

FOOD SYSTEM POLICY IN MARYLAND

Food and Agriculture Legislation in the
2015 General Assembly of Maryland

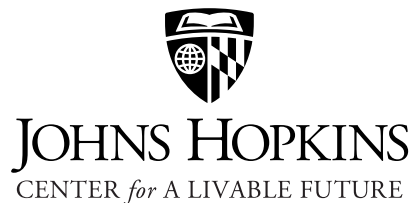


Maryland
Food
System
Map



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Food System Policy in Maryland

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The growing interest in food and agriculture policy in Maryland is evident by the emerging number of food policy councils, increase in the number of advocacy and non-profit organizations with a focus on food and farming, and the beginnings of a state food charter. Legislation at the state level has broad, significant impacts on Maryland's food system, from establishing management practices for farmers and watermen to launching a statewide farm-to-school initiative. It is important to understand the scope of this legislation in order to work towards a policy environment that supports and strengthens the Maryland food system. This report identifies action taken on food system topics at the state level by the [General Assembly of Maryland](#) in 2015.

The goals of this research and report are to identify the scope of legislation related to the Maryland food system, reveal the number of bills related to each segment of the food system, and provide quick summary information on the status of each bill. The categorization methods used (see appendix) can be replicated for future sessions or applied to past sessions archived on the General Assembly of Maryland website to identify trends over time. A final goal for this research and report is to jump-start a process of better analyzing legislation relevant to the food system over time, and to better understand where legislation can have a positive or negative impact on the strength of the local food system.

Table 1: Number of Bills by Food System Category

Category	Number of Bills
Agriculture	25
Aquaculture	16
Consumer Access and Demand	7
Food Safety and Processing	6
Food System Infrastructure	1
Food Waste and Recovery	3
Land Use Planning	5
School Food and Education	12

The General Assembly is composed of 47 Senators and 141 Delegates from 47 districts. During the 90-day session in 2015, the General Assembly acted on 2,248 pieces of legislation introduced in both the House and Senate. By reviewing the results of

Table 2: Number of Bills by Sponsor - Senate

Sponsor	District	Bills Sponsored
Senator Middleton	28	5
Senator Eckardt	37	4
Senator Madaleno	18	3
Senator Nathan-Pulliam	44	3
Senator Pinsky	22	3
Senator Hershey	36	2
Senator Young	3	2
Howard County Senators	n/a	1
Senator Conway	43	1
Senator Getty	5	1
Senator Guzzone	13	1
Senator Jennings	7	1
Senator Klausmeier	8	1
Senator Manno	19	1
Senator McFadden	45	1
Senator Raskin	20	1
Senator Ready	5	1
Senator Simonaire	31	1

the 2015 session and searching each piece of legislation for key terms, we identified 75 bills pertaining to the Maryland food system, 19 of which were signed into law.

Each of the 75 bills was placed into one of the following categories: Agriculture, Aquaculture, Consumer Access and Demand, Food Safety and Processing, Food System Infrastructure, Food Waste and Recovery, Land Use Planning, and School Food and Education. Bills related to Farm-to-Institution and Food Assistance Program were not introduced in the 2015 regular session, however, the categories

are worth noting for future legislative analysis. Table 1 lists the number of bills in each category.

The 75 bills summarized in this report are sorted by their food system category. Each summary includes a bill number, synopsis, sponsor(s), committee(s), and the bill’s status at the end of the 2015 session. In many cases, identical bills were cross-filed in both the House and Senate. In these instances, we coupled the bills together and included information for bill numbers, sponsors, and status for both the House and Senate. By visiting this [page](#) on the General Assembly of Maryland website, anyone can search for bills by bill number and read the legislation in its entirety, see details on voting in all stages of the legislative process, and more.

By identifying the sponsor of each bill, we hope to highlight members of the Maryland Legislature that may be supportive of similar bills in the future. In addition to listing the sponsor of each bill, we included the total number of these bills sponsored by each member of the Maryland House and Senate in Tables 2 and 3.

This report does not attempt to rank bills by their importance, nor does it assign value—positive or negative—to any bill, i.e. whether passage of a particular bill would be a positive or negative change for the food system in Maryland. There may also be some categories of bills that were not covered by our search terms. The food system is a complex web of interconnected activities and processes; to fully understand the impact of any one piece of legislation requires analysis over time. This report is a first step towards understanding this impact.

Table 3: Number of Bills by Sponsor - House

Sponsor	District	Bills Sponsored
Delegate Jacobs	36	6
Delegate Mautz	37B	3
Delegate O’Donnell	29C	3
Delegate Fraser-Hidalgo	15	2
Delegate Hornberger	35A	2
Delegate Lafferty	42A	2
Delegate Moon	20	2
Delegate Robinson, S.	39	2
Delegate Waldstreicher	18	2
Delegate Walker	26	2
Howard County Delegation	n/a	2
Anne Arundel County Delegation	n/a	1
Delegate Anderson	43	1
Delegate Frush	21	1
Delegate Glenn	45	1
Delegate Haynes	44A	1
Delegate Healey	22	1
Delegate Hixson	20	1
Delegate Holmes	23B	1
Delegate Jameson	28	1
Delegate Luedtke	14	1
Delegate McIntosh	43	1
Delegate Morhaim	11	1
Delegate Platt	17	1
Delegate Rosenberg	41	1
Delegate Smith	20	1
Delegate Stein	11	1
Delegate Turner	13	1
Delegate Washington, M.	43	1

Agriculture

Bay Tax Equity Act

Reference number (Senate/House): SB0533/HB0886

Signed into Law? No

Sponsor (Senate/House): Senator Madaleno/Delegate Moon

Committee (Senate/House): Education, Health, and Environmental Affairs/Environment and Transportation

Synopsis:

Establishing a specified chicken manure pollution fee payable to the Comptroller by a specified poultry integrator in a specified manner; requiring the Comptroller to transfer revenue from the fee to the Maryland Agriculture Water Quality Cost Share Program in the Department of Agriculture for specified cover crop activities; repealing specified provisions of law requiring the Comptroller to disburse specified funds from the Bay Restoration Fund to be used for specified cover crop activities; etc.

Current status (Senate/House): Hearing 3/03 at 1:00 p.m./Unfavorable Report by Environment and Transportation; Withdrawn

Agriculture - Nutrient Management - Phosphorus Management Tool

Reference number (Senate/House): SB0257/HB0381

Signed into Law? No

Sponsor (Senate/House): Senator Pinsky/Delegate Lafferty

Committee (Senate/House): Education, Health, and Environmental Affairs/Environment and Transportation

Synopsis:

Incorporating by reference specified nutrient management plan requirements in the Maryland Nutrient Management Manual of the Department of Agriculture and any supplements to the Manual; establishing specified content and criteria for a nutrient management plan developed for an agricultural operation; providing that a specified agricultural certification does not prevent the application or enforcement of specified provisions of law; etc.

Current status (Senate/House): Recommitted to Education, Health, and Environmental Affairs (Senator Pinsky)/Unfavorable Report by Environment and Transportation; Withdrawn

Agriculture - Cattle, Swine, and Poultry - Use of Antimicrobial Drugs

Reference number (Senate/House): SB0463/HB0701

Signed into Law? No

Sponsor (Senate/House): Senator Pinsky/Delegate Robinson, S.

Committee (Senate/House): Education, Health, and Environmental Affairs/Environment and Transportation

Synopsis:

Prohibiting a person from engaging in the nontherapeutic use of medically important antimicrobial drugs in specified cattle, swine, and poultry on or after October 1, 2016; requiring a specified farm operation to submit specified information under specified circumstances to the Department of Agriculture on

or before October 1 each year, beginning on or before October 1, 2017; authorizing the Secretary of Agriculture to impose a specified penalty; providing for the application of the Act; etc.

Current status (Senate/House): [Recommitted to Education, Health, and Environmental Affairs \(Senator Pinsky\)/Hearing 3/13 at 1:00 p.m.](#)

Agriculture - Neonicotinoid Pesticide - Labeling Requirement (Pollinator Protection Act of 2015)

Reference number (Senate/House): [SB0163/HB0605](#)

Signed into Law? No

Sponsor (Senate/House): [Senator Nathan-Pulliam/Delegate Healey](#)

Committee (Senate/House): [Education, Health, and Environmental Affairs/Environment and Transportation](#)

Synopsis:

Prohibiting a person from selling in the State specified seeds, material, and plants that have been treated with a neonicotinoid pesticide unless the seeds, material, and plants bear a label with a specified statement; prohibiting a person from selling in the State, on or after January 1, 2016, a neonicotinoid pesticide unless the person also sells a restricted-use pesticide; prohibiting a person, except specified individuals, from using a neonicotinoid pesticide on or after January 1, 2016; etc.

Current status (Senate/House): [Hearing 2/17 at 1:00 p.m./Hearing 3/13 at 1:00 p.m.](#)

Maryland Shoreline Risk Assessment, Preparation, and Adaptation Act

Reference number (Senate/House): [SB0256/HB0881](#)

Signed into Law? No

Sponsor (Senate/House): [Senator Pinsky/Delegate Frush](#)

Committee (Senate/House): [Education, Health, and Environmental Affairs/Environment and Transportation](#)

Synopsis:

Requiring the Department of Agriculture on or before July 1, 2016 to conduct a comprehensive assessment of the impacts of climate change on agriculture in the State; requiring the University of Maryland Center for Environmental Science to establish specified sea level rise projections; requiring the Secretary of Natural Resources to update Maryland Environmental Policy Act guidelines; altering the State's Economic Growth, Resource Protection, and Planning Policy to include the consideration of climate change risks; etc.

Current status (Senate/House): [Hearing 2/17 at 1:00 p.m./Unfavorable Report by Environment and Transportation; Withdrawn](#)

Agriculture - Antibiotic Drug Usage - Food-Producing Animals

Reference number (Senate/House): [SB0470/HB1075](#)

Signed into Law? No

Sponsor (Senate/House): [Senator Nathan-Pulliam/Delegate Morhaim](#)

Committee (Senate/House): [Education, Health, and Environmental Affairs/Environment and Transportation](#)

Synopsis:

Prohibiting a person from administering an antibiotic drug to a food-producing animal under specified circumstances; requiring the State Department of Agriculture to establish by regulation a specified program; requiring regulations adopted by the Department to include specified provisions; etc.

Prohibiting a person from administering an antibiotic drug to a food-producing animal in the absence of any clinical sign of disease and without a prescription from a licensed veterinarian; requiring the State Department of Agriculture to establish by regulation a specified program; requiring regulations adopted by the Department to include specified provisions; etc.

Current status (Senate/House): Unfavorable Report by Education, Health, and Environmental Affairs; Withdrawn/Unfavorable Report by Environment and Transportation; Withdrawn

Farmers' Rights Act

Reference number (Senate/House): SB0532/HB1019

Signed into Law? No

Sponsor (Senate/House): Senator Madaleno/Delegate Fraser-Hidalgo

Committee (Senate/House): Finance/Environment and Transportation

Synopsis:

Establishing requirements for the form and content of specified livestock production contracts; requiring livestock production contracts to be reviewed by the Attorney General; establishing that contract producers have specified rights; prohibiting specified contractors from engaging in or allowing their employees or agents to engage in specified practices; establishing specified civil and criminal penalties for violation of the Act; providing for enforcement of the Act; etc.

Current status (Senate/House): Unfavorable Report by Finance/Unfavorable Report by Environment and Transportation; Withdrawn

Vehicle Laws - All-Terrain Vehicles - Access to Farms

Reference number (Senate/House): Not Filed/None filed/other??/HB0812

Signed into Law? Yes

Sponsor (Senate/House): /Delegate Hornberger

Committee (Senate/House): /Environment and Transportation

Synopsis:

Authorizing a local authority to allow a person to cross a highway under its jurisdiction on an all-terrain vehicle at a right angle to access a farm or to move from one part of a farm to another part of the same farm.

Current status (Senate/House): /Approved by the Governor - Chapter 281

Agriculture - Industrial Hemp - Legalization

Reference number (Senate/House): /HB0803

Signed into Law? Yes

Sponsor (Senate/House): /Delegate Fraser-Hidalgo

Committee (Senate/House): /Environment and Transportation

Synopsis:

Authorizing a person to plant, grow, harvest, possess, process, sell, or buy industrial hemp in the State; requiring a person to register with the Department of Agriculture before planting or growing industrial hemp; altering the definition of 'marijuana' for purposes of specified provisions of law relating to controlled dangerous substances to exclude industrial hemp; providing that the Act is contingent on the taking effect of specified federal provisions that delegate authority over industrial hemp to the states; etc.

Current status (Senate/House): /Approved by the Governor - Chapter 456

Cigarette Restitution Fund - Use of Funds - Compliance With Watershed Implementation Plans

Reference number (Senate/House): /HB0633

Signed into Law? No

Sponsor (Senate/House): /Delegate Rosenberg

Committee (Senate/House): /Environment and Transportation

Synopsis:

Allowing the Cigarette Restitution fund to be used to provide financial assistance to farmers for specified purposes; establishing the Watershed Implementation Plan Fund as a special, nonlapsing fund to provide financial assistance to farmers for implementation of State or local watershed implementation plans associated with the Chesapeake Bay total maximum daily load; requiring the Department of Agriculture to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; etc.

Current status (Senate/House): /Unfavorable Report by Environment and Transportation

Environment - Implementation of Watershed Implementation Plan - Limitation

Reference number (Senate/House): SB0919/HB1268

Signed into Law? No

Sponsor (Senate/House): Senator Hershey/Delegate Jacobs

Committee (Senate/House): Education, Health, and Environmental Affairs/Rules and Executive Nominations

Synopsis:

Prohibiting a person from engaging in an activity or a strategy to implement a State Watershed Implementation Plan until the U.S. Environmental Protection Agency completes and publishes the 2017 Chesapeake Bay midpoint assessment and the University of Maryland Center for Environmental Science completes the 2-year study begun in 2015 to quantify and analyze the sediment and associated nutrients in major entry points to the Lower Susquehanna River Reservoir System and the upper Chesapeake Bay and other specified assessments; etc.

Current status (Senate/House): Unfavorable Report by Education, Health, and Environmental Affairs/
First Reading House Rules and Executive Nominations

Income Tax - Subtraction Modification - Enhanced Agricultural Management Equipment

Reference number (Senate/House): SB0345/HB0536

Signed into Law? No

Sponsor (Senate/House): Senator Middleton/Delegate McIntosh

Committee (Senate/House): Budget and Taxation/Ways and Means

Synopsis:

Altering a specified definition as it relates to a subtraction modification under the Maryland income tax to allow the subtraction if a specified nutrient management plan is prepared by an individual with a specified certification instead of a specified license; altering a specified definition to include specified manure loading or hauling and commercial fertilizer application equipment; applying the Act to taxable years beginning after December 31, 2014; etc.

Current status (Senate/House): Hearing 3/31 at 1:00 p.m./Hearing 3/06 at 1:00 p.m.

Sales and Use Tax - Agricultural Products and Equipment - Repeal of Exemption

Reference number (Senate/House): /HB0928

Signed into Law? No

Sponsor (Senate/House): /Delegate Walker

Committee (Senate/House): /Ways and Means

Synopsis:

Repealing a specified exemption from the sales and use tax for specified agricultural products and equipment.

Current status (Senate/House): /Hearing 3/03 at 1:00 p.m.

Income Tax - Subtraction Modification - Commercial Fertilizer

Reference number (Senate/House): SB0860/

Signed into Law? No

Sponsor (Senate/House): Senator Middleton/

Committee (Senate/House): Budget and Taxation/

Synopsis:

Allowing a subtraction modification under the Maryland individual and corporate income tax for a taxable year beginning after December 31, 2016, but before January 1, 2026, for the additional expenses to purchase and apply specified qualified commercial fertilizer on an agricultural production; requiring the State Department of Agriculture to calculate the amount of the subtraction allowed; requiring a taxpayer to file a specified certification with the taxpayer's income tax return; etc.

Current status (Senate/House): First Reading House Rules and Executive Nominations/

Susquehanna River Basin - Sediment and Nutrient Pollution (National Chesapeake Bay Preservation Act of 2015)

Reference number (Senate/House): SJ0001/

Signed into Law? No

Sponsor (Senate/House): Senator Simonaire/

Committee (Senate/House): Education, Health, and Environmental Affairs/

Synopsis:

Urging the United States Congress to authorize a review of the studies related to the Susquehanna River

Basin for the purpose of initiating and funding a project by the U.S. Army Corps of Engineers to address the transport of sediment and nutrients from the Susquehanna River Basin in order to minimize the pollutant load reaching the Chesapeake Bay from the Susquehanna River; and providing that a copy of the resolution be forwarded by the Department of Legislative Services to specified individuals.

Current status (Senate/House): [Hearing 3/30 at 3:00 p.m./](#)

Aquaculture

Creation of a State Debt - Talbot County - Phillips Wharf Aquaculture Job Training Center

Reference number (Senate/House): [SB0858/HB1250](#)

Signed into Law? No

Sponsor (Senate/House): [Senator Eckardt/Delegate Mautz](#)

Committee (Senate/House): [Budget and Taxation/Appropriations](#)

Synopsis:

Authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Phillips Wharf Environmental Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Phillips Wharf Aquaculture Job Training Center, located in Talbot County; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

Current status (Senate/House): [Hearing 3/14 at 1:00 p.m./Unfavorable Report by Appropriations](#)

Natural Resources - Aquaculture - Liability for Trespass

Reference number (Senate/House): [SB0808/HB0287](#)

Signed into Law? Yes

Sponsor (Senate/House): [Senator Klausmeier/Delegate O'Donnell](#)

Committee (Senate/House): [Education, Health, and Environmental Affairs/Environment and Transportation](#)

Synopsis:

Establishing specified damages for which specified persons are liable for entering an area leased to another person for aquaculture purposes to harvest, damage, or transfer shellfish or to alter, damage, or remove any markings or equipment; requiring a person who enters an area leased to another person for aquaculture purposes to display a shellfish aquaculture harvester registration card or an operator card for the lease area on the request of a law enforcement officer; etc.

Current status (Senate/House): [Vetoed by the Governor \(Duplicative\)/Approved by the Governor - Chapter 235](#)

Natural Resources - Oyster Poaching - Administrative Penalties

Reference number (Senate/House): [SB0696/HB1036](#)

Signed into Law? No

Sponsor (Senate/House): [Senator Hershey/Delegate Jacobs](#)

Committee (Senate/House): Education, Health, and Environmental Affairs/Environment and Transportation

Synopsis:

Repealing the offense for taking oysters with gear that is prohibited in a specified area; establishing an offense for taking oysters with a power dredge in a specified area; altering the administrative penalties that apply to a person for knowingly committing specified offenses related to oyster poaching by requiring under the Department of Natural Resources under specified circumstances to suspend the person's oyster license for 1 year under specified circumstances; etc. OR repealing the offense for taking oysters with gear that is prohibited in a specified area; establishing an offense for taking oysters with a power dredge in a specified area; altering the administrative penalties that apply to a person for knowingly committing specified offenses related to oyster poaching by requiring the Department of Natural Resources to suspend or revoke the person's oyster license for a first offense under specified circumstances; etc.

Current status (Senate/House): Third Reading Passed with Amendments (137-0)/First Reading Education, Health, and Environmental Affairs

Natural Resources - Aquaculture Leases - Consideration of User Conflicts

Reference number (Senate/House): SB0709/HB0419

Signed into Law? No

Sponsor (Senate/House): Senator Conway/Delegate Jacobs

Committee (Senate/House): Education, Health, and Environmental Affairs/Environment and Transportation

Synopsis:

Requiring the Department of Natural Resources to consider potential user conflicts, including navigation, recreation, and commercial fishing, in determining the location of submerged land aquaculture leases in the Chesapeake Bay and water column aquaculture leases in the waters of the State; requiring the Department to mitigate and minimize the effects of the proposed location of specified aquaculture leasing areas on other users if the Department determines that conflicts exist; etc.

Current status (Senate/House): Hearing 3/17 at 1:00 p.m./Unfavorable Report by Environment and Transportation; Withdrawn

Tidal Fisheries Advisory Commission and Sport Fisheries Advisory Commission - Membership

Reference number (Senate/House): /HB1287

Signed into Law? Yes

Sponsor (Senate/House): /Delegate O'Donnell

Committee (Senate/House): /Environment and Transportation

Synopsis:

Altering the composition of the Tidal Fisheries Advisory Commission and the Sport Fisheries Advisory Commission; requiring the Governor, with the advice of the Secretary of Natural Resources, to appoint a representative of the aquaculture industry in the State to both the Tidal Fisheries Advisory Commission and the Sport Fisheries Advisory Commission; providing for the terms of the membership of the Tidal

Fisheries Advisory Commission and the Sport Fisheries Advisory Commission; etc.

Current status (Senate/House): /Approved by the Governor - Chapter 307

Natural Resources - Oysters - Shell Seeding, Shell Replenishment, and Rotational Harvest

Reference number (Senate/House): /HB0638

Signed into Law? No

Sponsor (Senate/House): /Delegate Holmes

Committee (Senate/House): /Environment and Transportation

Synopsis:

Authorizing a person to use a power dredge to harvest oysters from any natural oyster bar in the State during a specified time period, subject to specified requirements and exceptions; authorizing the licensed oyster harvesters of each county to elect a county commercial oyster committee; requiring an oyster committee to develop and submit to the Department of Natural Resources a specified rotational harvest plan on or before August 1 of each year, beginning in 2021; etc.

Current status (Senate/House): /Unfavorable Report by Environment and Transportation; Withdrawn

Natural Resources - Commercial Fisheries Offenses - Stay of Revocation

Reference number (Senate/House): /HB1005

Signed into Law? No

Sponsor (Senate/House): /Delegate Mautz

Committee (Senate/House): /Environment and Transportation

Synopsis:

Requiring a presiding officer after a specified administrative finding on specified commercial fisheries offenses related to oysters, crabs, or striped bass to stay a license revocation pending conviction for the offense, unless the presiding officer finds or concludes that the licensee wantonly or willfully committed the offense.

Current status (Senate/House): /Unfavorable Report by Environment and Transportation

Natural Resources - County Oyster Committees

Reference number (Senate/House): /HB1002

Signed into Law? No

Sponsor (Senate/House): /Delegate Jacobs

Committee (Senate/House): /Environment and Transportation

Synopsis:

Requiring the Department of Natural Resources to form a workgroup with representatives of county oyster committees to examine issues related to the composition and duties of county oyster committees; and requiring the workgroup to report its findings and recommendations to the Governor and specified

committees of the General Assembly on or before December 1, 2015.

Current status (Senate/House): /Unfavorable Report by Education, Health, and Environmental Affairs

Oysters and Clams - Dredging by Auxiliary Yawl - Authorized Vessels

Reference number (Senate/House): /HB1274

Signed into Law? No

Sponsor (Senate/House): /Delegate Jacobs

Committee (Senate/House): /Rules and Executive Nominations

Synopsis:

Establishing specified standards for dredge boats that harvest oysters or clams while propelled by an auxiliary yawl boat.

Current status (Senate/House): /First Reading House Rules and Executive Nominations

Income Tax Credit - Oyster Shell Recycling - Credit Amount

Reference number (Senate/House): SB0694/HB0815

Signed into Law? Yes

Sponsor (Senate/House): Senator Manno/Delegate Lafferty

Committee (Senate/House): Budget and Taxation/Ways and Means

Synopsis:

Increasing from \$1 to \$2 (HB0815) or from \$1 to \$5 (SB0694) the amount of a specified credit against the State income tax for each bushel of oyster shells recycled during the taxable year; applying the Act to all taxable years beginning after December 31, 2014; etc.

Current status (Senate/House): Approved by the Governor - Chapter 193/Rereferred to Budget and Taxation

Oysters - Oyster Committees and Harvest Reserve Areas

Reference number (Senate/House): SB0931/

Signed into Law? No

Sponsor (Senate/House): Senator Eckardt/

Committee (Senate/House): Education, Health, and Environmental Affairs/

Synopsis:

Repealing specified provisions of law relating to the designation of a harvest reserve area for oysters; repealing specified provisions of law relating to county oyster committees and a statewide committee of oystermen; requiring the licensed oyster harvesters of each tidewater county to elect a county commercial oyster committee; providing for the composition and chair of a county commercial oyster committee; requiring a county commercial oyster committee to establish a specified sustainable oyster harvest plan; etc.

Current status (Senate/House): Unfavorable Report by Education, Health, and Environmental Affairs/

Consumer Access and Demand

Creation of a State Debt - Howard County - Community Action Council Food Bank Facility Ho. Co. 4-15

Reference number (Senate/House): SB0233/HB0205

Signed into Law? No

Sponsor (Senate/House): Howard County Senators/Howard County Delegation

Committee (Senate/House): Budget and Taxation/Appropriations

Synopsis:

Authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of the Community Action Council of Howard County, Maryland, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Community Action Council Food Bank Facility project, located in Howard County; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

Current status (Senate/House): Hearing 3/14 at 2:00 p.m./Unfavorable Report by Appropriations

Food Fish and Shellfish - Labeling and Identification Requirements (Maryland Seafood Authenticity Act)

Reference number (Senate/House): SB0557/HB0760

Signed into Law? No

Sponsor (Senate/House): Senator Guzzone/Delegate Luedtke

Committee (Senate/House): Education, Health, and Environmental Affairs/Environment and Transportation

Synopsis:

Prohibiting a person from selling or offering for sale within the State specified food fish or shellfish unless the person identifies the species of food fish or shellfish in a specified manner; prohibiting a person from knowingly misidentifying the species of specified food fish or shellfish on a label, sign, or menu; prohibiting a person from knowingly selling or offering for sale within the State specified crab products identified as 'blue crab' except under specified conditions; etc.

Current status (Senate/House): Unfavorable Report by Education, Health, and Environmental Affairs; Withdrawn/Unfavorable Report by Environment and Transportation; Withdrawn

Baltimore City - Property Tax Credit - Supermarkets

Reference number (Senate/House): SB0541/HB0507

Signed into Law? Yes

Sponsor (Senate/House): Senator McFadden/Delegate Anderson

Committee (Senate/House): Budget and Taxation/Ways and Means

Synopsis:

Authorizing the Mayor and City Council of Baltimore City to grant, by law, a property tax credit against the personal property tax imposed on personal property of a supermarket that completes specified construction and is located in a specified food desert retail incentive area; requiring the Mayor and City

Council of Baltimore City to designate what constitutes a food desert retail incentive area for purposes of the tax credit; applying the Act to all taxable years beginning after December 31, 2015; etc.

Current status (Senate/House): [Approved by the Governor - Chapter 38](#)/[Vetoed by the Governor](#)
(Duplicative)

Deer Hunting - Crop Damage Permit - Wild Venison

Reference number (Senate/House): [SB0748](#)/

Signed into Law? No

Sponsor (Senate/House): [Senator Middleton](#)/

Committee (Senate/House): [Education, Health, and Environmental Affairs](#)/

Synopsis:

Providing that specified provisions of law related to the sale of livestock apply to specified deer; providing that the Maryland Wholesome Meat Act applies to specified deer; requiring the Secretary of Agriculture and the Department of Natural Resources on or before October 1, 2016, to adopt regulations to establish requirements for the processing, inspection, labeling and sale of wild venison in the State; authorizing a person who holds a crop damage permit to hunt deer under specified circumstances; etc.

Current status (Senate/House): [Hearing 3/17 at 1:00 p.m.](#)/

Food Safety and Processing

Maryland Wholesome Meat Act - Prohibitions - Equines and Equine Meat

Reference number (Senate/House): [/HB0151](#)

Signed into Law? No

Sponsor (Senate/House): [/Delegate Waldstreicher](#)

Committee (Senate/House): [/Environment and Transportation](#)

Synopsis:

Prohibiting a person from buying, selling, transporting, or offering or receiving for sale or transportation any equine carcass or the meat of any equine if the person knows or reasonably should know that the carcass or meat will be used for human consumption; and prohibiting a person from buying, selling, transporting, or offering or receiving for sale or transportation any equine if the person knows or reasonably should know that the equine is intended for slaughter for human consumption.

Current status (Senate/House): [/Unfavorable Report by Environment and Transportation](#)

Public Health - Regulation of Milk Products - Revisions

Reference number (Senate/House): [SB0122/](#)[HB0540](#)

Signed into Law? Yes

Sponsor (Senate/House): [Senator Eckardt](#)/[Delegate Mautz](#)

Committee (Senate/House): [Finance](#)/[Health and Government Operations](#)

Synopsis:

Altering specified definitions related to the regulation of milk products; repealing the limitation on the number of milk processor - farmstead cheese producer permits the Secretary of Health and Mental

Hygiene may issue; repealing the requirement that an applicant for a milk processor - farmstead cheese producer permit operate a dairy farm with no more than 120 cows or goats in the herd; repealing the limit on the number of times a milk processor - farmstead cheese producer permit may be renewed; etc.

Current status (Senate/House): [Approved by the Governor - Chapter 14](#)/[Approved by the Governor - Chapter 15](#)

Public Health - Cottage Food Businesses - Revisions

Reference number (Senate/House): [/HB0693](#)

Signed into Law? No

Sponsor (Senate/House): [/Delegate Washington, M.](#)

Committee (Senate/House): [/Health and Government Operations](#)

Synopsis:

Altering the limit from \$25,000 to \$40,000 on the amount of annual revenue that is used for the purpose of defining 'cottage food business'; prohibiting counties and municipal corporations from limiting cottage food businesses to selling cottage food products only at farmers markets; requiring counties and municipal corporations, under specified circumstances, to accept a State cottage food business permit in lieu of a specified license or permit; etc.

Current status (Senate/House): [/First Reading Health and Government Operations](#)

Anne Arundel County - Semipermanent Food Service Facilities - Wastewater Disposal

Reference number (Senate/House): [/HB0555](#)

Signed into Law? Yes

Sponsor (Senate/House): [/Anne Arundel County Delegation](#)

Committee (Senate/House): [/Health and Government Operations](#)

Synopsis:

Altering the scope of specified provisions of law that establish specified requirements for the disposal of wastewater by an operator of a semipermanent food service facility that operates in Anne Arundel County; etc.

Current status (Senate/House): [/Approved by the Governor - Chapter 432](#)

Public Health - Regulation of Milk Products - Revisions

Reference number (Senate/House): [SB0008/](#)

Signed into Law? No

Sponsor (Senate/House): [Senator Getty/](#)

Committee (Senate/House): [Finance/](#)

Synopsis:

Altering specified definitions related to the regulation of milk products; repealing the limitation on the number of milk processor - farmstead cheese producer permits the Secretary of Health and Mental Hygiene may issue; repealing the requirement that an applicant for a milk processor - farmstead cheese producer permit operate a dairy farm with no more than 120 cows or goats in the herd; repealing the limit on the number of times a milk processor - farmstead cheese producer permit may be renewed; making

the Act an emergency measure; etc.

Current status (Senate/House): [Unfavorable Report by Finance/](#)

Food System Infrastructure

Tri-County Council for Southern Maryland - Financing Purchase or Lease of Property by Other Entities

Reference number (Senate/House): [SB0909/](#)

Signed into Law? Yes

Sponsor (Senate/House): [Senator Middleton/](#)

Committee (Senate/House): [Finance/](#)

Synopsis:

Authorizing the Tri-County Council for Southern Maryland to use specified money to finance the purchase or lease of property only by one or more specified Southern Maryland counties, the Maryland Food Center Authority, or another entity, as determined by the Council, that is authorized to finance or purchase property; requiring the Council, under specified circumstances and in accordance with specified provisions of law, to issue a request for and to evaluate proposals and to select an entity to purchase or lease property; etc.

Current status (Senate/House): [Approved by the Governor - Chapter 207/](#)

Food Waste and Recovery

Yard Waste and Food Residuals Diversion and Infrastructure Task Force

Reference number (Senate/House): [/HB0603](#)

Signed into Law? No

Sponsor (Senate/House): [/Delegate Robinson, S.](#)

Committee (Senate/House): [/Environment and Transportation](#)

Synopsis:

Establishing the Yard Waste and Food Residuals Diversion and Infrastructure Task Force; providing for the composition, chair, and staffing of the Task Force; requiring the Task Force to identify, evaluate, study, and make recommendations regarding specified matters; requiring the Task Force to report its final findings and recommendations to the Governor and the General Assembly on or before January 1, 2017; etc.

Current status (Senate/House): [/Hearing 3/31 at 1:00 p.m.](#)

Income Tax Credit - Qualified Farms - Food Donation Pilot Program

Reference number (Senate/House): [SB0280/HB0359](#)

Signed into Law? No

Sponsor (Senate/House): [Senator Middleton/Delegate Jameson](#)

Committee (Senate/House): [Budget and Taxation/Ways and Means](#)

Synopsis:

Allowing a qualified farm a credit, for tax years 2015 through 2017, of up to \$5,000 against the State income tax; providing that the credit is equal to 50% of the value of an eligible food donation or 75% of the value of donated certified organic produce; providing that, for a fiscal year, the total amount of tax credit certificates issued may not exceed \$250,000; reestablishing the Task Force to Study the Implementation of a Hub and Spoke Program in the Southern Maryland Region; etc.

Current status (Senate/House): [Hearing 2/25 at 1:00 p.m.](#)/[Hearing 2/24 at 1:00 p.m.](#)

Land Use Planning

Creation of a State Debt - Cecil County - Cecil County Farm Museum

Reference number (Senate/House): [/HB0869](#)

Signed into Law? No

Sponsor (Senate/House): [/Delegate Hornberger](#)

Committee (Senate/House): [/Appropriations](#)

Synopsis:

Authorizing the creation of a State Debt not to exceed \$50,000, the proceeds to be used as a grant to the Board of Directors of the Cecil County Farm Museum, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Cecil County Farm Museum, located in Cecil County; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

Current status (Senate/House): [/Unfavorable Report by Appropriations](#)

Calvert and St. Mary's Counties - Scenic Byways - Signs

Reference number (Senate/House): [/HB0286](#)

Signed into Law? Yes

Sponsor (Senate/House): [/Delegate O'Donnell](#)

Committee (Senate/House): [/Environment and Transportation](#)

Synopsis:

Authorizing the State Highway Administration to issue a permit for an outdoor sign along or near a scenic byway on a federal-aid primary highway in Calvert County or St. Mary's County in conformance with federal law if the sign was erected on or before January 1, 2008, or is a directional sign for a facility that sells principally local agricultural or aquacultural products and is located within a 5-mile radius of the sign; establishing specified standards for a sign erected under the Act; etc.

Current status (Senate/House): [/Approved by the Governor - Chapter 83](#)

Income Tax Credit - Preservation and Conservation Easements

Reference number (Senate/House): [SB0615/HB0002](#)

Signed into Law? No

Sponsor (Senate/House): [Senator Eckardt/Delegate Stein](#)

Committee (Senate/House): [Budget and Taxation/Ways and Means](#)

Synopsis:

Altering specified provisions of law concerning a credit against the State income tax for preservation and conservation easements to allow specified persons to claim the credit for an easement conveyed to the Maryland Environmental Trust, the Maryland Agricultural Land Preservation Foundation, or the Department of Natural Resources under specified circumstances; requiring the Maryland Environmental Trust to report on the effectiveness of the tax credits to the General Assembly on or before December 1, 2017, etc.

Current status (Senate/House): Hearing 4/13 at 1:00 p.m./Hearing 2/24 at 1:00 p.m.

Creation of a State Debt - Harford County - Agricultural Research and Exposition Foundation

Reference number (Senate/House): SB0701/

Signed into Law? No

Sponsor (Senate/House): Senator Jennings/

Committee (Senate/House): Budget and Taxation/

Synopsis:

Authorizing the creation of a State Debt in the amount of \$150,000, the proceeds to be used as a grant to the Board of Directors of the Agricultural Research & Exposition Foundation, Inc. for the specified development or improvement purposes related to property, located in Harford County; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; etc.

Current status (Senate/House): Hearing 3/14 at 1:00 p.m./

Agricultural Land Transfer Tax - Rate Determination

Reference number (Senate/House): SB0766/

Signed into Law? Yes

Sponsor (Senate/House): Senator Ready/

Committee (Senate/House): Budget and Taxation/

Synopsis:

Providing that, when determining the rate of the agricultural land transfer tax to be imposed, the amount of agricultural land transferred that is exempt from the tax in accordance with specified provisions of law may not be included in the amount of agricultural land that is transferred.

Current status (Senate/House): Approved by the Governor - Chapter 197/

Jane Lawton Farm-to-School Program - Maryland Homegrown School Lunch Week - Occurrence

Reference number (Senate/House): SB0284/HB0252

Signed into Law? No

Sponsor (Senate/House): Senator Raskin/Delegate Waldstreicher

Committee (Senate/House): Education, Health, and Environmental Affairs/Environment and Transportation

Synopsis:

Increasing the occurrence of a specified promotional event established under the Jane Lawton Farm-to-School Program in the Department of Agriculture to advocate State agriculture and farm products to children through school meal and classroom programs; and requiring the promotional event to be held once in the fall and once in the spring.

Current status (Senate/House): Unfavorable Report by Education, Health, and Environmental Affairs/
Unfavorable Report by Education, Health, and Environmental Affairs

The Hunger-Free Schools Act of 2015

Reference number (Senate/House): SB0334/HB0965

Signed into Law? No

Sponsor (Senate/House): Senator Madaleno/Delegate Haynes

Committee (Senate/House): Budget and Taxation/Ways and Means

Synopsis:

Altering a specified definition for fiscal years 2017 and 2018 to determine the number of students used to calculate the State compensatory education grant for schools that participate in the federal community eligibility provision for school meals; requiring the State Department of Education, the Department of Budget and Management, and the Department of Legislative Services to submit a specified report to specified committees of the General Assembly on or before December 1, 2015; etc.

Current status (Senate/House): Vetoed by the Governor (Duplicative)/Approved by the Governor - Chapter 291

Public Schools - Nutrition Standards - Vending Machines and Marketing

Reference number (Senate/House): SB0504/HB1095

Signed into Law? No

Sponsor (Senate/House): Senator Young/Delegate Smith

Committee (Senate/House): Education, Health, and Environmental Affairs/Ways and Means

Synopsis:

Requiring a county board of education to develop and implement a policy that requires that all foods and beverages sold from a vending machine in an area of a public school that is accessible to students at any time during the day comply with specified nutrition standards and a wellness policy; requiring a county board of education to develop and implement a policy that requires that all oral, written, and visual marketing on a public school campus for foods and beverages comply with specified nutrition standards and a wellness policy; etc.

Current status (Senate/House): Hearing 3/04 at 1:00 p.m./Hearing 3/13 at 1:00 p.m.

Primary and Secondary Education - Health and Safety - Sugar-Free Schools Act

Reference number (Senate/House): SB0505/HB0894

Signed into Law? No

Sponsor (Senate/House): Senator Young/Delegate Platt

Committee (Senate/House): Education, Health, and Environmental Affairs/Ways and Means

Synopsis:

Requiring specified county boards to develop a specified plan on or before August 1, 2016, for reducing specified students' total sugar intake per school meal based on specified recommendations; requiring specified county boards to convene a specified workgroup to assist with the development of a specified plan; providing for the membership of a specified workgroup; requiring the workgroup to make specified recommendations; etc.

Current status (Senate/House): Hearing 3/04 at 1:00 p.m./Hearing 3/13 at 1:00 p.m.

Public Schools - Health and Safety - Food Transparency

Reference number (Senate/House): SB0278/HB1208

Signed into Law? No

Sponsor (Senate/House): Senator Nathan-Pulliam/Delegate Hixson

Committee (Senate/House): Education, Health, and Environmental Affairs/Ways and Means

Synopsis:

Requiring specified local school systems to create specified dining menus; requiring a specified dining menu to include specified information under specified circumstances; requiring specified local school systems to post specified information on the local school system's Web site; requiring specified public schools to provide a specified link on the public school's Web site under specified circumstances; etc.

Current status (Senate/House): Second Reading Failed/Hearing 3/19 at 1:00 p.m.

Primary and Secondary Education - Health and Safety - Chemical-Free Schools Act

Reference number (Senate/House): /HB0679

Signed into Law? No

Sponsor (Senate/House): /Delegate Moon

Committee (Senate/House): /Ways and Means

Synopsis:

Prohibiting specified public schools and specified local school systems from purchasing, selling, or serving specified foods that contain specified ingredients or specified chemicals under specified circumstances; etc.

Current status (Senate/House): /Hearing 3/13 at 1:00 p.m.

Sales and Use Tax - Snack Food - Application

Reference number (Senate/House): HB0964/

Signed into Law? No

Sponsor (Senate/House): Delegate Walker/

Committee (Senate/House): /Ways and Means

Synopsis:

Specifying that the exemption from the sales and use tax for food sold for consumption off the premises by specified food vendors does not apply to specified snack food; repealing the exemption from the sales and use tax for specified snack food sold through a vending machine; and defining the term 'snack food'.

Current status (Senate/House): Hearing 3/03 at 1:00 p.m./

Appendix

Methods used in this analysis and report:

1. The full results of the 2015 regular session of the General Assembly of Maryland were download as a spreadsheet from the General Assembly of Maryland [website](#).
2. The spreadsheet was searched for key terms related to the Maryland food system (see below for terms used). The search was conducted using the find and select function in Microsoft Excel. If a key term was found in any section of a bill—e.g., the title, synopsis, committee(s), broad subject(s), etc.—the bill was flagged and considered for inclusion in the report.
3. Each flagged bill was reviewed and assessed for its relevance in the Maryland food system. Often, searching for a term yielded a mixture of relevant and irrelevant results. For example, searching the term “processing” highlights a bill related to processing food, as well as bills related to processing scrap metal or credit card payments. All relevant bills were assigned a food system category and included in the report.
4. If identical bills were cross-filed in both the House and Senate, we coupled the bills together and included information for bill numbers, sponsors, and status for both the House and Senate.

Search Terms:

Access, aggregate, aggregation, agricultural, agriculture, agritourism, animal, antibiotics, aqua, aquaculture, breakfast, brew, brewery, broiler, cafeteria, cattle, chicken, compost, consume, consumption, cow, crab, dairy, dinner, distill, distillery, distribute, distribution, distributor, environment, farm, fertilizer, fish, food, fruit, garden, grocery, hog, hunger, land, lunch, manure, market, meal, meat, milk, nutrient, nutrition, nutritional, orchard, oyster, pig, pork, poultry, preservation, preserve, processing, produce, production, recovery, slaughter, soil, supper, sustain, sustainable, swine, vegetable, vend, vending, waste, wine, winery

Food system categories:

Agriculture, Aquaculture, Consumer Access and Demand, Farm-to-Institution*, Food Assistance Programs*, Food Safety and Processing, Food System Infrastructure, Food Waste and Recovery, Land Use Planning, School Food and Education

* The analysis of the 2015 regular session did not identify any bills in this category