

# NEWSLETTER

## HOWARD COUNTY FARM BUREAU

**VOL. 14, NO. 2**

**MARCH, 2005**

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**Howard County Agri-Business Breakfast.** The next Howard County Agri-Business Breakfast will be held at **8:00 a.m. on Thursday, March 10, 2005** in the Dining Hall at the Howard County Fair Grounds. Mark your calendars and plan to join us.

Guest speaker will be Caragh Fitzgerald, Extension Educator, Agriculture and Natural Resources, Maryland Cooperative Extension, Howard County. Caragh will address the topic "Alternative Agriculture in Howard County — What Does it Mean?" Many county residents consider this an especially appropriate topic these days since we continue to witness a fairly rapid transition from an historically rural county with its many forms of traditional agriculture to today's multitude of various other, and often quite dissimilar, non-traditional forms of agricultural enterprise.

Don't miss this important and informative session. Bring along your spouse, and/or a friend. Enjoy the food, fine fellowship and lively information exchange. Breakfast will be served at 8:00 am and the program begins at 8:30 am.

Please RSVP by noon, Tuesday, March 8, by calling either Charlotte Mullinix, at (410) 489-4510 or Martha Clark at (410) 531-3455. The cost of the breakfast is \$6.00 per person, payable at the door.

The formal part of the program will conclude by approximately 9:00 a.m. You may stay longer if you wish. We look forward to seeing you at the next Howard County Agri-Business Breakfast on March 10.

**Farm Bureau President's Message.** Under the category of Excellence in Howard County Agriculture, there is this tidbit. In the Hoard's Dairyman Magazine's seventy year history of their 4-H Dairy Judging Contest, Howard and

Montgomery County 4-Hers have each won it seven times. No other county in the United States has won more than twice. Great job, well done!

Now to other news. The state is looking at de-certifying Howard County's Agriculture Preservation Program. This would have no effect on farms already in the program, but would cut back considerably the amount of money that we get from the state. This money comes from the transfer tax on county properties.

Charles Feaga and I are working hard to keep our certification. This issue should be decided shortly by the state Ag. Bureau.

As most of you probably know, my friend and neighbor, and long-term Farm Bureau member, Jim Welling, survived a very close call in a silo accident recently. A hay customer, Kyle, found him trapped and hanging upside down. He quickly called 911 for help, and Jim is now up and walking. Thank heaven!

Be careful folks, especially when you are working alone.

— J. Philip Jones, President  
Howard County Farm Bureau

**Additional Crop Insurance Cost-Share Available to Maryland Farmers.** *Deadline for sign up is March 15!!*

Maryland farmers who sign up for crop insurance by March 15 will benefit from an additional federal cost-share incentive announced by the U.S. Department of Agriculture's Risk Management Agency on Feb. 10. The federal funds will be used to pay 15 percent of the producers' net premium at the 70 to 85 percent coverage levels. Maryland farmers are urged to contact their crop insurance agents

before March 15 to benefit from the cost-share.

Producers purchasing crop insurance that protects 60 to 65 percent of their average yields, will receive a 10 percent cost-share on their crop insurance. Those purchasing crop insurance to protect 50 or 55 percent of their crop yield, will receive a five percent cost-share.

"The Ehrlich-Steele Administration recognizes the importance of crop insurance as a key risk management tool for our farms and sought to make this incentive available to Maryland farmers," said Secretary of Agriculture Lewis R. Riley. "The use of crop insurance has protected Maryland farmers from serious economic hardships that could have resulted from the near-record drought of 2002 and excess rainfall of 2003." In 2004, Maryland farmers spent about \$5.5 million on purchasing crop insurance, up from 2003, when they spent \$3.3 million.

The federal government offers a cost-share incentive on crop insurance to lower farmer premiums. Producers in the state have received more than \$36.7 million in crop insurance indemnities from 2002 to 2004. Crop insurance provides protection against losses in crop production due to natural perils, including drought, hail, frost, excessive moisture and other adverse weather conditions.

Crop insurance for green peas must be purchased by Feb. 15. March 15 sales closing dates include: spring new forage seedings, corn, fresh market sweet corn, fresh market tomatoes, grain sorghum, oats, potatoes, processing beans, processing sweet corn, processing tomatoes, soybeans and tobacco. Crop Revenue Coverage (CRC) for corn, grain sorghum and soybeans is also available to provide protection against a decline in market prices.

Contact a crop insurance agent for more details. This message is brought to you through the combined efforts of MDA and USDA's Risk Management Agency. Contact: Sue duPont, 410-841-5889. ANNAPOLIS, MD.

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**New Publications, Updates Available.** 2004 corn, soybean, and small grain updates available at <http://www.nrsl.umd.edu/extension/crops/>

- Soybean Variety and Corn Hybrid Performance

- under Organic and Conventional Systems
- Corn Hybrid Performance--Agronomy Facts No. 54
- Food and Specialty Trait Soybean Variety Evaluations
- Soybean Variety and Corn Hybrid Performance under Organic and Conventional Systems
- Cyst Nematode-Resistant Variety Test--Agronomy Facts No. 43
- Maryland Soybean Variety Tests--Agronomy Facts No. 32

Call the Howard County Extension office at 410-313-2707 if you are interested in copies of the following:

- 2004 Pumpkin Variety Trials
- 2005 Pest Management Recommendations for Field Crops (EB 237) (\$19)
- 2005 Commercial Vegetable Production Recommendations (EB 236) (\$10)
- Using Commercial Deer Repellents To Manage Deer Browsing in The Landscape (FS 810)
- Adapting Annual and "Italian" Ryegrasses to Forage Systems in the Mid-Atlantic (FS 812)
- Smooth Bromegrass-Adapting an Old Grass to Today's Forage Systems (FS 813)

— Caragh B. Fitzgerald, Extension Educator  
Agriculture and Natural Resources  
Maryland Cooperative Extension  
Howard County Office

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**Increasing Agricultural Efficiency.** Did you know that U.S. farmers have fortunately continued to increase production capacity which has helped them to keep up with the food needs of an expanding world population? One farmer now produces enough food for 129 people (144 people according to MFB's *Hotline*) in the U.S. and abroad, compared to just 25.8 people in 1960. This increased efficiency has also paid off in the price that consumers pay for their food. Most Americans must work about 40 days to generate enough income to pay for one year's food supply. But, it takes about 129 days to generate enough money to pay federal, state and local taxes for the year.

— from: *Opening Minds*  
Maryland Agricultural Education Foundation  
Winter, 2005

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**Current Farm Bureau Policy.** Do you have questions or concerns about current Maryland Farm Bureau Policy? For a complete detailed listing, refer to the January/February, 2005 issue of the *Maryland Farm Bureau Spotlight*. Beginning on page 9 and continuing through page 21, in alphabetic order, is an unabridged listing. Pull the section out and file it for future reference.

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**Nutrient Management Plan Cost Share.** The Howard Soil Conservation District informs all farm operators that there is still cost share available for both the writing and updating of nutrient management plans. This applies primarily to plans written by private nutrient management consultants. (Cost share is also available for operators who write their own plans, but only for the cost of soil testing, manure analysis and tissue analysis.) The funds are available in FY 2005. Funding availability for the new fiscal year that begins July 1, 2005 will not be known until the final FY2006 budget is completed.

In order to receive this cost share benefit on a nutrient management plan, the farm operator must make application before having the nutrient management plan completed. This paperwork can be filled out at the Soil Conservation District office. After filing for the cost share, the operator will receive notice in the mail that he/she has been approved. In the mean time, the planner can be working on the plan for the farm operator. After the plan is completed, the operator files a claim for payment at the Soil Conservation District office.

Along with the claim for payment, a copy of the nutrient management plan, a signed Nutrient Management Plan Reporting Form, and a copy of the invoice from the nutrient management planner are needed. Copies of the nutrient management plan are not kept by the conservation district, but are mailed along with the claim for payment to MDA's cost share office.

The Howard County Cooperative Extension office also writes nutrient management plans. These are done at no cost to the operator. Costs of manure analyses and tissue analysis, **but not soil testing**, incurred as part of these plans, may be cost shareable!! Krista Wilson is the contact person at 410-313-2707.

The Soil Conservation District office can also help in

finding property account ID numbers which are needed for a nutrient management plan, even if the farm operator does not wish to receive cost share for the plan. If there are any questions about the nutrient management plan cost share, please call the District at 410-489-7987.

**Environmental Quality Incentives Program.** This federal cost share program is currently accepting applications through March 25<sup>th</sup>. The program is the principal federal cost share program and will provide financial assistance with a variety of conservation practices. The program will pay up to 50% of the cost of most practices and 75% of the cost of agricultural waste practices. Contact the Howard Soil Conservation District for more information at 410-489-7987.

— Jim Myers, USDA-NRCS  
District Conservationist  
Howard SCD

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**Horse Trailers.** The Maryland Horse Council will be supporting a ban on the use of double-decker trailers to haul horses. These trailers were not made for horses, and the animals are at extreme risk of injury, either directly from the too low head room and unstable footing or indirectly because of fighting caused by the cramped conditions.

For more information, please contact Crystal B. Kimball, Publisher, The Equiery, P.O. Box 610, Lisbon, MD 21765. Telephone: 1-800-244-9580. E-mail: [crystaleq@rcn.com](mailto:crystaleq@rcn.com)

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**Delegate Gail Bates' Legislative Update.** *[NOTE: The following update was submitted to the NEWSLETTER by Delegate Bates on February 21 and covered the period February 7-11, 2005. This was the latest information available when the NEWSLETTER went to the printer. To check for more recent news or any changes, please go online to [mlis.state.house.md.us](http://mlis.state.house.md.us) or contact Delegate Bates' office directly at 410-841-3556. Ed.]*

The Howard County Delegation has delayed the vote on my (Delegate Bates') proposed Aging in Place Bill and Legislation proposed on behalf of County Executive Robey, Revenue Authority, until Wednesday, February 23, 2005. Testimony/Support for local Howard County Bills is

still being received. Let your voice be heard by contacting the Howard County Delegation Members. Meanwhile, Senator Kittleman, Delegate Miller and I continue to work with the State Highway Administration, and constituents about Route 32.

There have been approximately 2,200 bills drafted in the General Assembly this session. Should you be interested in tracking any of the bills, you may go online at [mlis.state.house.md.us](http://mlis.state.house.md.us) or you may contact my office for assistance.

I hope you will continue to keep me informed of your interests and concerns.

**BILL DEADLINES PASS.** In the House, 1,358 bills made the February 11 (31st day) introduction deadline, after which introduced bills are assigned to the House Rules Committee, rather than to a principal standing committee. To date there are nine House Joint Resolutions. By the close of the week, 840 Senate measures were on the 2005 ledger. Bills dropped in the hopper following the Senate bill introduction date (February 4, or the 24th day) are assigned to the Senate Rules Committee, rather than to a principal standing committee. To date there are eight Senate Joint Resolutions. In both houses, the Rules Committees must vote to release the bills for assignment to standing committees, a step necessary for further consideration in the legislative process.

**CRIMES, CORRECTIONS, AND PUBLIC SAFETY.** SB 488/HB 849 establish the felonies of threatening to use or actually using physical violence on a person to coerce, induce, or solicit the person to participate in a criminal gang or to prevent the person from leaving a criminal gang. The maximum penalty for either crime is two years in prison and a fine of \$1,000, and police must report the arrest of a public school student for committing such crimes to the school superintendent. The bills also allow a pre-sentencing report for a defendant convicted of a gang-related crime to include information about the defendant's affiliation with the gang.

In the aftermath of last year's death of prisoner Ifeanyi A. Iko after a violent confrontation with correctional officers at the Western Correctional Institution in Allegany County, SB 394 requires the Department of State Police (MSP) to investigate any death of a prisoner in the custody of the Division of Correction, when the death is not the result of

natural causes. Currently, the Department of Public Safety and Correctional Services, which includes the Division of Correction, investigates such deaths. The bill also makes MSP responsible for the investigation of any death by unnatural causes of a juvenile in the custody of the Department of Juvenile Services.

#### **ECONOMIC AND BUSINESS ISSUES - Wineries.**

Legislation intended to increase Maryland wineries' abilities to market their wine in the State was introduced this week. SB 565 establishes the Governor's Advisory Commission on Maryland Wine and Grape Growing to replace the Maryland Wine and Grape Growers Advisory Board. Another measure, SB 566, creates a Maryland Wine and Grape Promotion Council and a fund. The fund will promote the production and consumption of Maryland wine.

#### **EDUCATION - Primary and Secondary Education.**

Under SB 762, a county board of education is required to offer driver education instruction to high school students who are 15 years or older. Current law says school boards may offer such a program. In an effort to address growing childhood obesity, legislation is being considered that requires more health instruction and limits the types of food and beverages available to students in schools. SB 473 requires local boards of education to include the importance of physical activity in health education instruction and to establish a nutrition policy that applies to all foods and beverages available to students during the school day. On the same topic, SB 609/HB 521 establish a School Nutrition Program that includes requiring public school systems to serve more fresh fruits and vegetables, eliminate fried foods, and offer healthy food choices at school activities.

**Higher Education.** Under HB 586, public colleges and universities are required to treat a course in American Sign Language as a foreign language for the purpose of awarding academic credit and satisfying graduation requirements. Two bills address changes in the current Senatorial and Delegate Scholarships programs. SB 344 requires that the Office of Student Financial Assistance in the Maryland Higher Education Commission distribute money appropriated under the programs. SB 547, the Robert Kittleman Scholarship Reform Act, abolishes the current program and sets up a Legislative Scholarship Program under which legislators would award 30% of the money available. The Higher Education Commission would

award the remaining 70% of the funds in each legislative district based on need. Hearings are scheduled for February 23.

**ELECTIONS.** A number of bills on various aspects of elections are scheduled for House hearings on February 17 and February 24 and in the Senate on February 24. Proposals, slated for hearings next week, include several dealing with absentee voting:

- HB 622 – Absentee Voting on Demand – removes requirements on voter eligibility for absentee ballots and states that an individual may vote by absentee ballot except to the extent preempted under an applicable federal law. (The bill also simplifies an “in person” or by “authorized agent” application for an absentee ballot at a local board of elections and requires that the absentee ballot be issued when an application is submitted); and
- HB 746 – Sponsored by Gail Bates and Charles Barkley- One-Stop Absentee Ballot Voting Process- requires local boards of elections to set up a one stop process at specified times for registered voters to obtain and complete applications for absentee ballots and then cast the ballots.

Another measure, on tap in two weeks, allows voters to cast write-in votes at any primary election, general election, or special election (SB 288). Current law allows write-in votes only at general elections.

**Election Law - Campaign Finance Organization and Reporting Requirements - Revisions.** (Sponsored by Delegates Gail Bates and Charles Barkley) HB 642 simplifies the campaign filing and reporting requirements to alleviate the confusion regarding the multiple election cycles. Instead of having the Board of Elections request from each campaign committee their intentions regarding participation in Gubernatorial, Presidential or Baltimore City elections at each election cycle, the campaign will establish upon filing which elections in which it plans to participate - an “opt in” system rather than the confusing “opt out” system. This should avoid unnecessary campaign report filings and the assessment of fees when reports are not filed and there was no intent to participate in a given election.

In addition, fee collection will be handled by the Central Collection Unit of the State instead of being referred to the Special Prosecutor. To avoid issues with incorrect filing of reports, treasurers will be required to attend

training on the reporting system and possible re-training if needed. Candidates for whom reports have not been filed must file appropriate reports prior to being certified as a candidate. Other minor provisions of the bill will address technical issues as suggested by the State Board of Elections.

**FINANCIAL INSTITUTIONS AND COMMERCIAL LAW.**

Several bills are pending regarding gift certificates and their regulation. Heard this week, SB 301 authorizes a gift card or gift certificate to be subject to expiration or a service fee if it complies with specified disclosure requirements. HB 551, the companion bill of another Senate measure, SB 8, is scheduled for a hearing next week. These proposals prohibit gift certificates with an expiration date less than five years from the date of issuance or service fees including a fee for dormancy. HB 667 also requires an expiration date at least five years after the date the certificate is issued and allows for a dormancy fee for gift certificates with a remaining value of \$5 or less.

**FISCAL MATTERS.** Three sales tax-free period bills (SB 599/HB 37 and SB374) are under consideration. SB 599/HB 37 apply only in enterprise zones and exempt sales of clothing and footwear under \$100 from the sales tax from August 24 through August 28, 2005. SB 374 applies statewide and exempts school supplies, clothing, footwear, and, if the price is less than \$1,000, personal computers from the sales tax for the weekend starting the second Friday in August each year through the following Sunday.

Other bills, SB 748/HB 1135, impose on corporations, including the corporations in an affiliated group, an additional alternative minimum assessment and requires the corporation to pay this assessment if it exceeds the State income tax liability.

Three bills address Maryland estate tax law and each has been afforded a hearing. SB 99/HB 321 repeal provisions of the Maryland Estate Tax enacted in 2004 by Chapter 430. The legislation re-couples Maryland estate tax law to the gradual increases in the unified credit allowed against the federal estate tax and repeals the provision relating to the deduction for State death taxes allowed under the federal estate tax law. The bills apply to decedents dying after December 31, 2004. The third bill, HB 136, re-couples the Maryland estate tax to the federal estate tax by: repealing the requirement that the Maryland estate tax be

determined without regard to a specified reduction or repeal of the federal credit for State death taxes paid; recoupling Maryland estate tax law to the gradual increases in the unified credit allowed against the federal estate tax; and repealing the provision relating to the deduction for State death taxes allowed under the federal estate tax. The bill also repeals the requirement that the person responsible for paying the inheritance tax is required to file an estate tax return and pay the estate tax under specified circumstances. As a result, the bill effectively repeals the State estate tax and applies to decedents dying after December 31, 2004.

SB 211/HB 245 and HB 270 gradually exempt military retirement income from State income taxation by 2010 for those retirees with at least 20 years of service. The bills exempt 20% of the income in 2006 and increase the amount of exempt income to 100% by 2010. Currently, a maximum of the first \$2,500 of retirement income of enlisted retirees is tax exempt.

SB 12, providing a tax credit for the purchase of an electric or a hybrid vehicle, has received an unfavorable committee report.

**GAMING, RACING, AND SPORTS.** The Senate hearing on video lottery terminals (VLTs, or slot machines) legislation occurred this week; the House has several gaming bills scheduled for hearings next week including the Administration's proposals. SB 205/HB 255. This legislation authorizes 15,500 VLTs under the regulation of the State Lottery Commission. Licenses may be issued for racetracks at Pimlico, Laurel, Rosecroft, and a future track in Allegany County. In addition, licenses may be issued for two non-racetrack locations in Baltimore City, Prince George's, Howard, Baltimore, Harford, or Cecil Counties. Proceeds of racetrack slot machines are to be distributed as follows: 4.3% (5% the first year) to the State Lottery agency, 46% to an Education Trust Fund, 39% to racetrack licensee holders, 5.25% for racetrack purses, and 4.75% for local development. Proceeds to the Education Trust Fund are used to offset the total funding of the "Bridge to Excellence in Public Schools Act" (Thornton Plan), with \$100 million per year of the Trust Fund used for public school construction. Proceeds from non-racetrack slot machines are to be distributed as follows: 4.3% (5% the first year) to the State Lottery Agency, a percentage to the licensee equal to the amount stated in the competitive bid for the license,

4.75% to local governments, and the remainder to the Education Trust Fund.

**State Lottery Commission.** HB 722, a constitutional amendment to be submitted to the voters in 2006, prohibits statutorily expanding gaming except for VLTs. The bill limits the number of VLT licenses to six, with a total of 13,000 terminals in the State. Slot machines may only be issued in a county or Baltimore City if a majority of votes in that area were cast in favor of the amendment.

A proposal to reorganize State regulation of racing, SB 498, abolishes the State Racing Commission and establishes the Thoroughbred Racing Commission and Standardbred Racing Commission. Similar legislation failed to gain support in previous sessions.

**HEALTH CARE AND HEALTH INSURANCE.** Legislation (SB 783) has been introduced to restore \$5 million in the capital budget for seven community hospital projects that were not included in the Administration's submission.

SB 769 reestablishes the 2% premium tax exclusion for HMOs. This revenue source provided funding for the newly created Maryland Medical Professional Liability Insurance Rate Stabilization Fund enacted as part of the special session's medical malpractice legislation (HB 2/Chapter 5). Another proposal, HB 955, also repeals the application of the premium tax to HMOs. Other bills address the lack of health insurance coverage. HB 813 imposes a 1% income tax surcharge on individuals with taxable income exceeding \$55,900 unless the individual and each dependent child had health care coverage. The Fair Share Care Fund Act (SB 790) assesses a health care payroll assessment on employers with 10,000 or more employees in the State.

**REAL PROPERTY, ESTATES, AND TRUSTS.** At the committee hearing stage this week, SB 192 requires the seller of single family residential property to include a disclaimer that the seller knows of no latent defects in or improvements to the property. The seller must also disclose information about any defect that would not be reasonably observed by careful inspection or that would pose a health or safety threat to the buyer. The public will get a chance to comment on the companion bill, HB 412, next week.

**TRANSPORTATION - Commuter and Airport Services.** Heard by a committee this week, HB 336 requires the

Mass Transit Administration (MTA) to establish a commuter bus line that travels across the Bay Bridge from Queen Anne's County to Anne Arundel County. The MTA is to adopt a schedule in which buses stop at the transit points at least three times during peak rush hours on weekday mornings and three times during rush hours on weekday afternoons.

Under SB 189, a Task Force to Study Governance of Baltimore-Washington International (BWI) Airport is to study a number of items including the governance and financial structure of other large commercial airports, passenger, cargo, and aircraft forecasts at BWI, and industry benchmark data. Task force recommendations are due the Governor and the General Assembly by December 31, 2005.

**Drunk Driving.** Sixteen bills on drunk driving are in the pipeline so far this session. On the House side, a number have been assigned a March 2 committee hearing date. Receiving committee scrutiny just recently, HB 103 establishes that, upon conviction for an alcohol- and/or drug-related driving offense, an additional criminal penalty may be imposed for an individual who knowingly refuses to take a test to determine the alcohol or drug concentration of the individual's blood or breath when requested to do so by a police officer at the time the violation occurred. In addition to any other penalties, the person is subject to a maximum fine of \$500, imprisonment for up to six months, or both. The Senate companion bill is SB 650.

**Young Drivers.** Well attended committee hearings put the spotlight on young drivers this week. Testimony in the House, both pro and con, revolved around eliminating the use of cell phones and like equipment (HB 394), extending the length of time required to get a provisional license (HB 242), extending the time lines for provisional licensing (HB 244), and restricting minor drivers from having minor passengers in their vehicles (HB 393). Other legislation also before the committee increases the number of hours of supervised practice driving instruction for new drivers (HB 362 and HB 395).

In a Senate hearing, committee members and the public scrutinized SB 57 and SB 240 that restrict minors as passengers of minor drivers. Legislation similar to SB 57 has been introduced every session since 1996. Dates for committee hearings for additional bills addressing restric-

tions on young drivers are to be announced.

**Wireless Communication Devices.** In addition to HB 394, two other introductions address restrictions on the use while driving of interactive wireless communication devices. SB 50, before a Senate committee this week, generally restricts the use of interactive wireless devices by motor vehicle drivers and prohibits the use of these devices by provisional license holders, learner's instructional permit holders, or drivers under the age of 18. There are circumstances when the prohibition does not apply such as contacting a 9-1-1 system or a public safety agency in an emergency. Also under SB 50, other drivers may not use an interactive wireless communication device that is held by the driver while in use. This restriction also does not apply to a public safety agency in connection with an emergency or to the operator of an emergency vehicle acting in an official capacity or to an employee of an electric, gas, or telephone company in connection with emergency communications.

A House measure, HB 45, also on the post hearing track in that body, prohibits the driver of a motor vehicle from engaging in distracted driving and also restricts the use of interactive wireless devices by drivers of moving vehicles. A driver of a motor vehicle in motion may not use the driver's hands to use an interactive wireless communication device. A driver of a school vehicle in motion carrying passengers may not use a wireless device nor may a holder of a learner's permit use any wireless device while driving a motor vehicle. These provisions do not apply to the activation or deactivation of a wireless device or the emergency use of a wireless device.

I am pleased with the bi-partisan support I am receiving for my **HOMEOWNERS PROPERTY TAX CREDIT** bill. Over the last 16 years, the numbers of Seniors receiving the credit has declined due to the rapidly rising values of real estate in Maryland. Targeting low income seniors, the bill will adjust the phase-out level from \$150,000 to \$250,000 to give more seniors the benefit of the credit.

— Delegate Gail H. Bates, District 9A  
Maryland House of Delegates

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**New Regulations for Home Kitchen Processing.** The Maryland Department of Health and Mental Hygiene has revised some regulations covering home kitchen process-

ing of food. The new regulations have expanded what farmers can do in their home kitchens and have also expanded where these products can be sold, if farmers participate in a training session and purchase a license. Previous regulations for products sold at farmers' markets are still in effect. Anyone making jams, jellies, baked goods, fruit butters, etc. for sale only at farmers' markets may continue to do so under the old regulations.

Now farmers will be able to sell items made in their home kitchens to retail outlets, wholesalers, restaurants, etc. an expanded list of canned items, as well as meats, can be processed at home and sold anywhere in the state.

An eight-hour training session is required for anyone wanting to sell home-processed foods outside farmers' markets or anyone wanting to sell the newly allowed foods at farmers' markets.

A training session will be held on at the Howard County Fairgrounds, Monday, March 7, 2005, from 8:00 AM to 4:30 PM. There is a \$15.00 fee for lunch and snacks. Additional training dates and sites are available. Persons interested in this training should contact Ginger S. Myers, Howard County Economic Development Authority, at 410-313-6500.

— Ginger S. Myers  
Agriculture Marketing Specialist  
Howard County Economic Development Authority

**National Update. FB Supports Cuba Trade Facilitation.** The American Farm Bureau Federation supports a bill introduced in the Senate recently to facilitate and increase U.S. agricultural exports to Cuba.

The Agricultural Export Facilitation Act of 2005, introduced by Sens. Larry Craig (R-Idaho), Max Baucus (D-Mont.), Pat Roberts (R-Kan.) and others, would authorize Cuba to make payments directly to U.S. banks, clarify that Cuba's payments do not have to be received before exports leave U.S. shores, make it easier for U.S. citizens to travel to Cuba to market agricultural products and expedite temporary visas for Cuban nationals to visit the United States to inspect goods before they are shipped.

"We applaud these changes, which would clarify Congress' intent when it enacted trade sanctions reforms in

2000 and streamline the procedure that allows U.S. farmers and ranchers to export their products to Cuba," said AFBF President Bob Stallman. "Congress clearly meant to open the Cuban market for farm exports, and this bill is a positive next step."

— from Maryland Farm Bureau's *Hotline*  
No. 4, February 10, 2005

**Employment Opportunity - Weed Control Coordinator.**

After 12 years of service, Bill West has retired as the Howard County Weed Control Coordinator. As a result, Howard County is accepting applications for this position. This is a seasonal, part-time position. The work involves meeting with members of the agriculture community and the general public concerning noxious weed infestations. The position also involves herbicide application.

If interested in receiving further information and an application, please contact Leroy Sellman, Maryland Department of Agriculture, Plant Protection and Weed Management Section, at 410-841-5871.

— Caragh B. Fitzgerald, Extension Educator  
Agriculture and Natural Resources  
Maryland Cooperative Extension  
Howard County Office

**SB 325/ HB 561 - Agricultural Land Preservation - Termination of Agricultural Districts.**

Hearings were held in Annapolis on these bills on February 22, 2005. These bills allow a landowner to terminate an agricultural district agreement early. Current law requires a landowner who is interested in selling an easement to MALPF to enter into a 5-year agricultural district agreement. At the end of the 5 years, a landowner may opt out of the district if the easement has not been purchased, with a 1-year notice to the Foundation. This bill would allow a landowner to terminate the district agreement anytime after 30 months, with 30 days notice, if MALPF has not purchased an easement or if MALPF's offer to purchase an easement has been rejected by the landowner. The landowner would be required to reimburse the state for all appraisal and recording costs and the county for any tax credit received while in the district. The bill is retroactive to apply to all land



currently subject to a district agreement. Maryland Farm Bureau believes that this compromises the integrity of the program. **MARYLAND FARM BUREAU OPPOSES SB 325.**

— from Maryland Farm Bureau's *Hotline*  
No. 5, February 17, 2005

**SB 446/ HB 555 - Horse Industry Board - Sunset Extension and Program Evaluation.** Hearings were held in Annapolis on these bills on February 22 and 24, 2005. This bill extends the authority for the Horse Industry Board through 2016. The 12-member Horse Industry Board is currently authorized to license, inspect and enforce regulations regarding horse breeding and riding facilities. The Board also supports research on equine health, promotes the use of horses, creates public awareness of the benefits of the industry and maintains data on the industry in the state. The Board does not regulate the racing industry or equine operations involved in breeding race standardbred or thoroughbred horses. The Board regulates approximately 500 stables in the state. The bill extends the licensing and inspection cycle for a riding stable from 1 to 2 years. The bill also increases inspection fees from \$25 per year to \$75 every 2 years. A new licensing fee of \$125 every two years is established. And the fee (refundable upon request) assessed on commercial equine feed is raised from \$2 to \$4 per ton. **MARYLAND FARM BUREAU SUPPORTS SB 446 & HB 555 WITH AMENDMENTS TO RESTORE THE 1-YEAR LICENSING CYCLE AND TO ELIMINATE THE FEED FEE INCREASE.**

— from Maryland Farm Bureau's *Hotline*  
No. 5, February 17, 2005

**Endophyte Testing of Tall Fescue.** Tall fescue and perennial ryegrass may contain a fungal endophyte, which is beneficial to the grass plant but toxic to a variety of animals, particularly horses and cattle. The tall fescue endophyte, *Neotyphodium coenophialum* (previously *Acremonium coenophialum*), lives exclusively inside plants and can only be detected through laboratory analysis. The endophyte gives the plant insect, disease and mammal resistance. The perennial ryegrass endophyte, *Neotyphodium lolii*, is similar to the tall fescue endophyte and is detected the same way. The only way either endophyte is known to spread is through infected seed produced by infected plants.

Symptoms of fescue toxicosis are most evident in animals grazing tall fescue during mid- and late summer. Symptoms include:

- Poor gains
- Unthrifty appearance
- Rough hair coat
- Low milk production
- Elevated temperature and respiration rates
- Standing in water or shade for long periods
- Reproductive problems
- Foaling problems in horses

If interested in testing your tall fescue or perennial ryegrass for fungal endophyte, please contact the Howard County Extension office at 410-313-2707. We will be happy to provide you with important information about 1) Correct Sampling Procedure, 2) Proper Time to Sample, 3) Sample Packaging and Mailing Procedures, and 4) Names and Addresses of Available Testing Laboratories and Appropriate Fees.

— Caragh B. Fitzgerald, Extension Educator  
Agriculture and Natural Resources  
Maryland Cooperative Extension  
Howard County Office

**Maryland Crop Production Report.** According to the Maryland Agricultural Statistics Service and the Maryland Department of Agriculture, yields for most major field crop commodities produced during the 2004 growing season were either near or attained record highs.

Corn grain production (65,025,000 bushels) was up 29 percent over 2003 (50,430,000 bushels) and more than double that of 2002. The average yield of 153 bushels per acre on 425,000 acres was up 30 bushels over last year and just 2 bushels shy of the record set in 2000. Corn silage was harvested from 60,000 acres in 2004, down from 65,000 acres in 2003. But, total production was up 15 percent from 2003. Yields averaged 20 tons per acre in 2004, 4 tons per acre more than in 2003 and 8 tons per acre more than in 2002.

Soybean acreage harvested was up significantly from 2003, to 495,000 acres. Production totaled 21,285,000 bushels, up 34 percent over the 15,910,000 bushels harvested in 2003 and 97 percent more than 2002. Yields

averaged 43.0 bushels per acre in 2004 which was equal to the record set in 2000.

Total hay production was up 6 percent from 2003 to 570,000 tons in 2004. This included 132,000 tons of alfalfa and 438,000 tons of other hay. The 45,000 acres of alfalfa hay averaged 3.3 tons per acre, about the same as in 2003. The 175,000 acres of all other hay averaged 2.5 tons per acre.

Although there is no commercial tobacco grown in Howard County, it was interesting to note that 2004 tobacco production totaled 1.87 million pounds, up 17 percent from 2003. Yields averaged a record 1,700 pounds per acre on 1,100 acres.

— from *Maryland Agri-Facts* AF-02-05  
MDA and MASS  
January 18, 2005

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**Planning For Pets - 2.** In our last column, we discussed estate planning for pets - making sure that Fido and Fluffy end up where you want them to go, with the funds intended for their care. If you obligingly die suddenly, this is all you need to consider.

If you spend more time in the process of departure, however, provision must be made for your pets while you are still alive, but unable to care for them yourself. Often, in such situations, the same person or persons who would receive your pets upon your death would step in and care for them, so their whereabouts would be assured. If the animals are to be sent to a facility, however, someone needs to make sure that your pets are safely delivered there, and that the bills are paid.

Under Maryland law, payment made for the care of your pets is, technically, not paid for your benefit. Therefore, without specific authorization, your agent under your durable power of attorney and your trustee of your revocable living trust may not spend your money to pay for the care of your animals.

In fact, your agent or trustee could be found in violation of their fiduciary duty to do what they know you would want them to do. This means that they would have to reimburse you or the trust out of their own pocket for the money spent. While you might never bring that lawsuit

personally, greedy heirs have done just that. As it is said in this field, you don't know your family until you've shared an inheritance with them.

Rather than leave the care of your animals to the vicissitudes of fate during any period of incompetence you might suffer, consider adding language to your power of attorney and living trust specifically authorizing care for your pets. Your document should include the following:

1. general authorization to make expenditures for the care and support of your pets, enumerating items important to you, such as arranging for their regular exercise, grooming, veterinary care, and special dietary needs, if any, and stating that the agent shall consider such payments as made for your best interest and in fulfillment of your agent's fiduciary responsibility to see to your welfare;
2. to make provision so that your household pets remain in the home with you, and for you to maintain regular contact with them for so long as possible;
3. to arrange for your pets to have regular exercise, medical care, and companionship when you cannot provide for them, and for home care to be arranged to permit your pets to stay with you;
4. to insure that any home care providers to be comfortable with pets, and treat them kindly;
5. to pay for the time of family members or friends who undertake to help with your pets, or to employ pet care professionals to arrange for the pet's regular exercise and companionship;
6. to see to it that veterinary care be continued at the Veterinary Clinic where the animals have been cared up to the time of incapacity, regardless of the fact that there might be facilities elsewhere which provide services for less cost;
7. to select a new residence which permits your pets to stay with you, if that is possible, and if not, to arrange for regular, twice weekly visitation for you with your pets, should you be forced to leave the home because of medical exigencies that cannot be provided for in the home; and

8. to provide for their transportation to, and care at a suitable facility for any period deemed appropriate by your agent, including a period longer than your life.

Similar provisions can be put in your will or in the post-mortem provisions of your living trust, to ensure that the same care is given regardless of your situation. There is no substitute for a professionally drafted document to see to the orderly administration of your affairs. Consult with your attorney to be sure your estate planning instruments are in order.

— Timothy S. Barkley, Sr., JD, CFP, CSA  
Attorney at Law

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### **Systemic vs. Contact: What the Pesticide Description**

**Tells You.** We're hearing a lot about fungicides these days, with the concern about possible Asian soybean rust and with last year's early and vigorous appearance of downy mildew on cucurbits. Terms like systemic, contact, translaminar, and curative keep popping up. This is a good time to review what these terms tell us about pesticides. This can help you make good decisions about the materials you choose, should you need them.

**Systemic.** This term means that the pesticide is absorbed and moved through an organism. Some fungicides and insecticides are systemic in the crop you are trying to protect. Some herbicides may be systemic in the pest plant. The term locally systemic means that the pesticide moves in a small zone around the application site.

In the case of fungicides, systemic activity helps ensure good protection of the crop. Systemic fungicides do not wash off, and they provide full protection to the plant, even when perfect spray coverage is not possible.

Systemic pesticides often work on very specific mechanisms in the pest. This can lead the pest to develop resistance. For this reason, there may be a limit on the number of times systemic materials can be used in a season.

**Contact.** Contact pesticides kill the pest organism upon contact. Contact fungicides must be on the leaves before the fungal spores germinate. Once the fungus has

entered the plant leaf, contact fungicides have no activity. Contact fungicides are considered protectants (see below), but excellent coverage is essential to prevent infection.

**Protectant (preventative).** These materials prevent infection, but they do not affect infections that have already occurred. They act like a shield to protect the plants. Protectant fungicides can be washed off by rain, and they do not protect growth that occurred since the last spray application.

**Curative, eradicant.** These types of fungicides can cure existing infections in the plants. They cannot revive dead leaves, and they cannot do miracles—curative materials cannot stop a well-established infection from causing economic damage. Curative and eradicant materials are systemic, and they provide protection from future infection, as well. As with other systemic materials, curative fungicides may be at greater risk for developing resistance, and there may be a limit on the number of applications allowed. Although these are good materials to have available, your best tools are protectant fungicides and early identification of a disease problem.

**Translaminar.** These materials can move through the leaf, but they are not otherwise moved throughout the plant.

If you have questions about the terminology used on your pesticides, feel free to call me at 410-313-2707.

Caragh B. Fitzgerald

Extension Educator, Agriculture and Natural Resources  
Maryland Cooperative Extension, Howard County Office

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**The Importance of Good Penmanship.** Ever since the oldest of my grandchildren began learning to write a few years ago, I have attempted, often with only limited success, to impress upon them the importance of taking their time and using great care to write their numbers and letters carefully and legibly. I have tried to impress upon them the importance of good penmanship and the importance of writing clearly so that those with whom they wish to communicate can easily and accurately understand what is being written. I recently came across the following short story which I believe helps somewhat to illustrate my point about the importance of clarity.

The article, entitled "*A Boy to the Rescue*", went like this. "*In one of the great Pennsylvania manufactories there was*

recently an apparent discrepancy in the accounts involving a matter of three thousand pounds of scrap iron. The clerks spent two whole days over the figures and finally gave up the task of trying to make the accounts balance. Several days later the office boy took a notion to amuse himself by adding a column of figures on a sheet of paper which happened to be on the desk before him, but somehow he could not make the footings agree with the amount set down. His curiosity was quickened and, not being pressed with work, he examined each figure minutely and discovered a fly speck at the side of the figure one, in the thousand column, which made it look precisely like a four. Each of the clerks had called it a four, and but for the sharp eyes of the boy, the mystery would have probably remained unexplained.”

As you might suspect by now from the use of several rather archaic terms in this supposedly true story, this tale is not of this day and age, but is from another place in time. In fact, this story was discovered in an old, now slightly disintegrating issue of *The American Agriculturist*, a still popular magazine for rural families. But, this issue was published in **January, 1893**.

There are certain principles that naturally change over time, and then there are rules that never change. A sharp eye and good penmanship certainly belong to the latter category and have obviously been considered a vitally important “key to success” for a very long time.

— Allan Bandel  
Newsletter Editor

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### **CALENDAR OF EVENTS - 2005**

- Mar 2 **Pesticide Re-certification for Private Applicators.** (Registration required). 1-3 pm. MCE, Frederick, MD. (301) 694-1594.\*
- Mar 2 **Nutrient Applicator Voucher Training.** Timonium, MD. \*
- Mar 2 **New Private Pesticide Applicators: Optional Training.** (Registration required.) 10 am - 12 pm. MCE, Frederick County, (301) 694-1594.\*
- Mar 2-3 **Pennsylvania Forage and Grazing Conference.** Grantville, PA. Contact Dr. Les Vough for more information. (301-405-1322).

- Mar 7 **New On-Farm Food Processing Regulations Workshop.** Howard County Fairgrounds. \*
- Mar 7,14,21 **Introduction to Farming.** Davidsonville, MD. \*
- Mar 9 **Maryland Farm Bureau’s Annual Washington Drive-In.** Register by Monday, February 28. See announcement elsewhere in the *Newsletter*. Contact: Merhlyn Barnes at (410) 489-4465.
- Mar 9 **New Private Pesticide Applicators: Optional Training.** (Registration required.) 7 - 9 pm. MCE, Westminster, MD. Carroll County, (410) 386-2760.\*
- Mar 9 **New Private Pesticide Applicators: Exam.** (Registration required.) 10 am - 12 pm. MCE, Frederick County, (301) 694-1594.\*
- Mar 9 **Beef Carcass Data: What Does It Mean and How Can I Use It?** Winter Wednesday Series with Dr. Scott Barao. 10:00-12:00 am. Maryland Cooperative Extension, Carroll County Office. Westminster, MD.\*
- Mar 9&16 **Equine Quickbooks (Financial Management).** Derwood, MD, (Montgomery County). \*
- Mar 10 **Howard County Agri-Business Breakfast.** 8:00 am. Dining Hall, Howard County Fairgrounds. West Friendship, MD.
- Mar 10 **H.O.R.S.E.S. Seminar. Horses and Your Resources: Smart and Environmentally Sound Management.** Circle D Farm, Carr’s Mill Road, Woodbine, MD. 7-9 pm. Cost: \$5. Contact Caragh Fitzgerald (410-313-2707) or Kristal Lull (410-489-7987).
- Mar 16 **New Private Pesticide Applicators: Exam.** (Registration required.) 7 - 9 pm. MCE, Westminster, MD, Carroll County, (410) 386-2760.\*
- Mar 18&19 **2005 Maryland-Delaware Sheep Shearing School for Beginners.** 1942 Uniontown Road, Westminster, MD 21157. \*
- Mar 31 **Writing Comprehensive Nutrient Management Plans.** Annapolis, MD. \*
- Apr 2 **2005 Maryland-Delaware Sheep Shearing School—Advanced.** 1942 Uniontown Road, Westminster, MD 21157. \*
- Jun 3 **Procrastinator’s Pest Management Conference.** (Landscape, Nursery, Greenhouse Focus). Germantown, MD. \*
- Jun 15-24 **Greenhouse Short Course.** Derwood, MD. \*

- Jun 29-30 **Fundamentals of Nutrient Management.**  
Annapolis, MD. \*
- Jul 14 **Summer Cut Flower Growers Conference.**  
Glenelg, MD. \*
- Jul 28 **Pond Management Seminar.** Clarksville,  
MD.\*

\*[NOTE] Unless otherwise indicated, contact Caragh Fitzgerald, Maryland Cooperative Extension — Howard County, (410) 313-2707 for more information. **Many programs require pre-registration and/or a fee.** For programs sponsored by Maryland Cooperative Extension, if you need special assistance to participate, please contact the person indicated at least two weeks in advance of the event.

### **Some Thoughts for the Day.**

*On recession, Will Rogers once advised ....*

There is not a man in the country that can't make a living for himself and family. But, he can't make a living for them AND his government, too, not the way this government is living. What the government has got to do is live as cheap as the people.

*And also ....*

Last year we said: "Things can't go on like this!" And they didn't — they got worse.

— from: *The Best of Will Rogers*  
by Bryan Sterling



**Making hay the “modern” way on a Howard County dairy farm 63 years ago.** Equipped with the latest labor-saving tool, a new red and yellow Montgomery Ward hayloader towed behind a 1-½ ton Chevrolet truck, it still required a crew of at least three hard working men (or women) in the field to drive the truck and to move the loose hay away from the hayloader's apron. The hay had to be moved by pitchfork and properly stacked so that it did not fall off the truck during the short trip to the barn. Then, there had to be another crew of at least three to five people at the barn to hoist the hay off of the truck, drop it into the mow, and then place it. About this time, it was also believed that spreading up to 20 pounds of salt per ton of hay as it was brought into the barn would

inhibit bacterial fermentation and mold and reduce the possibility of fire from spontaneous combustion. After a few years though, the University of Maryland Cooperative Extension Service ceased recommending this practice when it became known that it did not prevent spontaneous barn fires and in excess, could actually be objectionable to the animals. In small amounts, the salt did give the hay a slightly better color, aroma, and taste. The practice soon died out for obvious reasons. In this photo, the load of hay is ready to head for the barn. The person on the ground is preparing to crawl between the hay and the hayloader to unhook the marvelous machine. Can't you just imagine the unpleasant sensation of those dry hay leaves falling down the open neck of his shirt as he squeezes into that confined space? Oh, well. This just gave him one more excuse to head for the old family swimming hole in the creek at the end of the day. **June, 1942.**