

THE FRONT PAGE

News & Views You Can Use

The 2005 Maryland Legislative Session

As the March issue goes to press, the 90th session is about half over, with closing games scheduled for April 11. Of course, there is always the chance the Governor will call another special session, so, as the saying goes, "it ain't over until it's over."

Maryland has 47 Senators and 141 delegates scrutinizing, since the start of the session January 12, 889 Senate bills and 1,407 House Bills. And you thought all they did was party in Annapolis.

Yes, there are lots of slots bills (quaintly known as "video lottery terminals" in the parlance of Annapolis) as well as other racing issues, but we will let you read about those in the daily general press, as they can provide more up-to-date information which can be reflective of the fickle winds of politics.

At The Equiry, we try to scout for bills that affect the equestrian community but may get overlooked in the mainstream media by the issue du jour.

There is a plethora of bills affecting various county camps or the administrative aspects of land preservation—nothing ground shaking. To see those bills in more detail, visit equiry.com and click on the Maryland Legislature, which has vastly improved its website this year. Search for bills by subject codes for "camps" or "farmland."

In the meantime, these are the bills that caught our interest. If, after reading about them, you would like to let your representatives know your opinion on the bills, you can contact your representative through the website. Just visit equiry.com, click on Maryland Legislature, and the site will help you figure out who your delegate or senator is and how to contact him or her. They want to hear from you!

HOUSE BILL 76: Animal Health—Administrative Penalties

This is a Department of Agriculture bill that would al-

low MDA to impose financial penalties of up to \$10,000 on anyone found guilty of violating health regulations for livestock. Fines go to the General Funds (which helps to ensure that agencies don't start looking for violations just to enrich their own coffers). The house passed the bill and it has moved on to the Senate.

HOUSE BILL 77: Commercial Feed and Fertilizer, Agricultural Liming Materials, and Pesticide Registration and Labeling Laws—Penalties

Another MDA bill, this little piece of legislation would allow MDA to fine any feed, fertilizer, liming or pesticide business not complying with the laws to register and/or properly label said product. In the past, the best MDA could do was to refuse to register the product, which really doesn't seem like much of a threat to a business already not complying. Again, fines would go to the General Fund. Passed the house, now in Senate Education, Health and Environmental Affairs.

HOUSE BILL 104: Animal Health—Reports

Remember the debate last summer surrounding MDA's duties and obligations in cases of infectious and/or contagious disease and quarantine issues? One of the questions raised regarded the privacy of information. This bill addresses that issue, and would require that MDA maintain the privacy of the owners of animals in regards to their health reports, but which would also authorize the Department, *vis-à-vis* the Secretary, to disclose that identity when deemed in the interest of public health or for the necessity of preventing the spread of disease. The bill has passed the House and has been read into the Senate Committee on Education, Health and Environmental Affairs.

HOUSE BILL 555/ Senate Bill 446: Horse Industry Board Program Evaluation

This bill was submitted by Legislative Services, whose job it is to review State agencies and put in bills that they think will help increase or improve the agencies or department.

The bill has both good and not-so-good parts.

Currently, Maryland only has the funding for two state stable inspectors. For the last 20-plus years, Maryland has only ever had two stable inspectors. But during that time, the industry has grown exponentially. Have you taken a look at the back of *The Equiry* lately? Do you see that list of stables offering lessons or boarding? Currently, the two stable inspectors are required to visit all of those, PLUS the other 1,000 plus training stables (not including race stables) at least once each year. (And yes, you are required by law to be licensed if you have five or more horses per year on your farm that you do not own, so this applies to even "private" training barns, as well as to lesson stables and sales barns).

In these tight budget times, there is no more funding for adding inspectors. The bill would extend the licenses from one year to two, and require that stables be inspected only every other year (unless a complaint is filed). The bill also adjusts the registration and inspection fees to accommodate the two year cycle, as well as to reflect inflation over the last several decades.

However, the bill contains two troubling provisions, and we were heartened to learn that the Board itself and MDA will be testifying in opposition to the bill, unless amendments are made.

The first version of the bill calls for a doubling of the feed fund assessment; this has not been vetted out with Maryland horse people yet. Had *The Equi-*

ery known this was on the horizon, you would have been fully informed BEFORE the bill was submitted. *The Equiry* will not support an increase to the feed fund without the equestrian community having a chance to fully discuss it.

Also, the first version of the bill eliminates the requirement that monies raised by the feed fund be used exclusively for education and promotion. *The Equiry* opposes the elimination of this requirement, and believes that you, our readers, would too, were you given the chance to have a say before the fact.

The bill was scheduled to be heard in the Senate on Feb. 22 and the House on February 24. *The Equiry* planned to testify against the increase in the feed fund and the elimination of the funds dedication clause. The Maryland Horse Council was also set to testify that its membership was not made aware of the attempt to increase the feed fund, and that they therefore do not have the support of the Horse Council. Representatives from the Horse Industry Board itself also planned to testify against the feed fund increase.

HOUSE BILL 594: Making it a Crime to Interfere with, Injure, or Kill Service Animals (Langer's Law)

This bill would heighten the penalties and classify them as crimes, rather than misdemeanors, for actions against animals used in handicap programs, or as seeing eye dogs (or ponies), etc., in a way that goes above and beyond the felony charges for aggravated cruelty, as this would criminalize the reckless engaging in conduct that interferes with the lawful use of a service animal, or creating a substantial risk of death or injury to a service animal. The bill was scheduled to be heard in the House Judiciary Committee on Feb. 24.

STOP THE PRESSES: SLOTS PASSES HOUSE WAYS & MEANS FOR 1ST TIME IN 3 YEARS; ALREADY APPROVED IN SENATE, BEFORE ENTIRE HOUSE AS OF PRESS TIME.

IF YOU HAVE NEWS, VIEWS OR UPDATES TO CONTRIBUTE, PLEASE SEND THEM TO Editor at *The Equiry*, P.O. Box 610, Lisbon, MD 21765 • FAX: 410-489-2828 • email editor@equiry.com. Be sure to include your full name, phone number and address. All submissions become the property of *The Equiry*.

HOUSE BILL 721: Prohibitions Against The Improper Transport of Horses

This is the bill that would ban the use of double decker trailers for hauling horses; currently federal law bans the use of double deckers (a.k.a. opossum bellies) for the transportation of horses bound for slaughter, and the presumption that double deckers are in inhumane mode of transport of slaughter horses. But currently there are no federal prohibition on hauling pleasure, sport or race horses via double deckers. As of press time, the bill was scheduled to be heard in House Judiciary on Feb. 24. Del. J.B. Jennings, at the request of the Maryland Horse Council and the MHC Equine Welfare Committee, sponsored this bill, which has an all-star list of cosponsors. MHC is supporting the bill with a few minor amendments.

HOUSE BILL 1173: Changes to the DNR Wildlife Advisory Commission

This is the committee that advises on issues related to fox-chasing (on public or private land, as DNR is responsible for all wildlife, regardless of location), among other things. Delegates Dwyer, Boschert, Frush, Gilleland, Impallaria, Kirk, Leopold, McComas, McConkey, Menes, Paige, Shewell, and Stocksdale are asking to be able to make changes to the makeup of the committee, as well as a variety of other protocols. The bill is scheduled to be heard in House Environmental Matters on March 11.

HOUSE BILL 1330: Ratcheting Up Penalties for Aggravated Cruelty to Animals

This bill would amend the law made, just a few years ago, that made aggravated cruelty to animals a felony rather than a misdemeanor. Now, the bill would increase the punishment for cruelty that results in death, upping the potential jail time from three years to five and the fines from \$3,000 to \$10,000. Hearing was scheduled for Feb. 25.

SENATE BILL 391: Criminal Law—Intentional Infliction of Harm on Law Enforcement Animals—Repeal

The synopsis says: for “repealing the crime of intentional infliction of harm on an animal owned or used by a law enforcement unit.” We are not really

sure why they wish to repeal it, unless the aggravated cruelty penalties would more appropriately encompass these charges, and this law is redundant. Scheduled to be heard in the Senate Judicial Proceedings on March 15.

HOUSE BILL 332/SENATE BILL 54: Arundel County—YMCA Camp Letts

Funding for improvements to YMCA Camp Letts, which also offers lessons and rentals of horses. The bill was read into the House Appropriations Committee on Jan. 27, with no movement since.

HOUSE BILL 561/SENATE BILL 325: Agricultural Land Preservation—Termination of Agricultural Districts

Authorizing the termination of an agricultural district after at least 30 months and before five years have elapsed if the Agricultural Land Preservation Foundation has not purchased an agricultural easement on the property and the landowner provides notice to the Foundation at least 30 days before the termination; providing that termination is not effective until the landowner executes and records the termination in the land records; etc. Hearing was set for Feb. 23.

HOUSE BILL 842: Land Valuation State Property Tax

Establishing separate classes for property tax purposes for land and improvements to land; establishing a new subclass of land for land that is used as a principal place of residence; exempting improvements to land from the State property tax, with specified exceptions; exempting from the State property tax the first \$15,000 of value of agricultural land and the first \$40,000 of value of land used as a principal place of residence; applying the Act to tax years beginning after June 30, 2006; etc. Read into House Ways & Means Committee on Feb. 10; no movement as of press time.

HOUSE BILL 904: Land Preservation Protection Act

Requiring specified transfers from the General Fund to the transfer tax special fund beginning in fiscal year 2007; specifying the amount of the annual transfer; requiring the Governor to submit a repayment plan by December 1, 2005, to

the Senate Budget and Taxation Committee and the House Appropriations Committee; etc. Essentially, this is requiring the Governor to pay back the money he borrowed from the transfer tax fund (which supports land preservation programs) to balance the budget. The hearing is scheduled in the House Environmental Matters & Appropriations Committee on March 8.

HOUSE BILL 933 Maryland Agricultural Land Preservation Foundation—Request for Release by Landowner's Estate

Requiring the Maryland Agricultural Land Preservation Foundation, upon written application submitted by the estate of a deceased landowner whose land is subject to an agricultural easement and within one year after the death of the landowner, to release free of easement restrictions specified lots under specified circumstances. The hearing was set for Feb. 23 in House Environmental Matters.

HOUSE BILL 934 Maryland Agricultural Land Preservation Foundation—Child Lot—Notice

Requiring, as a condition for the release of a lot, free of easement restrictions by the Maryland Agricultural Land Preservation Foundation, of a lot to a landowner for the use of the landowner's child, that the landowner disclose to the Foundation, at the time of settlement of the purchase of the easement and on a form supplied by the Foundation, that the landowner will be seeking the release of a lot for that child. Hearing was scheduled for Feb. 23 in House Environmental Matters.

HOUSE BILL 1334: Critical Farms Program

Requiring the Maryland Agricultural Land Preservation Foundation and the Department of Planning to establish a Critical Farms Program to provide interim or emergency financing for the acquisition of specified agricultural preservation easements on specified farms; requiring a county to determine if a property qualifies for the Program in accordance with criteria developed by the Foundation and the Department; and authorizing the Foundation and the Department of Planning to adopt specified regulations; etc. Hearing scheduled for March 4 in House Environmental Matters.

SENATE BILL 306 Board of Public Works—Disposition of Protected Lands

Remember the brouhaha this past fall/winter over the potential sale of State owned land? This bill would prohibit the Board of Public Works, subject to specified conditions, from approving the sale, lease, transfer, exchange, grant, or other disposition of any State-owned or State-designated outdoor recreation, open space, conservation, preservation, forest, or other park land; authorizing the General Assembly to take action by passing legislation with regard to specified land transactions; requiring the Board to cause a specified notice to be published; requiring specified departments to prepare specified analyses; etc. The Senate Education, Health and Environmental Affairs & Budget & Taxation held a hearing Feb. 17, with no report available as of press time.

More News

Iams Ends Sponsorship of HSUS

Iams Pet Food Company ended its sponsorship of the Humane Society of the United States after being flooded with letters from members of the U.S. Sportsmen's Alliance. Members of USSA are large purchasers of Iams dog food, and objected to Iams supporting an organization that works to ban hunting.

State & BWI Exploring Equine Import/Export Facilities

The Maryland Department of Agriculture hosted an Equine Export Seminar on Jan. 26, focusing primarily on opportunities abroad for the exportation of Maryland-bred horses for the Korean and Russian racing industries. Participants included representatives from the Maryland racing and breeding industries, Russia and Korea, and Bob Schaffer from BWI.

Jay Bang from Triple Crown and Tae Shin, S&K Trading gave an optimistic overview of the Korean market. Thousands of U.S. racehorses have been exported to Korea since 1997. The market continues to grow and the purchase price is increasing, too. For the Russian presentation Vadim Bochkarev, a SABIT Intern from Russia and Dr. Ted Williams, USDA/APHIS presented a more chal-

continued on the next page

lenging report on the Russian Horse Market. The US has Russian equine export opportunities but the outdated Russian health protocol is creating export issues.

Bob Shaffer from Baltimore Washington International Airport presented an initiative to opening BWI to international livestock flight service.

One of the purposes of the Maryland Department of Agriculture is to develop new markets for Maryland-made products (and this would include Maryland-bred horses), and *The Equiery* applauds this effort. However, MDA's primary focus is on sales and exportation. *The Equiery* hopes to see an equal focus on developing import facilities at BWI, but recognizes that this initiative may have to come from another state agency, such as the Department of Economic Development. We do not know, but are interested in learning, the comparative number of imports and exports in the Mid-Atlantic area. We do know that sport horse owners and breeders in the Mid-Atlantic area import a tremendous number of horses, including European warmbloods, Irish hunters (and not just for hunting), New Zealand eventers. The mid-Atlantic area is also home to probably the highest concentration of international competitors in the country, riders who are frequently flying their horses abroad for competition (you should see the frequent flyer miles these horses rack up). We know that no one is happy with the routine of bringing their horses in through New York, and no one really wants to bring their horses in through the heat of Florida.

And import facility at BWI offers a tremendous business opportunity for Maryland, and the location could not be better. Not only is it strategically located near two major north-south highways, it is also mere miles from the USDA's headquarters for their department that oversees the inspection of horses entering the U.S.—APHIS (Animal Plant Health Inspection Services) is located in Riverdale, Maryland, near College Park.

Obviously, an import facility will need broad support, not only from the Governor and the legislators, but also from our representatives on Capitol Hill, as it will take our federal legisla-

tors to find a way to budget for USDA-APHIS to oversee a livestock quarantine import facility at or near BWI.

Calvert County Proposes Equestrian Facility & New Trails

submitted by Karen Jones

We have a great new beginning for an old equestrian facility in Calvert County. King's Landing was once the home of the County's 4-H horse camp, as well as the site of many horse shows and trail rides. It's been defunct as an equestrian facility for many years now.

The effort to bring King's Landing back to life is being spearheaded by Linda Kelley, one of the County Commissioners. Linda used to own horses, and is now devoted to her pet potbellied pigs and a menagerie which includes cats, chickens, turtles, guinea pigs and anyone else that needs a home and comes to stay.

She has been able to get funding earmarked for renovations as well as trail building, subject to public hearing. Linda has done a tremendous amount to help preserve farms and open space, and to champion legislation to protect all animals from cruelty. She is a tireless worker in our county, and now she's set her sights on helping the horse community get some facilities back in this county.

All this land down here, and currently not one public trail in Calvert County! She has proposed trails for both King's Landing (state owned) and the Briscoe Gray property (county owned). Maybe someday we'll get some significant interlocking trails and have a real network of good trails established.

Linda could use some sage advice regarding trail planning and construction. I would appreciate it if your readers could contact me with help. It's such a rare thing for an elected official to care about horse folk, we really need to capitalize on this chance. Many thanks in advance for any help you can provide.

We can also use support at the budget hearing on March 22 at 7 p.m. at the Calvert Pines Senior Center in Prince Frederick.

Letters:

Dear Editor:

I read with interest the article by Mr. Barkley concerning Disability Income Replacement Insurance. The only problem is...it's impossible to get! I've tried for several years with various agents and not even Lloyds of London will place coverage.

If there is a specific company that will insure professional trainers and riders, I would love to have that company information.

*Thanks,
Pam Saul*

Rolling Acres Show Stables, Inc.

Pam

It is difficult for professional riders and/or trainers to find disability and/or income replacement insurance. If any of our readers who are professional trainers, riders or farriers have had success in obtaining this coverage, or if you offer this kind of coverage to professionals, please let *The Equiery* know.

If you are a professional rider or trainer who has tried, and failed, to get this kind of insurance, we want to know your story.

Tim Barkley offers another approach, exploring catastrophic disability coverage: *Thanks, Pam, for your thoughtful response. Disability insurance, like all insurance, is individually underwritten, and sometimes folks have a hard time getting coverage due to their occupation, health, age or other factors. There are forms of catastrophic disability coverage available even to those who can't get coverage from traditional disability carriers, and these should also be explored to determine if one can shift the risk to those most able to carry it.*

To all the editors and staff who put together the February, 2005 issue of The Equiery:

On behalf of our challenged riders, their parents, our volunteers and staff at Equine Therapy Associates (ETA), I want to offer our heartfelt thanks for including our riders and volunteers in the "Who's Who in Maryland" issue!

We only started serious showing in 2004 and were so very pleasantly surprised at what a tremendous motivator it was for our students. Our Challenged Riders have found showing a key incentive in demonstrating responsibility, in saving money, in "earning" the right to partici-

pate through diligence in daily exercises, in assigned cognitive work, in take-home assignments, in building teamwork, and in stable duties and riding. Thank you, also, for letting us show our annual Volunteer(s) of the Year. Our volunteers, staff, and parents have participated just as enthusiastically as our students, and their contribution simply cannot be measured. They take precious "free" time off to attend the Challenged Rider Equestrian Trials, the Special Olympics, and the horse shows, as well as spend far too many hours chauffeuring, and we are so appreciative of the support their give to the challenged riders!

Your Year-end issue capped off some very helpful exposure that included large photos and captions of our Year End winners at the Maryland Horse Expo in a booth hosted by the committee that puts on the Maryland Challenged Rider Equestrian Trails, and the Region II News in NARHA's national magazine (which cited *The Equiery*). For children and adults who've found "success" elusive or rare, your magazine has given them a tremendous boost, as well as a tangible item to show to family, friends and neighbors. I am sure that your publication will be in tatters before the glow wears off their faces!

Thank you, also, for so kindly including our name and phone number in the "Maryland Stables Directory." Perhaps a quarter of our referrals come through your directory, and people feel reassured by a listing there. It makes a big difference for all of us in the equine assisted therapy field to have free publicity. Because roughly 80% of NARHA centers go out of business in the first two years, generally due to high capital, labor, and land costs, your monthly free listing is an incalculable boost!

*Sincerely,
Carol Rae Hansen*

*Director, Equine Therapy Associates
www.equinetherapyassociates.com*

Dear Carol

Letters like yours warm our hearts during those tense deadline crunches and long days or weekends trying to get the publication to press, when we all start to wonder, "who cares? Why are we even doing this?" Thank you!

—Ed