

HOUSE BILL 91

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2002 Regular Session
2lr0077

(PRE-FILED)

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

Requested: October 19, 2001

Introduced and read first time: January 9, 2002

Assigned to: Environmental Matters

Committee Report: Favorable

House action: Adopted

Read second time: January 29, 2002

CHAPTER _____

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:

1 **Article - Agriculture**

2 SUBTITLE 1A. AGRICULTURAL MEDIATION PROGRAM.

3 1-1A-01.

4 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
5 INDICATED.

6 (B) "AGRICULTURAL MEDIATION" MEANS A VOLUNTARY PROCESS IN WHICH A
7 MEDIATOR HELPS PRIVATE PARTIES OR GOVERNMENT AGENCIES RESOLVE
8 AGRICULTURALLY RELATED DISPUTES IN A CONFIDENTIAL AND NONADVERSARIAL
9 SETTING.

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

13 1-1A-02.

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

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

19 1-1A-03.

20 (A) THE SECRETARY MAY:

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

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

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

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

29 (B) THE SECRETARY MAY ADOPT REGULATIONS TO:

30 (1) MEET THE REQUIREMENTS OF THE UNITED STATES DEPARTMENT
31 OF AGRICULTURE FOR ESTABLISHING A FEDERALLY CERTIFIED STATE
32 AGRICULTURAL MEDIATION PROGRAM; AND

33 (2) IMPLEMENT THE PROVISIONS OF THIS SUBTITLE.

1 1-1A-04.

2 EXCEPT FOR PURPOSES OF MEETING THE REPORTING REQUIREMENTS OF THE
3 UNITED STATES DEPARTMENT OF AGRICULTURE FOR A FEDERALLY CERTIFIED
4 STATE AGRICULTURAL MEDIATION PROGRAM, THE DEPARTMENT SHALL MAINTAIN
5 THE CONFIDENTIALITY OF ALL MEDIATION RECORDS.

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