

(PRE-FILED)

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By: **Chairman, Environmental Matters Committee (Departmental - Agriculture)**

Requested: October 19, 2001

Introduced and read first time: January 9, 2002

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **State Agricultural Mediation Program**

3 FOR the purpose of authorizing the Secretary of Agriculture to establish a federally  
4 certified State agricultural mediation program for a certain purpose;  
5 authorizing the Secretary to adopt certain regulations; authorizing the  
6 Secretary to establish certain qualifications for certain persons, enter certain  
7 contracts, and receive certain grants; making certain records confidential under  
8 certain circumstances; defining certain terms; and generally relating to the  
9 establishment of a federally certified State agricultural mediation program.

10 BY adding to

11 Article - Agriculture

12 Section 1-1A-01 through 1-1A-04, inclusive, to be under the new subtitle

13 "Subtitle 1A. Agricultural Mediation Program"

14 Annotated Code of Maryland

15 (1999 Replacement Volume and 2001 Supplement)

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

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

18 **Article - Agriculture**

19 **SUBTITLE 1A. AGRICULTURAL MEDIATION PROGRAM.**

20 1-1A-01.

21 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
22 INDICATED.

23 (B) "AGRICULTURAL MEDIATION" MEANS A VOLUNTARY PROCESS IN WHICH A  
24 MEDIATOR HELPS PRIVATE PARTIES OR GOVERNMENT AGENCIES RESOLVE  
25 AGRICULTURALLY RELATED DISPUTES IN A CONFIDENTIAL AND NONADVERSARIAL  
26 SETTING.

1 (C) "MEDIATOR" MEANS AN IMPARTIAL PERSON WHO IS TRAINED TO HELP  
2 PEOPLE FIND MUTUALLY ACCEPTABLE SOLUTIONS TO SHARED PROBLEMS AND HAS  
3 NO POWER TO IMPOSE A SOLUTION.

4 1-1A-02.

5 (A) THE SECRETARY MAY ESTABLISH A FEDERALLY CERTIFIED STATE  
6 AGRICULTURAL MEDIATION PROGRAM IN THE DEPARTMENT.

7 (B) THE PURPOSE OF THE PROGRAM IS TO PROVIDE ELIGIBLE PERSONS AND  
8 GOVERNMENT AGENCIES WITH A VOLUNTARY AND LOW-COST PROCESS TO SETTLE  
9 AGRICULTURALLY RELATED DISPUTES.

10 1-1A-03.

11 (A) THE SECRETARY MAY:

12 (1) ESTABLISH QUALIFICATIONS FOR A PERSON REQUESTING  
13 AGRICULTURAL MEDIATION SERVICES FROM THE DEPARTMENT;

14 (2) ESTABLISH QUALIFICATIONS FOR AN INDIVIDUAL APPLYING TO  
15 SERVE AS A MEDIATOR IN THE STATE AGRICULTURAL MEDIATION PROGRAM;

16 (3) CONTRACT WITH ANY QUALIFIED INDIVIDUAL TO PROVIDE  
17 MEDIATION SERVICES FOR QUALIFIED MEDIATION APPLICANTS; AND

18 (4) RECEIVE GRANTS FOR PURPOSES OF DEFRAYING THE COSTS OF THE  
19 STATE AGRICULTURAL MEDIATION PROGRAM.

20 (B) THE SECRETARY MAY ADOPT REGULATIONS TO:

21 (1) MEET THE REQUIREMENTS OF THE UNITED STATES DEPARTMENT  
22 OF AGRICULTURE FOR ESTABLISHING A FEDERALLY CERTIFIED STATE  
23 AGRICULTURAL MEDIATION PROGRAM; AND

24 (2) IMPLEMENT THE PROVISIONS OF THIS SUBTITLE.

25 1-1A-04.

26 EXCEPT FOR PURPOSES OF MEETING THE REPORTING REQUIREMENTS OF THE  
27 UNITED STATES DEPARTMENT OF AGRICULTURE FOR A FEDERALLY CERTIFIED  
28 STATE AGRICULTURAL MEDIATION PROGRAM, THE DEPARTMENT SHALL MAINTAIN  
29 THE CONFIDENTIALITY OF ALL MEDIATION RECORDS.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
31 October 1, 2002.