

MaGIC Legislative Update #4

February 26, 2010

The major updates are:

The **Invasive Species** bill has been introduced and assigned a number **HB1360** with a hearing scheduled for 3/12.

HB930- Fertilizer and Pesticide Reporting bill has been withdrawn by the sponsor.

SB359 -Fertilizer and Pesticide Reporting bill has been scheduled a hearing for 3/4 at 1 PM..

Updates are highlighted in **yellow**. View the complete text of bills at the following link.
<http://mlis.state.md.us/#bill> .

House Bills

HB 50 –Sponsored By: Delegate G. Clagett

Entitled: Agriculture – Specialty Fertilizers – Low Phosphorous Fertilizer

Synopsis:

Lowering the threshold for the phosphoric acid content of lawn fertilizers to which specified prohibitions and requirements apply; and altering the definition of “low phosphorous fertilizer”. The standard would decrease from 5% phosphorus to 0.5% phosphorus. The bill was heard on 2/3 and has not been voted on in committee yet.

MaGIC Position: no position

HB356-Sponsored By: Delegates Cane, Elmore, Howard, Malone, Morhaim, and Stull

Entitled: Forest Product Operators – Standards, Procedures, and Enforcement

Synopsis:

Establishing an application process for a forest product operator’s license; providing for the term of a forest product operator’s license; establishing standards and requirements for a forest product operator license holder; repealing obsolete provisions of law governing inspections of woodlands and leases on woodlands for timber harvesting; requiring reporting of quality and quantity of firewood processed; authorizing the Department of Natural Resources to suspend or revoke the license of a forest product operator under specified circumstances; etc.

MaGIC Position: FYI. The bill was heard on 2/17 and has not been voted on in committee yet.

HB 421- Sponsored By: Chair, Environmental Matters Committee (By Request -
Departmental - Agriculture)

Entitled: Department of Agriculture - Advertising Agricultural Products as Locally Grown - Regulatory Authority

Synopsis:

This bill authorizes the Secretary of Agriculture to adopt standards to regulate the use of the terms “locally grown” and “local” to advertise or identify an agricultural product. The bill is

intended to promote and support local farmers and encourage retailers to use products grown in and near Maryland to meet consumer demand for local produce. The actual definition would be determined through meetings with local growers and other stakeholders during the regulatory process. The bill was reported out of Environmental Matters committee with amendments requiring the Secretary to consult with an advisory board before promulgating regulations on “locally grown”.

MaGIC Position: No position

HB606- Sponsored By: Delegates Love, Beidle, Costa, George, King, Kipke, McConkey, Schuh, and Sophocleus

Entitled: Natural Resources – Local Forest Conservation Funds – Use of Money

Synopsis:

Repeals the requirement that, at the end of 2 years or 3 growing seasons, unused money in a local forest conservation fund be returned to the person who provided the money for tree planting purposes. A hearing is not scheduled in at this time. Hearing is scheduled on March 3 in the Environmental Matters Committee.

MaGIC Position: FYI

HB621-Sponsored By: Delegates Frush, Barnes, and Hubbard

Entitled: Agriculture – Commercial Fertilizer – Surcharge

Synopsis:

Imposing a surcharge rate of \$5 on each ton of commercial fertilizer distributed in the State; exempting low phosphorous fertilizer from the surcharge; requiring distributors to pay the surcharge before distributing commercial fertilizer in the State; and requiring the Department of Agriculture to distribute the revenue from the surcharge to the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund. Hearing is February 24 at 1PM in the Environmental Matters Committee. The bill was withdrawn by the sponsor.

HB 930 (Cross filed with SB359)

Sponsored By: Delegates Frush, Hucker, Barnes, Gaines, Healey, Hubbard, Niemann, and Pena-Melnyk

Entitled: Agriculture - Fertilizers and Pesticides - Release Reporting

Synopsis: Requiring the Department of Agriculture to adopt specified regulations regarding reporting on the release of fertilizers and pesticides; declaring specified findings of the General Assembly; requiring a person that releases fertilizers and pesticides to submit a specified report to the Department; requiring the report to contain specified information; requiring the report to cover the preceding calendar year and be submitted annually beginning on March 1, 2012; requiring the Department to establish the format of the report; etc. **The bill was withdrawn by the sponsor.**

HB 974 Sponsored By: Chair, Environmental Matters Committee (By Request - Departmental - Agriculture) Entitled: Nutrient Trading - Voluntary Agricultural Nutrient Credit Certification Program

Synopsis:

This bill authorizes the Maryland Department of Agriculture to establish requirements for the voluntary certification and registration of nutrient credits on agricultural land; establishing specified certification and registration requirements; authorizing the Secretary of Agriculture to suspend or revoke the approval or certification of credits under specified circumstances; etc. It is assigned to the Environmental Matters Committee. **Hearing 3/3 at 1:00 p.m.**

MaGIC Position: no position

HB 1360 Sponsored By: Delegate Delegates Boteler, Bromwell, Kach, Lafferty, Olszewski, Schuler, Shewell, and Stein

Entitled: Department of Agriculture-Invasive Plants- Labeling and Notice

Synopsis:

This Bill designates certain 45 species of plant as invasive plants. It authorizes the Department of Agriculture to designate certain additional species of plants as invasive species if the species meet certain criteria. It prohibits a person except as provided under this Act, from selling or offering for sale in the State or from planting or supplying as part of a certain landscaping service invasive plants; It requires each container of invasive plant sold or offered for sale to have attached a label containing certain information including a statement that invasive species are harmful to the environment. It requires a retail display of invasive plants to include a certain sign containing certain information; requiring the Department to develop a certain sign and provide it at no cost to certain retailers; requiring a person, before supplying or planting an invasive plant as part of a certain landscaping service, to give a certain customer certain notice; requiring the notice to contain certain information in a certain form; prohibiting a person from concealing, detaching, altering, defacing, or destroying a certain label, sign, or notice; requiring the Secretary of Agriculture to adopt certain regulations; requiring the Secretary to provide a certain person with certain notice of a suspected violation of this Act; requiring the Secretary to provide a certain person with an opportunity to dispute a suspected violation of this Act; providing that a person who violates the provisions of this Act is guilty of a misdemeanor and, on conviction, is subject to a certain fine; defining certain terms; and generally relating to regulation of invasive plants. **This bill has been scheduled for a hearing on 3/12 at 1PM in Environmental Matters committee.**

MaGIC Position: Oppose and will testify against.

Senate Bills

**SB90- Sponsored By: Chair, Education, Health, and Environmental Affairs Committee (By Request - Departmental - Agriculture)
Entitled: Secretary of Agriculture - Farm Quarantine**

Synopsis:

Authorizing the Secretary of Agriculture to establish a farm quarantine and to issue appropriate orders necessary to control or restrict the use of specified farmland, crops, livestock, poultry or farm products; requiring the Secretary to consult with the Governor, the Secretary of Health and Mental Hygiene, and the Secretary of the Environment before establishing a quarantine; requiring the Secretary to give specified notice of a quarantine; requiring the Secretary to provide procedures to alter or remove a quarantine. This bill has passed the Senate and will be heard in the Environmental Matters Committee. A hearing has not been scheduled.

MaGIC Position: FYI

SB93-Sponsored By: Chair, Education, Health, and Environmental Affairs Committee (By Request - Departmental - Agriculture)**Entitled: Agriculture - Pest Control - Fees and Registration**

Synopsis:

Clarifying the authority of the Department of Agriculture to charge a \$10 fee for a pest control examination retaken after the initial examination; requiring a person who operates a pest control business to register annually specified employees with the Department of Agriculture; establishing specified employee registration and renewal fees of \$30; and requiring the payment of a specified late fee under specified circumstances. A hearing was held on January 27 in the Education, Health and Environmental Affairs Committee. There has not been any action taken by the committee.

MaGIC Position: no position

SB359- Sponsored By: Senators Lenett, Exum, Harrington, King, McFadden, Pinsky, Pugh, Raskin, Robey, and Rosapepe**Entitled: Agriculture - Fertilizers and Pesticides - Release Reporting**

Synopsis:

Requiring the Department of Agriculture to adopt specified regulations regarding reporting on the release of fertilizers and pesticides; declaring specified findings of the General Assembly including finding that fertilizers and pesticides may have a negative impact on health and the environment; requiring a person that releases fertilizers and pesticides to submit a specified report to the Department; requiring the report to contain specified information; requiring the report to cover the preceding calendar year and be submitted annually beginning on March 1, 2012; requiring the Department to establish the format of the report. The program would use a special fund from registration fees on pesticides and fertilizers to administer the program. A hearing is scheduled for 3/4 at 1PM in the Senate Education, Health and Environmental Affairs Committee.

MaGIC Position: Oppose and will testify against.

SB361-Sponsored By: Senator Astle

Entitled: Natural Resources - Local Forest Conservation Funds - Use of Money

Synopsis:

Repealing the requirement that, at the end of 2 years or 3 growing seasons, unused money in a local forest conservation fund be returned to the person who provided the money for specified tree planting purposes. Hearing is scheduled February 23 at 1PM in the Senate Education, Health and Environmental Affairs Committee.

MaGIC Position: FYI

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