SENATE BILL 127

M4 4lr0101

(PRE–FILED)

By: **Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)**

Requested: November 6, 2013
Introduced and read first time: January 8, 2014
Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

AN ACT concerning

Department of Agriculture – Manure Transportation Project

FOR the purpose of authorizing the Department of Agriculture to determine the amount of certain cost–share matching funds provided under the Manure Transportation Project; repealing certain caps on the per ton amount of cost–share matching funds available under the Manure Transportation Project; and generally relating to the Manure Transportation Project.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 8–704.2
Annotated Code of Maryland
(2007 Replacement Volume and 2013 Supplement)

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

Article – Agriculture

8–704.2.

(a) (1) In this section the following words have the meanings indicated.

(2) "Commercial poultry producer" means any entity that contracts with a farmer to raise poultry for the producer on property owned or leased by the farmer.

(3) "Project" means the Manure Transportation Project.

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
[Brackets**]** indicate matter deleted from existing law.

(b) It is the intent of the General Assembly that:

(1) The State and the commercial poultry producers shall facilitate the prompt transportation of poultry litter from farms in all areas of the State that experience phosphorus overenrichment;

(2) The State shall facilitate the transfer of livestock manure from farms in all parts of the State that experience phosphorus overenrichment;

(3) The Project shall encourage voluntary participation to achieve the removal of poultry litter produced by at least 20% of the poultry in the four lower Eastern Shore counties in Maryland; and

(4) The Project shall be implemented in conjunction with the Manure Matching Service set forth in § 8–704.1 of this subtitle.

(c) The purpose of the Project is to establish a cost share matching program to assist in the transportation of poultry or livestock manure from farms:

(1) To be used on land with soil having the capacity to hold additional phosphorus; or

(2) To be used in environmentally acceptable ways other than land application.

(d) The State shall provide **[**funding**]:**

(1) FUNDING for the Project by matching**, IN AN AMOUNT DETERMINED BY THE DEPARTMENT,** the amount of funds contributed by the commercial poultry producer industry for eligible costs, as determined by the Department, associated with the transportation and handling of poultry litter**[**. The State share may not exceed $10 per ton for poultry manure or 87.5% up to $20 per ton for livestock manure.**]; AND**

(2) UP TO 87.5% OF THE TRANSPORTATION AND HANDLING COSTS, AS DETERMINED BY THE DEPARTMENT, PER TON FOR LIVESTOCK MANURE.

(e) The Department of Agriculture shall adopt regulations authorizing the disbursement of cost–share matching funds consistent with the purposes of the Project.

(f) The Department of Agriculture shall provide the assistance necessary to ensure that poultry or livestock manure is tested in accordance with departmental procedures before transportation of the manure occurs.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2014.