

House Ways and Means Committee
February 27, 2020

Testimony on HB 1146 - SUPPORT

Forest Conservation – Mel Noland Woodland Incentives Fund – Distribution of
Agricultural Land Transfer Tax Revenue

**Gary G. Allen, President
Maryland Forestry Foundation**

HB 1146 is a long needed update.

The confusions in the present law have resulted in no contributions to the Woodland Incentive Fund by more than half the counties in 30+ years (see attached tables).

Surprisingly the present cap has been reached only a few times in 30 years. That's not because woodland was not sold, but rather because there is almost nothing that is 100 % wooded. The Legislature is constantly looking for ways to preserve forest cover; here are two easy and fair changes to do just that.

This legislation focuses on raising the CAP on contributions to forestry for the first time in 34 years and changing the definition of woodland.

We would like to more fairly capture woodland sales and the present definition requiring 100 % is a very difficult/nearly impossible hurdle.

Two issues have arisen:

- 1) The intent of “entirely wooded” was definitely not the legalistic viewpoint that every last square foot of ground on a parcel has to have trees. Some lawyer had his back against the wall to make a decision and had no written evidence to point to for justifying legally how “entirely” could mean anything other than everything. A parcel that is for all intents and purposes “entirely wooded” - but has an entrance road to access the property, or any structure at all—such as a residence or a storage shed—currently DOES NOT qualify as “entirely wooded” - even though the parcel DOES qualify for the Agricultural / Woodland Use Assessment!

2) This bill does not require a specific contributed amount from the transfer tax but rather continues to set a cap on that amount consistent with change in state land values of the past three decades

Over the last three years for which data is available an average amount of \$28,531 has come to the WIF from the transfer tax.

I urge you to examine the tables attached to my testimony

Does anyone think there have been no woodland sales in most of Maryland?

The forest community is **not after funds derived from agricultural sales.**