

SENATE BILL 739

M4

3lr2652

By: **Senator Pinsky**

Introduced and read first time: February 1, 2013

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Agriculture – Nutrient Management Plans – Fertility Index Value Soil**
3 **Testing**

4 FOR the purpose of requiring a certain person to forward the results of a certain soil
5 test to the Department of Agriculture each time a certain plan is revised and
6 updated; requiring the Department to maintain a certain database that is
7 searchable in a certain manner; requiring a certain database to be made
8 available to the public on request, notwithstanding a certain provision of law;
9 requiring the Department to include certain soil test results in a certain annual
10 report; and generally relating to the Department of Agriculture and soil testing.

11 BY repealing and reenacting, with amendments,
12 Article – Agriculture
13 Section 8–803.7
14 Annotated Code of Maryland
15 (2007 Replacement Volume and 2012 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article – Agriculture**

19 8–803.7.

20 (a) The Department, in consultation with the University of Maryland, shall
21 develop a program of public education that shall include:

22 (1) The dissemination of information regarding nutrient pollution;

23 (2) Best management practices for fertilizer use;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (3) Soil testing;
- 2 (4) Proper interpretation of fertilizer label instructions; and
- 3 (5) The proper use and calibration of fertilizer application equipment.

4 (b) The University of Maryland shall identify laboratories that:

5 (1) Follow the recommended soil testing procedures for the
6 mid-Atlantic United States; and

7 (2) Provide a final report to a requestor of soil testing with the results
8 of a soil test.

9 (c) (1) A PERSON WHO IS REQUIRED TO HAVE A NUTRIENT
10 MANAGEMENT PLAN IN ACCORDANCE WITH THIS SUBTITLE SHALL FORWARD
11 THE RESULTS OF THE FERTILITY INDEX VALUE (FIV) SOIL TEST TO THE
12 DEPARTMENT EACH TIME THE NUTRIENT MANAGEMENT PLAN IS REVISED AND
13 UPDATED.

14 (2) THE DEPARTMENT SHALL MAINTAIN A DATABASE OF THE
15 FERTILITY INDEX VALUE (FIV) SOIL TEST RESULTS FORWARDED UNDER
16 PARAGRAPH (1) OF THIS SUBSECTION THAT IS SEARCHABLE BY:

17 (i) THE PERSON FOR WHOM THE NUTRIENT MANAGEMENT
18 PLAN WAS PREPARED;

19 (ii) WATERSHED; AND

20 (iii) ANY OTHER CATEGORY DETERMINED BY THE
21 DEPARTMENT TO BE APPROPRIATE IN ASSISTING THE IMPLEMENTATION OF
22 THE STATE'S WATERSHED IMPLEMENTATION PLAN.

23 (3) NOTWITHSTANDING § 8-801.1(B) OF THIS SUBTITLE, THE
24 DATABASE REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION SHALL BE
25 MADE AVAILABLE TO THE PUBLIC ON REQUEST.

26 (4) THE DEPARTMENT SHALL INCLUDE THE RESULTS OF THE
27 FERTILITY INDEX VALUE (FIV) SOIL TESTS RECEIVED DURING THE PRECEDING
28 YEAR IN THE ANNUAL REPORT THAT IS REQUIRED UNDER § 8-807 OF THIS
29 SUBTITLE.

30 [(c)] (D) The University of Maryland shall review its fertilizer turf
31 guidelines every 3 years and revise the guidelines as necessary, with consideration of

1 plant nutrient requirements and established State goals to protect water quality in the
2 waters of the State.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2013.