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After early concerns about the introduction of several harmful bills to the ag community, the 2019 General Assembly session once again proved quite successful for Maryland farmers. One of the reasons for this success was the open-door policy from all the legislators. We appreciated the opportunity to meet and work with legislators from both parties. Some of the highlights of this session include the passage of the agritourism “sprinkler exemption” bill and the noxious weeds bill. Funding of \$150,000 was included to focus on Palmer Amaranth on the Eastern Shore and Southern Maryland.

The legislature was very fair to agriculture in this year’s budget it maintained funding for the Maryland Ag Cost Share Program (MACS). Maryland Agricultural Land Preservation Foundation (MALPF) and the other land preservation programs saw full funding again this year along with another \$2.5 million in funding for MARBIDCO’s Next Generation Ag Land Preservation Program. Special thanks to Governor Hogan for including \$1.5 million to use to pay the insurance premiums for the Maryland dairy farmers to protect against low milk prices by using the newly authorized Dairy Margin Coverage program through USDA. Many thanks to our members that worked to get this done. We were able to fend off unfriendly bills such as the Community Healthy Air Act and a ban on Chlorpyrifos.

Listed below are several of the bills that MFB tracked during the session. Bills that were “Returned Passed” or “Passed Enrolled” are expected to be signed by the Governor by early-May and become law. The effective date for most new laws is October 1, 2019. For the remainder of the year, MFB will keep you informed through the Government Relations Bulletin (GRB), published every month. The GRB will be sent to those on our email subscription list only and will be posted on our website at www.mdfarmbureau.com/communications.

Agricultural Policy and Product Marketing Bills

HB0050 - Department of Agriculture - Maryland Produce Safety Program

Chair of E&T on behalf of MDA

Returned Passed

This legislation establishes the Maryland Produce Safety Program in the Department of Agriculture and gives the Secretary of Agriculture the authority to conduct inspection, compliance and enforcement activities for the

Produce Safety Rule instead of FDA. As MDA is familiar with Maryland farmers, agricultural practices, agricultural water sources, nutrient management and other relevant state regulations, we are better equipped to assist farmers with compliance while taking into account other state regulations. The legislation does not contain any provisions that would place an additional burden on Maryland farmers.

MARYLAND FARM BUREAU SUPPORTS HB 50

[HB0084 / SB0483](#) - MD Farms & Families Fund - Purpose, Use, Funding, & Grant Qualifications - Alterations

Delegate Charkoudian & Senator Guzzone

Passed Enrolled

As amended, this bill alters the Maryland Farms and Families Fund that was established during the 2017 legislative session. This bill expands the eligible nonprofit organizations to include nonprofit farmers markets and local nonprofit organizations, along with the already eligible nonprofit organizations that match purchases made with FMNP, SNAP, and WIC benefits at participating farmers markets. The bill also requires the Governor to allocate \$100,000 a year to the fund, but protects MDA's existing marketing budget.

MARYLAND FARM BUREAU SUPPORTS HB 84 & SB 483 AS AMENDED

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

Delegate Charkoudian & Senator Hester

Withdrawn

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. MFB would have a member on this task force. This bill will be a summer study, so no need to pass the bill to do the study.

MARYLAND FARM BUREAU SUPPORTS HB 305 & SB 608

[HB0468 / SB0441](#) - Public Safety - Access to Firearms - Storage Requirements

Delegate Stein & Senator Smith

Died in Committee

This bill would make it illegal to store or leave a loaded or unloaded firearm (pistol, rifle, and shotgun) in a place where a child, meaning anyone under 18, could gain access. If not kept in a safe to prohibit unintended persons being able to access the firearm or an external safety lock, an individual could face up to no more than 2 years in jail or a \$1,000 fine, or both. MFB policy supports the Second Amendment to the U.S. Constitution, which protects the right to keep and bear Arms. We oppose any legislation that would further restrict the purchase and ownership by law-abiding citizens of firearms, handgun, long arm, autoloader or manual loader.

MARYLAND FARM BUREAU OPPOSES HB 468 & SB 441

[HB0522](#) - Public Health - Food Establishments - Licensing

Delegate Krebs

Returned Passed

This bill makes several changes related to excluded organizations and temporary food service facilities that generally increase the authorized scope of operation for such facilities. For ag-related activities, the bill increases a temporary food service permit from 14 days to 30 days. This bill was the result of a summer study

on this topic in which MFB was on the summer study group. Many 4-H and other non-profit groups set up food booth fundraisers at agritourism operations during the agritourism season and allowing a permit to be good for a month keeps these groups from having to get another permit midway through the season.

MARYLAND FARM BUREAU SUPPORTS HB 522

[HB0527 / SB0290](#) - Public Health - Cottage Food Products - Definition and Sale

Delegate Charkoudian & Senator Smith

Returned Passed

This bill adds the ability for someone that produces non-potentially hazardous foods that fall under the Cottage Food product definition to sell their products in a retail food store, including a grocery store, and a food cooperative. Current law allows the sale of the cottage foods to a consumer from a residence, at a farmer's market, at a public event, by personal delivery, or by mail delivery.

MARYLAND FARM BUREAU SUPPORTS HB 527 & SB 290

[HB0639 / SB0099](#) - Anne Arundel County - Public Safety - Buildings Used for Agritourism

Anne Arundel Co. Delegation & Senator Elfreth

Passed Enrolled

As amended, this bill adds Allegany, Anne Arundel, Baltimore, Kent, Prince George's, and St. Mary's counties to the list of counties that exempt existing ag structures that are going to be used for agritourism from being required to retrofit the structure with bathrooms, sprinklers and other high occupancy requirements. This exemption allows up to 200 people in the structure. The structure must still adhere to the structural integrity standards as well as entrance & exit requirements. The counties already exempt are: Carroll County, Cecil County, Garrett County, and Howard County.

MARYLAND FARM BUREAU SUPPORTS HB 639 & SB 99

[HB0808](#) - Weed Control - Noxious Weeds - Regulations and Penalties

Delegate Ghrist

Returned Passed

This bill is a product of the 2018 Summer Study on how to address Palmer Amaranth and other noxious weeds in Maryland. The bill amends the current noxious weed law to give the authority to the Maryland Department of Agriculture (MDA) when determining which weeds should be on the list. It also outlines how MDA will go about determining which weeds should be included in the required regulations. The bill creates a civil penalty option for MDA to use when enforcing the noxious weed law. The current criminal penalty option would still remain in the law just in case MDA needs to use it on landowners unwilling to address their noxious weed problem.

MARYLAND FARM BUREAU SUPPORTS HB 808

[HB0935](#) - Agricultural Land Preservation Easements - Use of Land - Signs Forbidding Trespassing, Hunting, or the Destruction of Property

Delegate Stein

Withdrawn

This bill requires a landowner that has land in an agriculture land preservation easement to place signs forbidding trespassing, hunting, or the destruction of property at least 500 feet apart. The purpose of this bill is

that there are two landowners in Delegate Stein's district that have a major conflict about placement of "No Trespassing" signs. Delegate Stein put this bill in to prevent the one landowner from being able to put the signs any closer together than 500 feet. After talking to MDA, this could affect many landowners under land preservation easements. To meet the notice requirements under the criminal no trespassing law, a landowner must mark private property with either "No Trespassing" signs or blue paint to make sure any potential trespassers can see that the property is visually marked as no trespassing. This 500-foot limitation could be an issue in some cases.

MARYLAND FARM BUREAU OPPOSES HB 935

HB1123 - Agriculture - Hemp Research and Production

Delegate Fraser-Hidalgo

Passed Enrolled

This bill amends the current Industrial Hemp state law to incorporate the changes to the industry that came from the passage of the 2018 Farm Bill. This bill adds the new provisions to the already- approved industrial hemp pilot program. The bill creates the Hemp Farming Program and MDA to set up the program including marketing and promotion of hemp. These new programs allow a farmer to grow, harvest, process and sell hemp & hemp products in Maryland as well as across state lines. This bill authorizes MDA to promulgate regulations based on the new USDA rules that will be created due to the new Farm Bill. Until these regulations are completed, only the pilot program is allowed in the state.

MARYLAND FARM BUREAU SUPPORTS HB 1123

SB0056 - Secretary of Agriculture - Regulation of Poultry to Protect Animal Health and Control Avian Influenza

Chair of EHEA on behalf of MDA

Passed Enrolled

This bill further defines and clarifies a live poultry market and a poultry dealer in Maryland. The bill adds to the definition of live poultry market as a facility or a location where poultry is slaughtered & sold on-site and is offered for sale, sold, distributed or transferred. It also amends the definition of a poultry dealer to a person that engages in the business of buying, selling, exchanging, or transporting poultry. This language is being added to ensure MDA has the ability to properly implement an animal health protection program for poultry in the state. This will help ensure all types of poultry operations are included to make sure poultry farms large and small are properly protected from potential disease outbreaks such as Avian Influenza.

MARYLAND FARM BUREAU SUPPORTS SB 56

HB0331 / SB0133 - Farm Area Motor Vehicles - Registration and Authorized Use

Delegate Jacobs & Senator Gallion

Returned Passed

This bill 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 rented land and deliver grain and other crops has become a more common practice around the state.

MARYLAND FARM BUREAU SUPPORTS HB 331 & SB 133

[HB0815 / SB0922](#) - Public Health - Milk - Labeling

Delegate Jacobs & Senator Gallion

Passed Enrolled

This bill prohibits a person from stating on a label that a product is “milk” unless the product meets the definition of “milk” as altered by the bill. The Maryland Department of Health (MDH) must establish and implement a plan to enforce this prohibition, including notice of MDH’s intent to implement a ban on all products that do not meet the bill’s requirements, including plant-based products mislabeled as milk. The bill is contingent on the enactment of similar legislation in 11 of the following states: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia. MDH must notify the Department of Legislative Services (DLS) within 10 days after 11 of those 14 states have enacted such legislation. North Carolina passed the same language in 2018 so this would make Maryland the second of the states needed to enact this legislation.

MARYLAND FARM BUREAU SUPPORTS HB 815 & SB 922 AS AMENDED

Aquaculture Bills

[HB0028 / SB0939](#) - Natural Resources - Shellfish Nursery Operations - Wetlands License Requirements

Delegate Clark & Senator Klausmeier

Returned Passed

This bill exempts an aquaculture operation from being required to obtain a tidal wetlands license or permit from the Department of the Environment or the Board of Public Works when installing a pump, a pipe, or any other equipment attached to a pier for the cultivation of shellfish seed in a shellfish nursery under a permit issued by DNR, provided that the pump, pipe, or other equipment does not require increasing the length, width, or channel ward encroachment of the pier. Shellfish aquaculture nurseries work their oysters on a regular basis to maximize health and growth of their oysters. Having to go to the Board of Public Works to get a permit to lay a 1-inch pipe on a pier is cumbersome and should be included in the existing permitting process the nurseries already have to get. This bill just adds nurseries to the list of exemptions already allowed under current law, yet still requires DNR approval.

MARYLAND FARM BUREAU SUPPORTS HB 28 & SB 939

[HB0841](#) - Aquaculture - Submerged Aquatic Vegetation - Placement of Shellfish, Bags, Nets, and Structures

Delegate Clark

Returned Passed

This bill is designed to address a conflict between oyster aquaculture and submerged aquatic vegetation (SAV) in current law. Under current law, if SAV encroaches into an aquaculture lease, that lease holder must cease from farming in that encroached area. This is for both water-column and bottom leases. As amended, this bill would give DNR the authority to determine what restrictions should be done on a SAV encroached lease. However, it restricts DNR’s authority to not allow dredging on bottom leases or preventing a bottom lease from harvesting SAV encroached areas by diving. Also, DNR cannot restrict the SAV encroached area to less than 10% surface area coverage for water column leases. There is a 5-year sunset on this authority and the bill requires DNR to submit a report annually to the General Assembly on what has been allowed and effects of those allowances.

MARYLAND FARM BUREAU SUPPORTS HB 841 AS AMENDED

[HB1309 / SB0876](#) - Aquaculture - Leases in Water Column - Riparian Right of First Refusal

Delegate Crosby & Senator Bailey

Died in Committee

This bill establishes that a riparian property owner or lessee shall have the right of first refusal to apply for and, if approved, obtain a water column lease or an aquaculture lease for use in the water column in an Aquaculture Enterprise Zone and in an area that fronts the riparian property. The “actively work the lease” state requirement would not apply to a riparian property owner that exercises the right of first refusal and obtains the aquaculture lease. This bill severely limits the ability for oyster aquaculture farmers to acquire aquaculture leases in the Chesapeake Bay watershed.

MARYLAND FARM BUREAU OPPOSES HB 1309 & SB 876

Education Bills

[SB0128](#) - Community Control of School Calendars Act

Senator Pinsky

Veto Override and Enacted

As amended, this bill repeals the state law that Maryland public schools must start after Labor Day. The bill also removes the requirement that the school year end no more than 5 days after June 15. The bill allows each county Board of Education to set their own start date and end date. MFB policy 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 SB 128

[HB0255 / SB0407](#) – Public Education – Agriculture Education Programs

Delegate Shoemaker & Senator Gallion

Died in Committee

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 ag education programs. 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).

The House version passed again this year, but died in Senate EHEA.

MARYLAND FARM BUREAU SUPPORTS HB 255 & SB 407

[HB1413 / SB1030](#) - The Blueprint for Maryland's Future

Delegate Busch & Senator Miller

Passed Enrolled

This bill establishes The Blueprint for Maryland's Future as state education policy, based on the recommendations of the Commission on Innovation and Excellence in Education. The bill establishes specified programs and entities; provides funding in fiscal 2020; and mandates funding in fiscal 2021 and 2022, as specified, and for The Blueprint for Maryland's Future Fund, which succeeds the Commission special fund. The bill also establishes a Maryland Office of the Inspector General for Education. Any funds restricted for purposes of the bill in the fiscal 2020 budget that are not transferred or released by the Governor must be distributed in fiscal 2021, in addition to other funds required to be distributed by the bill in fiscal 2021. MFB was able to get the expansion of science-based certified ag education language added to the bill in the Career and Technology section of the bill. **MFB did not take a position on the bill because of the extreme cost, but did actively work to get the ag education language added to the bill.**

Energy Bills

[HB0627 / SB0610](#) - Solar Photovoltaic Property - Personal Property Tax Exemption & Local Fee Requirement

Delegate Luedtke & Senator Guzzone

Withdrawn

This bill requires that a county and municipal government replace the commercial use tax assessment of a utility scale solar project and instead charge \$2,500 per megawatt if the project is located on ag-zoned land and \$2,000 per megawatt for project located on commercially-zoned land. Farmers struggle to compete with land rentals versus the solar industry. One of the things that level the playing field is that a county or municipality can assess the new commercial solar use as that and collect a commercial use tax. Many counties agreed with commercial solar groups to open up thousands of acres of land.

MARYLAND FARM BUREAU OPPOSES HB 627 & SB 610

[SB0516](#) - Clean Energy Jobs

Senator Feldman

Passed Enrolled

This bill establishes the criteria for qualified offshore wind projects applied on or after July 1, 2017, termed Round 2 offshore wind projects. It alters and extends the minimum required percentage of energy that must be derived from Tier 1 renewable sources in the state's renewable energy portfolio standard by stair-stepping the increases each year through 2030 to get to 50%. It also alters and extends the minimum required percentage of Tier 1 renewable energy that must be derived from solar energy in the state's renewable energy portfolio standard by using the same stair-stepping practice to get to 14.5% solar by 2030.

FOR INFORMATION ONLY

[HB0532 / SB0744](#) - Protecting Natural Resources and Preserving Productive Farms - Commission on the Development of a Blueprint for Solar Energy in MD

Delegate Stein & Senator Pinsky

Died in Committee

This bill creates a commission that is to develop a blueprint for solar energy facility siting in Maryland. MFB would be able to appoint a representative from the Eastern Shore and one from the Western Shore to the 18-member commission. The commission will study and make recommendations on several areas of concern when it comes to siting solar facilities in Maryland. Some of these areas are: (i) restricting or discouraging the

development of solar energy projects in ecologically or agriculturally important areas; (ii) options for siting solar energy projects in areas with low potential for conflict with natural and agricultural resources; (iii) encouraging the co-usage of land for solar energy projects and other purposes; (iv) options for implementing the siting policies and preferences identified by the Commission, including changing existing laws and regulations and developing new financial incentives; (v) updating the SmartDG+ tool developed by the Department of Natural Resources and the Maryland Energy Administration to reflect siting policies and preferences identified by the Commission; (vi) creating a solar energy clearinghouse in the Department of Planning to provide land use planning guidance and technical assistance to local governments undertaking solar energy planning; (vii) and centralizing the tracking and mapping of locations, acreage, and environmental characteristics of proposed solar energy projects and related transmission upgrades to facilitate coordinated, comprehensive land use and environmental planning for solar energy development. The commission will develop a comprehensive siting blueprint to guide units of state and local government in the evaluation of proposed solar energy projects, consistent with the commission's findings and recommendations. The commission report is due by Jan. 1, 2020.

MARYLAND FARM BUREAU SUPPORTS HB 532 & SB 744

Environmental Protection Bills

[HB0275 / SB0270](#) - Pesticides - Use of Chlorpyrifos - Prohibition

Delegate Stein & Senator Nathan-Pulliam

Died in Committee

The bill was amended in the House to ban the use of Chlorpyrifos in Maryland starting December 31, 2020. This includes insecticides that include Chlorpyrifos and seeds treated with Chlorpyrifos. It also created a critical use waiver that MDA could grant to a user but limited that waiver to December 31, 2022. Chlorpyrifos is used on non-GMO corn, but since there is not much non-GMO corn grown in Maryland, the main use in the state is on orchards. Orchard growers are already restricted 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. MFB opposes state and local restrictions of pesticides beyond those that are currently approved by the federal government.

MARYLAND FARM BUREAU OPPOSES HB 275 & SB 270

[HB0472](#) - Constitutional Amendment - Environmental Rights

Delegate Lafferty

Withdrawn

This bill proposes an amendment to the Maryland Constitution to establish that every person has the right to a certain clean and healthy environment and, if enacted, would allow any citizen to file a lawsuit against any entity in the state if they believed it was reducing their right to a clean and healthy environment. MFB policy supports additional protections to farmers who are in compliance with state and federal laws from third party lawsuits. This bill would strip those protections and open up law abiding farmers to nuisance suits by anyone that doesn't agree with their type of farming practices.

MARYLAND FARM BUREAU OPPOSES HB 472

[HB0492](#) - Procurement - Carbon-Intensive Foods

Delegate Gilchrist

Withdrawn

This bill requires the Maryland Green Purchasing Committee to publish a list of carbon-intensive foods, in consultation with the Department of the Environment and the Department of General Services, and to establish best practices for state government procurement to reduce the volume of carbon-intensive foods purchased to the maximum extent practicable as a percentage of gross food purchases. The Maryland Green Purchasing Committee is: the Secretary of General Services, the Secretary of Budget and Management, the Secretary of Natural Resources, the Secretary of the Environment, the Secretary of Health, the Secretary of Commerce, the Secretary of Transportation, the Secretary of Public Safety and Correctional Services, the Chancellor of the University System of Maryland, the Secretary of Information Technology, the Secretary of Education, the State Treasurer, or the Treasurer’s designee. There is no direction in this bill how foods will be measured and what impacts this will have on Maryland farmers, especially livestock and poultry producers. In addition, MDA is not the committee to give an ag perspective.

MARYLAND FARM BUREAU OPPOSES HB 492

[SB0542](#) - Community Healthy Air Act

Senator Lam

Died in Committee

This is the same bill that was introduced in 2018 but failed to get out of committee. This bill creates a Committee on Air Quality to create an air quality sampling and monitoring protocol for the collection of air quality and public health data associated with large animal–feeding operations. For a better solution to this concern, Delmarva Poultry Industry, Inc. (DPI) and The Keith Campbell Foundation for the Environment are partnering on a first-of-its-kind project to monitor ambient air quality, including levels of ammonia and particulate matter, on Maryland’s Eastern Shore and in central Maryland. Working MDE, DPI and the Campbell Foundation have jointly committed more than \$500,000 to this effort. Because of it, residents of Maryland’s Eastern Shore will know more about the quality of the air we all breathe. MFB supports the poultry industry in this project and believes this is a much better approach to air quality monitoring than the extremely expensive project proposed by this bill.

MARYLAND FARM BUREAU OPPOSES SB 542

[HB0904 / \[SB0546\]\(#\)](#) - Agriculture - Nutrient Management - Monitoring and Enforcement

Delegate Stewart & Senator Pinsky

Passed Enrolled

This bill alters three titles of the law, Agriculture, Environment and Natural Resources, to address non-compliance with nutrient management laws and monitor nutrient movement. The bill was significantly amended and is now primarily targeted at “bad actors.”

In the ag article, the bill establishes or increases fines as follows:

- (i) A new fine of \$250 for Certified NM Planners who fail to submit soil test samples or otherwise implement provisions of the Phosphorus Management Tool (PMT);
- (ii) Increased fines to over \$1000 for failure of a farmer to file an Annual Implementation Report (AIR) with MDA. A fine between \$100 and \$250 will be issued after 30 days of non-compliance, \$250-\$1000 at 60 days and over \$1000 after 90 days. This replaces the flat \$250 fine per year;

- (iii) A mandatory fine for farmers who do not have NM plans (or current updates) of at least \$100 and up to \$250;
- (iv) Increased fines for violations of plans at the discretion of MDA in amounts up to \$500 per violation, with a max of \$5000 per year. Current law allows \$250 fines, up to \$2500 per year; and
- (v) A new mandatory fine of \$250 for the use of phosphorus on a site where the PMT prohibits the use of P.

The bill also requires MDA to prioritize enforcement efforts on farms for which PMT soils samples have not been submitted. The bill requires farmers to report on their AIRs the name and location of “sending” farms from whom they obtain animal manure. Brokers should provide this information on a bill of sale. MDA will compile a report on how manure moves between counties in the watershed. This replaces the proposed Manure Broker Certification & Data Reporting program that Farm Bureau opposed. The bill alters the environment article to require that a person must have a CAFO discharge permit from MDE before any construction begins on a new CAFO. The bill prohibits MDE from issuing the CAFO discharge permit to anyone who violates this provision. The bill requires MDE to charge an initial fee of at least \$2000 for a proposed CAFO that will have a house capacity of greater or equal to 350,000 square feet. The bill requires MDE to charge an annual permit fee of \$1200 to all existing CAFOs of similar size. The bill prohibits MDE from waiving CAFO discharge permit fees in the future. Current regulations call for fees of \$120-\$1200 for a 5-year permit. The fee has been waived for poultry CAFOs & MAFOs filing under the General Permit for more than 10 years. No on-site water monitoring equipment is required on CAFOs as amended. Monitoring options for the future must be studied by MDE. The bill also requires the DNR to conduct long-term water quality sampling at sites on the lower Eastern Shore. The bill identifies 9 specific locations that must be included in the program, including the Transquaking, Chicamacomico, Nanticoke, Wicomico, Manokin and Pocomoke rivers and sound. Currently, sampling is conducted on a rotational basis around the state.

MARYLAND FARM BUREAU REMOVED OPPOSITION AFTER SUBSTANTIAL AMENDMENTS WERE NEGOTIATED

SB0702 - Healthy Climate Initiative

Senator Kramer

Died in Committee

This bill establishes the Regional Carbon Cost Collection Initiative (RCCCI) within the MDE. As a funding source, the bill establishes a greenhouse gas (GHG) pollution charge on all GHG-producing substances distributed or used in the state. Revenue from the charge is deposited into two special funds created by the bill, which are used to provide rebates to households and employers and to fund specified state and local GHG reduction activities.

MARYLAND FARM BUREAU OPPOSES SB 702

Hunting / Wildlife & Natural Resource Bills

HB0199 - Wicomico County - Deer Hunting - Sundays

Wicomico County Delegation

Returned Passed

As amended in the House, this bill authorizes DNR to allow a person in Wicomico County to hunt deer on private property on the second Sunday in deer firearms season from 30 minutes before sunrise until 10:30 a.m. These amendments go against MFB policy of allowing all-day Sunday hunting.

MARYLAND FARM BUREAU HAS NO POSITION ON HB 199 AS AMENDED

[HB0401 / SB0923](#) - Harford County - Hunting - Deer Management Permits

Harford County Delegation & Senator Gallion

Returned Passed

This bill adds Harford County to a list of shotgun-only hunting counties that would allow the use of a rifle for the harvesting of deer only under a Deer Management Permit (DMP). The regular deer firearms hunting season would still remain shotgun-only. Currently, St. Mary's, Calvert and Charles counties have this provision in the law. This bill will expand our farmers in Harford County's ability to utilize another tool in the toolbox in addressing the crop damage inflicted on their crops as a result of foraging deer herds. A DMP does not allow nighttime shooting and is only permitted by DNR after DNR confirms crop damage due to deer. The DMP only allow the harvest of antlerless deer and all deer harvested are to be donated to food banks or processed for the farmer's own consumption.

MARYLAND FARM BUREAU SUPPORTS HB 401 & SB 923

[HB0618 / SB0889](#) - Dorchester County - Sunday Hunting - Deer Bow Hunting Season

Delegate Adams & Senator Eckardt

Returned Passed

As amended, this bill authorizes a person in Dorchester County to hunt deer on private property on Sundays during the bow hunting season which runs from the first Sunday in October through the second Sunday in January.

MARYLAND FARM BUREAU SUPPORTS HB 618 & SB 889 AS AMENDED

[HB0619 / SB0890](#) - Dorchester County - Sunday Hunting - Deer Muzzleloader Season

Delegate Adams & Senator Eckardt

Returned Passed

As amended, this bill authorizes a person in Dorchester County to hunt deer on private property on Sundays during the deer muzzleloader hunting season.

MARYLAND FARM BUREAU SUPPORTS HB 619 & SB 890 AS AMENDED

[HB0620 / SB0888](#) - Dorchester County - Sunday Hunting - Deer Firearms Season

Delegate Adams & Senator Eckardt

Returned Passed

As amended, this bill authorizes a person in Dorchester County to hunt deer on private property on Sundays during the deer firearms hunting season.

MARYLAND FARM BUREAU SUPPORTS HB 620 & SB 888 AS AMENDED

[HB0728](#) - State Parks and Forests - Hunting - Use of Off-Road Vehicles

Delegate Beitzel

Died in Committee

This bill would authorize any individual holding a valid hunting license to use an off-road vehicle, in accordance with regulations adopted by the DNR, to retrieve game during a hunting season in certain state parks or forest where hunting is allowed.

MARYLAND FARM BUREAU SUPPORTS HB 728

[SB0390](#) - Natural Resources - Sunday Hunting - St. Mary's County

Senator Bailey

Passed Enrolled

As amended, this legislation is now a St. Mary's County-only bill that authorizes DNR to allow a person to hunt on a Sunday throughout the hunting season on private property or public land in St. Mary's County designated by DNR. DNR continues to stress that Sunday hunting is one of the most productive deer management tools they have to offer. Opening up more opportunities for hunters to harvest over-populations of deer on private land will assist with curbing the ever-increasing crop loss due to deer damage. Per the 2011 Maryland Ag Statistics survey, deer accounted for \$7.7 million in crop losses in Maryland annually.

MARYLAND FARM BUREAU SUPPORTS SB 390

Labor Policy

[HB0166](#) / [SB0280](#) - Labor and Employment - Payment of Wages - Minimum Wage and Enforcement (Fight for Fifteen)

Delegate Fennell & Senator McCray

Veto Override and Enacted

As amended, this bill phases in an increase in the state minimum wage to \$15.00 per hour by January 1, 2025, with an extra year phase-in for employers with 14 or fewer employees. The Board of Public Works (BPW) may temporarily suspend a scheduled increase in the state minimum wage for one-year under specified circumstances. The bill alters the applicability of specified subminimum wages and requires regulations to be adopted regarding wage statements of tipped employees. Additionally, the Governor's proposed budget must include specified rate increases for several types of health care providers over the funding provided in the prior year's legislative appropriation, which are subject to the same one-year suspension provisions as the minimum wage. The bill did include the Ag Worker exemption that was in current law. The adverse effect to increasing labor costs on the farming community would be extreme and very difficult to cover with the limited ability to increase what a farmer gets paid for the food being produced on the farm.

MARYLAND FARM BUREAU OPPOSES HB 166 & SB 280

Land Preservation

[HB0020](#) / [SB0344](#) - State Agricultural Land Transfer Tax – Nonagricultural Use Exemption - Repeal

Delegate Luedtke & Senator Zucker

Returned Passed

This bill repeals an exemption from the state agricultural land transfer tax that allows a developer that transfers land on which the property tax has been paid for 5 consecutive taxable years before the transfer on the basis of an assessment other than the farm or agricultural use assessment. This bill was amended to leave the provision in law but require a minimum of 35% of the ag transfer tax from year 4 and after.

MARYLAND FARM BUREAU SUPPORTS HB 20 & SB 344 AS AMENDED

HB1350 - Property Tax Assessments - Conservation Property - Alteration of Definition

Delegate Clark

Returned Passed

This bill alters the definition of conservation property for property tax assessment purposes by including a perpetual conservation easement that is sold or donated (1) to the Maryland Agricultural Land Preservation Foundation (MALPF); (2) to a specified land trust; or (3) under another public land conservation or preservation program. The bill takes effect June 1, 2019, and applies to taxable years beginning after June 30, 2019. Under current law, agricultural land that is actively farmed, whether it is subject to a conservation easement or not, is eligible for an agricultural land use assessment of \$500 per acre. However, if the land is not actively farmed, even if it is subject to a conservation easement through MALPF or a local preservation or conservation program, it is not eligible for the agricultural or conservation land use assessment. By passing this bill, agricultural land subject to an easement that is no longer actively farmed will continue to receive a special land use assessment of \$500 per acre.

MARYLAND FARM BUREAU SUPPORTS HB 1350

SB0025 - Real Property - Conservation Easements, Covenants, Restrictions, and Conditions - Recording Notice

Chair of JPR on behalf of MDA

Returned Passed

This bill authorizes the Maryland Agricultural Land Preservation Foundation, the Maryland Historical Trust, the Maryland Environmental Trust, and DNR to record notice of easements, covenants, restrictions, and conditions in the land records of the county in which the property interest is located. As conservation easements become older and older on properties, there are times when real property searches miss these easements when a prospective buyer is looking to purchase the property where the easement is located. This bill would allow the agencies to add these easements to the land records so these easements will be noticed at the time of property searches.

MARYLAND FARM BUREAU SUPPORTS SB 25

Livestock & Poultry Bills

HB0652 / SB0471 - Agriculture - Use of Antimicrobial Drugs - Limitations and Reporting Requirements

Delegate Love & Senator Pinsky

Passed Enrolled

As amended, this bill amends a law that was passed in 2017 by expanding the ban on the use of medically important antibiotics for disease prevention while mandating farm-level data reporting by veterinarians. This bill defines "Elevated Risk" when it comes to what would be allowed as a disease prevention treatment due to elevated risk. The bill requires a vet to verify a risk that is higher than that present under normal or standard operating conditions before a VFD or prescription can be written for disease prevention. The bill limits the length of time a medically important antimicrobial drug can be used to 21 consecutive days. Only after an on-site vet inspection determining the need for an additional dosage can the VFD be extended. MDA is required to study dry cow treatments over the next two years. Lastly, this bill requires the veterinarian to submit all water-soluble prescriptions and veterinary feed directives (VFD) (not prescriptions for injectables) for medically important antimicrobial drugs found in FDA's Guidance for Industry #152 to MDA annually starting in February 2021. Current law exempts small farms defined as annual sales of less than 200 swine, 200 cattle or 60,000 poultry per year. This bill adds dairy herds of 300 cows or less to the exemption.

MARYLAND FARM BUREAU OPPOSES HB 652 & SB 471

Tax Policy & Budget Bills

[HB0100](#) - Budget Bill (Fiscal Year 2020)

Speaker of the House on behalf of the Governor

Passed Enrolled

Ag programs were fully funded in the budget, including \$1,500,000 for the Dairy Margin Cost premium coverage of up to \$9.50 margins for the first 5 million pounds of milk. Additional funding of \$150,000 was included for spraying for Palmer Amaranth.

FOR INFORMATION ONLY

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

Delegate Ebersole

Passed Enrolled

As amended, this bill extends the food donation income tax credit for qualified farms for two additional tax years through tax year 2021 and expands the program so that farm businesses in Baltimore County also qualify for the credit. Additionally, the bill decreases the maximum amount of tax credit certificates that MDA may issue annually from \$250,000 to \$100,000. It is the General Assembly's intent that MDA continue to fund the marketing of the tax credit program and facilitate the donation of eligible food donations by qualified farms through the reimbursement of transportation costs or direct assistance with the transportation of eligible food donations. The current program was only being used by a couple of farmers in Southern Maryland.

MARYLAND FARM BUREAU SUPPORTS HB 403

Transportation Bills

[HB0880](#) - Counties and Municipalities - Transportation of Animals - Limitation on Authority

Delegate Airkan

Withdrawn

This bill would prevent a county or town from passing any law that bans the transportation of livestock or any other animals to and from a fair, show or festival. MFB is working with the Maryland Association of Agricultural Fairs & Shows (MAAFS) on this bill as they are worried about potential legislation in more urban counties and cities in the state. MFB will work with the Maryland Association of Counties (MACO) and the Maryland Municipal League (MML) over the summer to see if there is language that they would be more willing to accept to try this bill again next year.

MARYLAND FARM BUREAU SUPPORTS HB 880

Stay tuned for the 1st edition of the 2019 GRB - starting in May!