
By: **Delegates Morhaim, Hecht, R. Baker, Grosfeld, Turner, Rosso,
Sophocleus, Shriver, Clagett, Mohorovic, and Hurson**

Introduced and read first time: January 28, 2000

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Agriculture - Interim Protection Act**

3 FOR the purpose of prohibiting a person from conducting certain swine production or
4 expanding certain swine production over a certain amount of swine for a certain
5 time; exempting dairy production from a certain moratorium; requiring the
6 Department of Agriculture, the Department of the Environment, and the
7 Department of Health and Mental Hygiene to conduct certain studies; requiring
8 certain departments to submit certain reports to the Governor and the General
9 Assembly by a certain time; establishing a certain Citizens Advisory Committee
10 on Intensive Animal Production to oversee the conduct, completion, and
11 distribution of certain reports; providing for the membership of the Advisory
12 Committee; authorizing the Secretary of Agriculture to impose a certain civil
13 fine for a certain violation; and generally relating to a moratorium on new or
14 expanded animal production.

15 BY adding to

16 Article - Agriculture

17 Section 3-701 through 3-704, inclusive, to be under the new subtitle "Subtitle 7.

18 Interim Protection Act"

19 Annotated Code of Maryland

20 (1999 Replacement Volume and 1999 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article - Agriculture**

24 **SUBTITLE 7. INTERIM PROTECTION ACT.**

25 3-701.

26 (A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, BEFORE
27 OCTOBER 1, 2005, A PERSON MAY NOT EXPAND SWINE PRODUCTION OVER 250 SWINE
28 OR CONDUCT NEW SWINE PRODUCTION.

1 (B) THE MORATORIUM UNDER SUBSECTION (A) OF THIS SECTION DOES NOT
2 APPLY TO NEW ANIMAL PRODUCTION OR EXPANDED ANIMAL PRODUCTION IN DAIRY
3 PRODUCTION.

4 3-702.

5 (A) THE DEPARTMENT OF AGRICULTURE SHALL STUDY THE IMPACT OF
6 INTENSIVE ANIMAL PRODUCTION SYSTEMS AND CONTRACT FARMING
7 RELATIONSHIPS ON THE STATE'S FARMERS AND RURAL ECONOMY.

8 (B) THE DEPARTMENT OF THE ENVIRONMENT SHALL STUDY
9 COMPREHENSIVELY THE ENVIRONMENTAL EFFECTS OF INTENSIVE ANIMAL
10 PRODUCTION SYSTEMS, PARTICULARLY THE EFFECTS ON THE STATE'S WATER
11 QUALITY.

12 (C) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE SHALL STUDY THE
13 IMPACT OF INTENSIVE ANIMAL PRODUCTION SYSTEMS ON HUMAN HEALTH AND
14 FOOD SAFETY, PARTICULARLY THE EFFECTS OF THE USE OF ANTIBIOTICS AND
15 HEAVY METALS IN ANIMAL FEED.

16 (D) ON OR BEFORE OCTOBER 1, 2002, THE DEPARTMENT OF AGRICULTURE,
17 THE DEPARTMENT OF THE ENVIRONMENT, AND THE DEPARTMENT OF HEALTH AND
18 MENTAL HYGIENE SHALL SUBMIT SEPARATELY A REPORT OF THEIR FINDINGS TO
19 THE GOVERNOR AND, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO
20 THE GENERAL ASSEMBLY.

21 3-703.

22 (A) THERE IS A CITIZENS ADVISORY COMMITTEE ON INTENSIVE ANIMAL
23 PRODUCTION.

24 (B) THE CITIZENS ADVISORY COMMITTEE SHALL OVERSEE THE CONDUCT,
25 COMPLETION, AND DISTRIBUTION OF THE REPORTS REQUIRED BY § 3-702 OF THIS
26 SUBTITLE.

27 (C) THE CITIZENS ADVISORY COMMITTEE SHALL CONSIST OF:

28 (1) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE
29 SPEAKER OF THE HOUSE;

30 (2) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE
31 PRESIDENT OF THE SENATE;

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

33 (4) THE SECRETARY OF THE DEPARTMENT OF THE ENVIRONMENT OR
34 THE SECRETARY'S DESIGNEE;

35 (5) THE SECRETARY OF THE DEPARTMENT OF HEALTH AND MENTAL
36 HYGIENE OR THE SECRETARY'S DESIGNEE; AND

- 1 (6) THE FOLLOWING MEMBERS APPOINTED BY THE GOVERNOR:
- 2 (I) A CONTRACT POULTRY FARMER;
- 3 (II) A HOG FARMER;
- 4 (III) A DAIRY FARMER;
- 5 (IV) ONE REPRESENTATIVE FROM THE MARYLAND FARM BUREAU;
- 6 (V) ONE REPRESENTATIVE FROM THE MARYLAND CHAPTER OF
7 THE SIERRA CLUB;
- 8 (VI) ONE REPRESENTATIVE FROM THE CHESAPEAKE BAY
9 FOUNDATION;
- 10 (VII) ONE REPRESENTATIVE FROM THE NATIONAL BROILER
11 COUNCIL;
- 12 (VIII) ONE REPRESENTATIVE FROM THE NATIONAL PORK
13 PRODUCERS COUNCIL;
- 14 (IX) TWO REPRESENTATIVES FROM CONSUMER ORGANIZATIONS;
15 AND
- 16 (X) TWO REPRESENTATIVES FROM PUBLIC HEALTH
17 ORGANIZATIONS.

18 3-704.

19 THE SECRETARY MAY IMPOSE A CIVIL FINE OF NOT MORE THAN \$100 PER UNIT
20 OF TWO SWINE IN VIOLATION OF § 3-701 OF THIS SUBTITLE.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2000.