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1997 Regular Session

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(PRE-FILED)

CF 7lr0313

By: Senators Craig and Hafer, Hafer, Middleton, and Stoltzfus

Requested: September 16, 1996

Introduced and read first time: January 8, 1997

Assigned to: Economic and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 13, 1997

CHAPTER ____

1 AN ACT concerning

2 **Task Force on the Future of Maryland Agriculture**

3 FOR the purpose of establishing a Task Force on the Future of Maryland Agriculture;
 4 establishing the membership, duties, purposes, and staffing of the Task Force;
 5 requiring units of State and local government to cooperate with the Task Force;
 6 requiring the Task Force to report certain recommendations to certain persons by a
 7 certain date; providing for the effective date and termination of this Act; and
 8 generally relating to the Task Force on the Future of Maryland Agriculture.

9 BY adding to

10 Article 41 - Governor - Executive and Administrative Departments
 11 Section 18-313
 12 Annotated Code of Maryland
 13 (1993 Replacement Volume and 1996 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article 41 - Governor - Executive and Administrative Departments**

17 18-313.

18 (A) THERE IS A TASK FORCE ON THE FUTURE OF MARYLAND AGRICULTURE.

19 (B) THE TASK FORCE CONSISTS OF THE FOLLOWING ~~19~~ 22 MEMBERS:

20 (1) TWO MEMBERS OF THE SENATE OF MARYLAND, APPOINTED BY THE
 21 PRESIDENT OF THE SENATE;

2

1 (2) TWO MEMBERS OF THE HOUSE OF DELEGATES, APPOINTED BY THE
2 SPEAKER OF THE HOUSE;

3 (3) THE SECRETARY OF AGRICULTURE OR THE SECRETARY'S
4 DESIGNEE;

5 (4) THE SECRETARY OF BUSINESS AND ECONOMIC DEVELOPMENT OR
6 THE SECRETARY'S DESIGNEE;

7 (5) THE SECRETARY OF THE ENVIRONMENT OR THE SECRETARY'S
8 DESIGNEE;

9 (6) THE DEAN OF AGRICULTURE OF THE UNIVERSITY OF MARYLAND
10 AT COLLEGE PARK OR THE DEAN'S DESIGNEE;

11 (7) THE DIRECTOR OF THE OFFICE OF PLANNING OR THE DIRECTOR'S
12 DESIGNEE; AND

13 (8) ~~TEN~~ 13 MEMBERS APPOINTED BY THE GOVERNOR, AS FOLLOWS:

14 (I) ONE REPRESENTATIVE OF MARYLAND SOIL CONSERVATION
15 DISTRICTS;

16 (II) ONE REPRESENTATIVE OF THE MARYLAND FARM BUREAU;

17 (III) ONE REPRESENTATIVE OF THE MARYLAND GRANGE;

18 ~~(IV) ONE REPRESENTATIVE OF THE MARYLAND MUNICIPAL~~
19 ~~LEAGUE;~~

20 (IV) ONE REPRESENTATIVE OF THE FORVM FOR RURAL
21 MARYLAND;

22 (V) ONE REPRESENTATIVE OF THE MARYLAND ASSOCIATION OF
23 COUNTIES;

24 (VI) ONE REPRESENTATIVE OF THE MARYLAND AGRICULTURAL
25 COMMISSION;

26 (VII) ONE REPRESENTATIVE OF A STATE NONPROFIT
27 ENVIRONMENTAL ORGANIZATION;

28 (VIII) ONE REPRESENTATIVE OF THE MARYLAND ASSOCIATION OF
29 COMMUNITY COLLEGES;

30 (IX) ONE REPRESENTATIVE OF THE ASSOCIATION OF FOREST
31 INDUSTRIES;

32 ~~(VI)~~ (X) TWO ATTORNEYS ONE ATTORNEY INTERESTED AND
33 EXPERIENCED IN AGRICULTURAL ESTATE AND TAX PLANNING;

34 ~~(VII)~~ (XI) ONE ATTORNEY INTERESTED AND EXPERIENCED IN
35 LAND USE, ZONING, AND PLANNING;

3

1 ~~(VIII)~~ (XII) ONE FINANCIAL PLANNER OR OTHER QUALIFIED
2 INDIVIDUAL INTERESTED AND EXPERIENCED IN AGRICULTURAL FINANCIAL
3 PLANNING; AND

4 ~~(IX)~~ (XIII) ONE CONSUMER MEMBER.

5 (C) TO THE GREATEST EXTENT PRACTICABLE, THE MEMBERSHIP OF THE
6 TASK FORCE SHALL BE APPOINTED TO REPRESENT THE GEOGRAPHIC DIVERSITY OF
7 THE STATE AND THE DIVERSITY OF AGRICULTURAL ACTIVITIES IN THE STATE.

8 (D) THE GOVERNOR SHALL SELECT A CHAIRMAN FROM THE MEMBERS OF
9 THE TASK FORCE.

10 (E) (1) THE TASK FORCE SHALL HAVE ITS FIRST MEETING NO LATER THAN
11 JUNE 30, 1997 AT THE CALL OF THE CHAIRMAN.

12 (2) THE TASK FORCE SHALL MEET AT LEAST MONTHLY.

13 (3) THE TASK FORCE MAY ESTABLISH SUBCOMMITTEES FROM THE
14 MEMBERS OF THE TASK FORCE TO ACCOMPLISH THE DUTIES IMPOSED BY THIS
15 SECTION.

16 (4) A MEMBER OF THE TASK FORCE:

17 (I) MAY NOT RECEIVE COMPENSATION; BUT

18 (II) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE
19 STANDARD STATE TRAVEL REGULATIONS AS PROVIDED IN THE STATE BUDGET.

20 (5) A MEMBER MAY BE REMOVED FROM THE TASK FORCE FOR
21 FAILURE TO ATTEND MEETINGS OF THE TASK FORCE.

22 (6) IN THE COURSE OF ITS EXAMINATION AND DEVELOPMENT OF
23 RECOMMENDATIONS, THE TASK FORCE MAY HOLD MEETINGS IN DIFFERENT PARTS
24 OF THE STATE, AND MAY ENCOURAGE PARTICIPATION FROM ALL SECTORS OF THE
25 STATE.

26 (7) ALL COUNTY AND MUNICIPAL GOVERNMENTS AND STATE
27 AGENCIES SHALL COOPERATE FULLY WITH THE TASK FORCE.

28 (F) (1) THE PURPOSE OF THE TASK FORCE IS TO EXAMINE ISSUES
29 RELATING TO THE FUTURE OF AGRICULTURE AS A VIABLE ECONOMIC AND SOCIAL
30 COMPONENT OF MARYLAND, WITH PARTICULAR EMPHASIS ON LAND USE AND
31 TAXATION POLICIES, AND TO MAKE RECOMMENDATIONS ON THESE ISSUES TO THE
32 GOVERNOR AND THE GENERAL ASSEMBLY.

33 (2) IN PARTICULAR, THE TASK FORCE SHALL EXAMINE AND
34 RECOMMEND MEANS TO:

35 (I) ENHANCE "RIGHT TO FARM" LEGISLATION AT THE STATE AND
36 LOCAL LEVELS;

37 (II) REDUCE INCONSISTENCIES IN "PERMITTED USES"
38 THROUGHOUT THE STATE;

4

1 ~~(III) CREATE A STATEWIDE SYSTEM FOR TRANSFER OF~~
2 ~~DEVELOPMENT RIGHTS;~~

3 (III) ANALYZE EXISTING COUNTY TRANSFER OF DEVELOPMENT
4 RIGHTS PROGRAMS TO DEVELOP A TRANSFER OF DEVELOPMENT RIGHTS MODEL
5 THAT INCLUDES LOCAL AND STATE RESOURCES NECESSARY FOR SUCCESSFUL
6 IMPLEMENTATION BY THE REMAINING COUNTIES;

7 (IV) ASSIST FARMERS IN ESTATE PLANNING AND BUSINESS
8 MANAGEMENT;

9 (V) LINK YOUNG FARMERS WITH RETIRING FARMERS;

10 (VI) STREAMLINE TAX AND OTHER PROVISIONS FOR THE
11 TRANSFER OF FARMLAND THAT WILL REMAIN IN ACTIVE AGRICULTURAL USE;

12 (VII) ELIMINATE OVERLAP AND CONFLICT BETWEEN STATUTES
13 AND REGULATIONS OF THE DEPARTMENTS OF AGRICULTURE AND THE
14 ENVIRONMENT RELATING TO AGRICULTURAL LAND USES; AND

15 (VIII) STRENGTHEN ENVIRONMENTAL STANDARDS FOR
16 RESIDENTIAL LOTS SERVED BY WELL AND SEPTIC SYSTEMS.

17 (G) THE OFFICE OF PLANNING, WITH THE ASSISTANCE OF THE DEPARTMENT
18 OF AGRICULTURE, SHALL PROVIDE PRIMARY STAFF SUPPORT TO THE TASK FORCE.

19 (H) ON OR BEFORE ~~DECEMBER 1, 1997~~ JULY 1, 1998, THE TASK FORCE SHALL
20 REPORT ITS RECOMMENDATIONS TO THE GOVERNOR, AND, SUBJECT TO § 2-1312 OF
21 THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY, THE SENATE
22 ECONOMIC AND ENVIRONMENTAL AFFAIRS COMMITTEE, AND THE HOUSE
23 ENVIRONMENTAL MATTERS COMMITTEE.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 June 1, 1997. It shall remain effective for a period of 1 year and 1 month and, at the end
26 of June 30, 1998, with no further action required by the General Assembly, this Act shall
27 be abrogated and of no further force and effect.