



# THE MARYLAND HORSE COUNCIL

## Government Relations Committee

by Jane Seigler, MHC Government Relations Committee Co-Chair

The 2023 Maryland Legislative session went out with a bang at midnight on April 10. Fireworks erupted in the House over whether some legislators were using delay tactics to run out the clock and prevent certain bills from getting a vote. Meanwhile in the Senate, just as the adjournment gavel was falling, a breathless staffer rushed onto the floor with a sheaf of papers fresh from the House clerk's office with one more bill that would get a vote.

When the dust settled, it appeared that it was a pretty good session for the horse industry. Below are the bills on which the Maryland Horse Council actively lobbied and that will become law. Information about the Maryland equestrian facilities that were recipients of money for facility improvements through Legislative Bond Initiatives can be found elsewhere in this issue on page XXXX.

**Value-added agriculture specialist (SB 34/HB 389)** - creates a position within the MD Department of Agriculture to provide support for value-added ag operations. We successfully lobbied to get Equine Activities specifically included. Under Maryland law, "Equine activities" includes teaching equestrian skills, participating in equestrian competitions, exhibitions or other displays of equestrian skills, and caring for, breeding, boarding, renting, riding, or training horses.

**Therapy horse definition (SB 910)** - removes the words "premier accredited" from the listing of Professional Association of Therapeutic Horsemanship, International (PATH, Intl.) member centers as among the entities that qualify for participation in and to receive funding from the Maryland Veterans Service Animal Program within the MD Veterans Dept. The sponsor (Sen. Simonaire R-AA) reached out to us for our support on the bill.

**On farm composting (SB 262/HB 253)** - creates a permit exemption for on farm composting facilities that use less than 10,000 square feet and compost only certain materials, including animal manure and bedding. We successfully requested an amendment that would make clear that the record keeping requirements in the bill do not apply to farmers who compost only their own animal manure and bedding produced on the farm.

**Hunting and outdoor recreation (SB 327/HB 983)** - a very long bill that: establishes the Wildlife Conservation, Education, and Outreach Program to foster interest in outdoor recreation and stewardship, hunting, and wildlife conservation; increases license and stamp fees for the first time in 30/40 years, which will increase federal matching funds; allows the Heritage Conservation Fund to acquire interests in land that can be used by the general public for hunting; authorizes a nonresident attending a college or university in the State to purchase a resident hunting license; etc. BUT one line in the 13 page bill would have allowed statewide Sunday hunting of migratory game birds (shout-out to Del. Sara Love (D-MoCo), who alerted us to the Sunday hunting provision). The bill was hotly contested, with intense and ultimately successful opposition to the Sunday hunting provision from many eastern shore waterfowl outfitter and guide interests, as well as from MHC. The final bills

no longer contained the provision to allow Sunday hunting of migratory waterfowl. They also added a provision that would allow a portion of any increased federal funding to be used for "sacrificial crops" planted by farmers to reduce deer damage, and eliminated a proposal to study allowing Sunday hunting on state park lands.

We had significant success on the Sunday hunting issue. Bills that attempted to roll back the 10:30 am cutoff for Sunday hunting in some counties, which had been enacted last year, were defeated. (**Calvert County – SB 323/HB 449** – Sunday hunting all species all Sundays; **Mid-Shore Sunday hunting – SB 777/HB 1118** – repealing 10:30 restriction for all species in Caroline, Dorchester; for all deer seasons in Talbot; for deer firearms in Wicomico; for Spring turkey in Talbot).

A couple of bills that sought additional all day Sunday hunting were amended to add the 10:30 cutoff and passed. (**Worcester – HB 466** – Sunday hunting of all species, all Sundays on public and private land; **Wicomico – HB 1087** – Sunday hunting of all species, all Sundays on public and private land.) It appears that the legislators are just as tired as we are of dealing with the Sunday hunting bills year after year, and are trying to send a message to Sunday hunting proponents that if they come in asking for more, the most they will get is from dawn to 10:30 am. The PG county Sunday hunting bill failed to move at all.

There were two bills on which we actively lobbied that did not turn as we had hoped – such is the nature of the law making process:

**Pet eviction protections (SB 279/HB 102)** - sets up a series of procedures to protect pets and the pet owners' rights in the event of evictions. Limited to cats and dogs. We tried unsuccessfully to amend horses in. Next year!

**Wildlife Advisory Commission membership (SB 320/HB 188)** - the WAC is a stakeholder group within DNR's Wildlife Heritage Service, to advise on wildlife issues. Currently, only farmers have a dedicated seat. This bill would add a mandated seat for a wildlife scientist, plus seats for hunters, the wildlife preservation community, and the passive wildlife recreation community. We tried unsuccessfully to get a seat specified for the mounted and unmounted chasing communities.

Other bills of interest that we tracked, and that passed:

**SB 720** - This bill is the exception that proves the rule about how bills that fail to get passed by one chamber and sent over to the other chamber by "Crossover Day" (March 20 this year) are effectively dead. This bill was initially a short (two sentences) and relatively routine bill, extending the sunset date for the Maryland Horse Racing Act from 2024 to 2034. Our eyebrows were raised when Crossover Day came and went, and the bill failed to move. Then, on April 5, 16 days after Crossover Day, the Senate Budget and Taxation Committee resurrected and heavily amended the bill. In less than a day, the bill was passed by the Senate, sent to the House of

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# MHC Government Relations Committee Report, continued...

Delegates, referred to the House Ways and Means Committee, quickly made the subject of a hearing, voted out of committee and sent to the floor of the House unamended. The bill creates a nine-member Maryland Thoroughbred Operating Authority to oversee the stalled plans for improving the Pimlico Race Course and Laurel Park tracks and to be a fail-safe for running the facilities, should racing be shut down on July 1, the day after an agreement with the Stronach Group for operating the tracks expires.

**Snare traps (SB 275/HB 406)** - requires users of snare traps (except on their own land) to obtain an ID number from DNR and to make sure that it is on the trap.

**Minimum wage acceleration (SB 555)** - moves up by one year the effective date of the \$15 per hour minimum wage, from January 1, 2025 to January 1, 2024. Note that some, but not all, agricultural workers, workers under 16 who work less than 20 hours per week, some camp employees, etc. are exempt from the minimum wage law. Employers should check with a legal advisor on the applicability of the minimum wage law to their employees.

**Howard County archery safety zone (HB 1005)** - reduces from 150 to 50 yards the required distance from dwellings or certain other buildings and requires elevated trees stands, but only applies to managed hunts and hunters with Deer Management Permits.

**Out of state vets, vaccines, etc. (SB 390/HB 325)** - provides for an expedited reciprocity process for granting Maryland licenses to vets who are licensed by other states, and allows vet techs or clinical staff to give rabies vaccines to animals in animal control facilities or shelters, if trained and identified on the vaccination certificate, which must still be signed by a vet.

**Agrivoltaics (SB 613/HB 908)** - a big bill that, among other things, makes permanent a pilot program to encourage community solar. It defines agrivoltaics (the simultaneous use of land for both solar generation and agriculture) to include horse boarding breeding and training and provides incentives for agrivoltaics.

The following bills did not make it over the finish line. In many cases, failed bills did not have significant opposition, but the leadership's other priorities meant that time simply ran out for bringing the bills to a vote. Many will be reintroduced next year.

A big disappointment was the **Helmet Bill (HB 20)** - which would have required minors to wear helmets when riding on certain properties, including facilities for which the primary purpose is recreational, educational, or competitive activities. There were some exceptions, including when practicing for or participating in a show or event where helmets are not historically a part. The bill passed the House and had a hearing in the Senate, where it sat in the Committee.

The bill's sponsor, Del. Mary Lehman (D-PG) reached out to us and asked that we urge the committee to bring the bill to a vote. We mobilized our outreach systems, and asked our members and followers to contact the committee. The bill was promptly voted favorably out of committee and went to the Floor. Unfortunately, only three days were left in the session. Questions and suggested amendments from the Floor ate up time and the bill did not come back up for a final vote before midnight on the final day of the session, even though it was on the schedule for voting on sine die. Del. Lehman has worked hard on this bill for several years, as we are hopeful for next year.

**Animal abuse penalties (SB 85/HB 405)** - would have increased penalties for criminal neglect that results in the death or euthanasia of an animal, to up to 3 years in prison and a fine of up to \$5000. Also would have permitted a judge to prohibit ownership, possession or residing with an animal for a period determined by the Court.

**Outdoor lighting standards (HB 851)** - would have required the De-

partment of the Environment to develop standards for outdoor lighting that consider energy consumption, and the environmental, public health, and public safety impacts of outdoor lighting.

**Vet student loan forgiveness (HB 1133)** - would have provided for payments of up to \$20,000 to participants who sign a contract to practice in the State for at least 2 years; and required that participants be selected based on experience, training, and availability to practice in certain high-need areas.

**Rodent harborage (HB 841)** - would have authorized lawsuits against land owners who allow rodents to exist and proliferate on their property. We asked for an amendment to make clear that an exemption for property "zoned for agricultural use" be broadened to include property where farming is permitted, even if the property is not technically zoned as "agricultural." In our discussions with the Sponsor, Del. Grammer (R-Baltimore County), it became clear to the Sponsor that the language in the bill needed more work if it was to accomplish its goals and still take into account the reality of farming operations. This is an example of how important it is for the horse industry to have an active and engaged representative in state and local government - in this case preventing a situation where horse barn owners could be sued for having mice on their property.

**Agricultural use assessment (SB 418/HB 592)** - would have required that improvements to property in support of value added agriculture be assessed as agricultural and not commercial. We were successful in getting an amendment to make sure that Equine Activities are included as value added agriculture.

**Inheritance tax (HB 100)** - would have capped the inheritance tax on agricultural real property that is bequeathed to a "beneficiary of limited means" at the lesser of 10% of the "clear value" of the property OR 20% of the federal adjusted gross income of the beneficiary of limited means for the taxable year in which the decedent died. A beneficiary of limited means was defined as having federal adjusted gross income of not more than \$125,000 for an individual or \$250,000 for couples filing jointly, surviving spouses or heads of households.

**HB 107/SB 59** - would have created a special enrollment window in Maryland's Health benefit Exchange for persons who take jobs with small employers that do not offer health coverage. This bill failed in part because both House and Senate committee counsel noted that such a special enrollment period would have violated the federal Affordable Care Act.

**Electricity for agricultural purposes (SB 640/HB 678)** - would have exempted electricity used for agricultural purposes from the sales and use tax. Currently, if all of a farm's electricity is on the same meter as the residence, it is exempt from the sales and use tax. However, if the barns, outbuildings, etc., are on separate meters, that electricity is subject to the tax. The House Ways and Means committee amended the House bill to turn it into a study. The Senate version retained its original language, with a two year sunset. Both the House and Senate versions crossed over, but the language in each bill differed and would have to be reconciled, the clock ran out.

MHC has a Political Action Committee, which is our way to show our appreciation to the legislators who listen to and understand our issues, watch out for our interests, and reach out to us when our knowledge, input and action is needed. Each Fall, we empty our PAC coffers before the start of the next legislative session to support our legislative supporters. So now that the session is over, it's time to rebuild our war chest.

Please help us continue and improve our advocacy in Annapolis. All the "legwork" - the writing of testimony, the visits with legislators, the testifying at bill hearings - is done by MHC volunteers. All donations to the MHC PAC will go to the campaigns of legislators who support us. Please donate to the PAC now.