



The Maryland Farm Bureau Hotline

Contact: Colby Ferguson (240) 578-0396, Parker Welch (443) 480-4059, or Valerie Connelly (443) 690-2411

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This week in Annapolis was very busy as both chambers scrambled to get all the bill hearings completed before the bill crossover deadline of March 18th. We want to thank our Maryland Farm Bureau members who came to testify this week on several important bills - Diane Flickinger, Matt Hoff, Alan Eck, Bobby Hutchison, Mary Lou Brown, Melvin Beale, Matthew Weeman, Donna Sasscer, Donna Landis-Smith, Billy Bishoff, JD Blackwell, and Robert Deford. Having members tell their story and answer questions about how these bills affect them creates a lasting impression on the legislators. It really helps to illustrate the impact these bills will have on Maryland agriculture. On Friday, a bill to ban the sale of plant-based beverages that are labeled as "milk" and a bill to amend state law to conform to the newly passed Farm Bill language when it comes to growing Industrial Hemp will be heard. We expect additional members to attend to tell their story as well. Maryland Farm Bureau staff is preparing for another busy week in Annapolis next week.

Here are the bills of interest for next week:

Tuesday, March 5, 2019

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

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

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.

Maryland Farm Bureau 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.

MARYLAND FARM BUREAU SUPPORTS HB 880

[SB0516](#) - Clean Energy Jobs

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

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.

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[SB0702](#) - **Healthy Climate Initiative**

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

This bill establishes the Regional Carbon Cost Collection Initiative (RCCCI) within the Maryland Department of the Environment (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.

MFB Policy: We oppose the creation of a state carbon and/or greenhouse gas reduction tax/fee.

MARYLAND FARM BUREAU OPPOSES SB 702

Wednesday, March 6, 2019

[HB0277](#) - **Regional Initiative to Limit or Reduce Greenhouse Gas Emissions in Transportation Sector**

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

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 DC.

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 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.

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

MARYLAND FARM BUREAU OPPOSES HB 277

HB0532 - Protecting Natural Resources and Preserving Productive Farms – Commission on the Development of a Blueprint for Solar Energy in Maryland

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

This bill creates a Commission that is to develop a blueprint for a solar energy facility siting in Maryland. Maryland Farm Bureau 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 clearing house 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 January 1, 2020.

MARYLAND FARM BUREAU SUPPORTS HB 532

HB0639 - Anne Arundel County - Public Safety - Buildings Used for Agritourism

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

This bill adds Anne Arundel County 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.

MFB Policy: We define agritourism as activities conducted on a farm and offered to the public or to invited groups for the purpose of education, recreation, or active involvement in the farm operation. Directly related to this bill, MFB policy reads: We further support the inclusion of specific language in the building code to permit public access to existing, structurally sound, nonresidential buildings without mandated upgrades to the full current codes.

MARYLAND FARM BUREAU SUPPORTS HB 639

HB0904 - Agriculture - Nutrient Management - Monitoring and Enforcement

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

This bill amends three different titles of the law - Agriculture, Environment and Natural Resources - to address non-compliance with nutrient management laws and monitor nutrient movement. In the ag article, the bill establishes fines of up to \$250 for certified NM planners who fail to submit soil test samples or otherwise implement provisions of the Phosphorus Management Tool (PMT). The bill establishes mandatory fines for farmers who do not have NM plans (or current updates) of at least \$100 and up to \$250. Fines for violations of plans are also mandatory at \$100-\$500 per violations, up to \$5000 per year. Current law allows for fines, at the discretion of MDA, up to \$2500 per year. The bill requires a 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 establishes a new certification for “commercial manure haulers or brokers.” The bill requires CAFOs (Confined Animal Feeding Operation) and MAFOs (Maryland Animal Feeding Operations) to only use “certified commercial manure haulers” to remove manure generated at the operation. The bill directs MDA to set certification eligibility, training, BMPs for hauling and record keeping and data submission requirements for haulers. A fee of \$100 is established for a hauler’s certificate. The bill requires haulers to employ MDA established BMPs when transporting, storing or land-applying manure. The bill also requires certified haulers to maintain, for minimum of 3 years, transport and inventory records that show the name of each producing farm and the amount of manure obtained; and the name of each receiving farm or alternative use facility and the amount of manure received. Records must be available for MDA to review. An annual report sufficient to track quantity and location of manure hauled or brokered must be submitted to MDA. CAFOs and MAFOs are subject to a fine of \$1000 for failure to use a certified commercial hauler. Haulers are subject to a fine of \$500 per violation.

The bill amends the Environment Article to require that a person must have a discharge permit from MDE before any construction, clearing or grading begins to construct a new CAFO. The bill prohibits MDE from issuing the permit to anyone who violates this provision. The bill requires MDE to charge a fee of at least \$5000 for a proposed CAFO that will house 200,000 or more animals or have a house capacity of greater or equal to 200,000 square feet. The bill requires MDE to charge an annual permit fee of \$1500 to all existing CAFOs of similar size and capacity. The bill provides that MDE may not waive the fees. Current regulations set a fee range 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. This bill mandates the fee with a substantial increase.

The bill further amends the Environment Article to require CAFO discharge permits issued for operations that house 200,000 or more animals or have a capacity of 200,000 square feet to install, use and maintain on-site monitoring equipment. Monitoring results must be submitted to MDE.

The bill amends the Natural Resource Article to allow the 2010 Chesapeake Bay Trust Fund to be used for continuous water quality monitoring at sites on the lower eastern shore. The bill requires DNR to deploy continuous water quality monitoring stations in tributaries located on the lower eastern shore as part of the Chesapeake Bay Shallow Water Quality Monitoring Program. 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. The intent expressed in the bill is to locate the monitoring stations at locations where they previously existed to provide long-term trend data.

MARYLAND FARM BUREAU OPPOSES HB 904

[HB1221](#) - Natural Resources - Hunting - Sundays

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

This bill authorizes the Department of Natural Resources (DNR) to allow a person to hunt any game bird or mammal on Sunday on private property or on public land designated by DNR, subject to specified restrictions statewide. The bill would authorize DNR to allow a person to hunt deer on any additional Sunday in a county from 30 minutes before sunrise until 30 minutes after sunset on (1) three Sundays in deer firearms season; (2) two Sundays in deer muzzleloader season; and (3) all Sundays in bow hunting season. Any other Sundays allowed by DNR would only allow a person to hunt deer in a county from 30 minutes before sunrise until 10:30 a.m.

MARYLAND FARM BUREAU SUPPORTS HB 1221

[HB1227](#) - Public Utilities - Wind and Solar Generating Stations - Local Zoning and Land Use

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

This bill prohibits the Public Service Commission (PSC) from taking final action on a certificate of public convenience and necessity for commercial wind and solar projects until a county or municipality has completed a review and provided to the PSC that the proposed project conforms to all the county and municipal zoning and land use requirements.

MFB Policy: We oppose the State of Maryland preemption of local and county land use policy for renewable energy generation projects.

MARYLAND FARM BUREAU SUPPORTS HB 1227

Friday, March 8, 2019

[HB0199](#) - Wicomico County - Deer Hunting - Sundays

Wicomico County Delegation, E&T at 1:00pm in 250 HOB

This bill authorizes a person in Wicomico County to hunt deer on private property on the first Sunday of the bow hunting season in November and each Sunday in the deer firearms season.

MARYLAND FARM BUREAU SUPPORTS HB 199

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

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

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

HB0619 - Dorchester County - Sunday Hunting - Deer Muzzleloader Season

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

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

HB0620 - Dorchester County - Sunday Hunting - Deer Firearms Season

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

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

HB1158 - Clean Energy Jobs

Delegate Lisanti, ECM at 1:00pm in 230 HOB

See bill summary for SB 516 that is being heard on Tuesday.

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HB1235 - Healthy Climate Initiative

Delegate Fraser-Hidalgo, ECM at 1:00pm in 230 HOB

See bill summary for SB 702 that is being heard on Tuesday.

MARYLAND FARM BUREAU OPPOSES HB 1235

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