas reduction tax/fee.

## **MARYLAND FARM BUREAU OPPOSES SB 249**

**Wednesday, February 13, 2019**

### **[HB0275](#) - Pesticides - Use of Chlorpyrifos - Prohibition**

*Delegate Stein, E&T at 1:00pm in 250 HOB*

This bill bans the use of Chlorpyrifos in Maryland starting January 1, 2020. This includes insecticides that include Chlorpyrifos and seeds treated with Chlorpyrifos.

Chlorpyrifos is used on non-GMO corn, but since there isn't much non-GMO corn grown in Maryland anymore, the main use in Maryland is in orchards. Orchard growers are restricted to only being able to use Chlorpyrifos once a year and only during the tree's dormant stage. One alternative to using Chlorpyrifos in orchards is to use more Neonicotinoids. The use of this pest management tool is restricted and very specifically and judiciously used by approved farmers. Maryland Farm Bureau opposes state and local restrictions of pesticides beyond those that are currently approved by the federal government.

## **MARYLAND FARM BUREAU OPPOSES HB 275**

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### **[HB0403](#) - Income Tax Credit - Qualified Farms - Food Donation Pilot Program - Expansion and Extension**

*Delegate Ebersole, W&M at 1:00pm in 130 HOB*

This bill expands the Food Donation Pilot Program Income Tax Credit from just the Southern Maryland counties to the entire state. It also extends the pilot program through 2021. The pilot program tax credit was enacted in 2016. Program allows a credit of up to \$5,000 against the State income tax; providing that the credit is equal to 50% of the value of the fresh farm products for human consumption (Eligible Food) donation or 75% of the value of donated certified organic produce. Each week, the Secretary of Ag shall establish and publish the categories and value of certified organic produce and eligible food donations. The Secretary of Ag, in consultation with the

Comptroller, shall establish a process to certify a person or an organization to act as a tax credit certificate administrator. The total amount of tax credit certificates issued under this program may not exceed \$250,000 for a calendar year.

The current program is only being used by a couple of farmers in Southern Maryland. By opening up the program to the state, this will allow additional farmers to participate with other food banks instead of only the D.C. food bank.

## **MARYLAND FARM BUREAU SUPPORTS HB 403**

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### **SB0034 - Tourist Area and Corridor Program and Task Force on Attraction Signs**

*Senator Young, FIN at 1:00pm in 3 East Miller*

This bill creates the Tourist Area and Corridor Program in the State Highway Administration. The purpose of the tourist area and corridor program is to develop a system of supplemental guide signs that direct motorists to eligible individual attractions within a geographical area. The bill authorizes the State Highway Administration to promulgate regulations to implement this program. Eligible attractions for this corridor program are: an artist's or artisan's studio; a brewery, cidery, distillery, or meadery; a facility used for agritourism; and a performing arts center.

## **MARYLAND FARM BUREAU SUPPORTS SB 34**

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### **SB0344 - State Agricultural Land Transfer Tax - Non-agricultural Use Exemption – Repeal**

*Senator Zucker, B&T at 1:00pm in 3 West Miller*

This bill repeals a loophole being used by several developers in many counties around the state to bypass paying the Agriculture Transfer Tax when agricultural assessed land is transferred to another use such as residential or commercial. Because of this loophole, county agriculture land preservation programs are not receiving needed funding to continue a viable ag land preservation program protecting the county's most prime and productive farmland. This lack of funding also limits the county's ability to leverage state and federal matching funds to protect and preserve the state's best agricultural soils. As more and more prime and productive farmland is converted to other uses, the ability for farmers to continue to provide food for Maryland citizens as well as people in the Mid-Atlantic region become more and more difficult. Large blocks of prime soils become houses, roads and businesses. Maintaining a viable and active land preservation program in Maryland helps counterbalance development. Without open space and productive agriculture and forestry, Maryland will struggle to meet both water quality and air quality goals as well.

Maryland Farm Bureau Policy: We support an amendment of State Code Section 13-305 which removes the loophole for developers paying the State Agricultural Transfer Taxes when farm properties are transferred, developed or taken out of agricultural use designation. '18

## **MARYLAND FARM BUREAU SUPPORTS SB 344**

## [SB0407](#) - Public Schools - Agricultural Education Programs

*Senator Gallion, EHEA at 1:00pm in 2 West Miller*

This bill defines a Certified Ag Education program in Maryland public schools and encourages county school programs to adopt and use this definition in their existing ag education programs or when they are creating new ones. Each county board of education is encouraged to implement an agricultural education program that prepares students for: (1) successful careers and a lifetime of informed choices relating to global agriculture, food, fiber, and natural resources systems; and (2) a wide range of opportunities in agriculture-related employment and higher education by providing instruction and developing skills in science, math, technology, communications, leadership, and management through integrated:

- (i) Classroom and laboratory instruction relating to agriculture, food, and natural resources;
- (ii) Supervised agricultural experiences (SAE), which may include service or work-based learning; and
- (iii) Leadership experiences and involvement in student organizations with an agricultural focus (FFA).

## **MARYLAND FARM BUREAU SUPPORTS SB 407**

**Thursday, February 14, 2019**

## [HB0255](#) - Public Schools - Agricultural Education Programs

*Delegate Shoemaker, W&M at 1:00pm in 130 HOB*

See bill summary SB 407.

## **MARYLAND FARM BUREAU SUPPORTS HB 255**

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## [HB0331](#) - Farm Area Motor Vehicles - Registration and Authorized Use

*Delegate Jacobs, E&T at 1:00pm in 250 HOB*

This bill just repeals the termination date for the expansion of the area K-Tag travel radius from 10 miles to 25 miles. This bill was passed during the 2014 legislative session with a 5-year sunset clause attached. The sunset clause was added in case there were considerable unintended consequences with the mileage expansion or with the farmer verification process required to be eligible for the K-Tag.

During the first few years, there were improvements made to the verification process and since then, the process has worked well for both the farmer and for the Motor Vehicle Administration. Having the ability to travel 25 miles away from the primary farm location to farm rented land and deliver grain and other crops has become a more common practice around the state. Therefore, keeping the K-Tag radius at 25 miles helps farmers reach remote fields that they farm, while staying compliant with state highway regulations.

## MARYLAND FARM BUREAU SUPPORTS HB 331

### [HB0437](#) - County Boards of Education - School Year - Start and End Dates

*Delegate Ebersole, W&M at 1:00pm in 130 HOB*

This bill repeals the Governor's executive order that Maryland Public Schools must start after Labor Day and allows each county Board of Education to set the start date and end date of the school year for the public schools in the county each year. The bill also removes the part of state law that restricts the school year end date can be no more than 5 days after June 15.

Maryland Farm Bureau has policy that opposes a year-round and/or a staggered school year and supports a school year that starts after Labor Day and ends no later than June 15th.

## MARYLAND FARM BUREAU OPPOSES HB 437

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### [HB0395](#) - Motor Vehicles - Operation When Approaching Vehicle With Visual Signals

*Delegate Cassilly, E&T at 1:00pm in 250 HOB*

This bill amends the Move Over /Slow Down road safety law. Current law requires a motorist move to another lane or slow down to a "reasonable" speed when passing a lighted police, emergency, tow or trash truck on the side of the roadway. This bill specifies that if a motorist is unable to safely move to a lane further away from the lighted vehicle, speed must be reduced to 15 miles below the posted limit on a divided highway and 10 miles below the posted limit on a non-divided highway.

## FOR INFORMATION ONLY

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Maryland Farm Bureau members are urged to contact their legislators and members of the relevant committees in support of Farm Bureau's positions on the bills listed above. To contact legislators, log on to the Maryland General Assembly website at: <http://mgaleg.maryland.gov> and select the "Legislators" Tab at the top.

### **Committees & Room Numbers:**

Senate: Budget & Taxation (B&T), 3 West Miller; Education, Health & Environmental Affairs (EHEA), 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

## In Other Ag News

On February 26<sup>th</sup> at 12:00 p.m., the Agriculture Law Education Initiative (ALEI) and the Maryland Department of Labor and Licensing Regulation will be hosting a webinar entitled “H-2A Employer Compliance Webinar”. H-2A employers have many record keeping responsibilities and failure to make and retain the required records can lead to substantial fines. All H-2A employers will benefit from this informational webinar created to help employers be prepared for a federal Department of the Labor inspection. For more information, please visit <https://www.eventbrite.com/e/h-2a-employer-compliance-webinar-tickets-54975696789>.

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### **Conservation Reserve Program in the 2018 Farm Bill**

While farmers and ranchers are already good stewards of water and land, the 2018 farm bill expands the public-private partnership to increase conservation initiatives with the goal of further improving water quality, wildlife habitats and populations, as well as protecting other natural resources. Read more about the changes made to the program in the 2018 Farm Bill at <https://www.fb.org/market-intel/conservation-reserve-program-in-the-2018-farm-bill>.



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