HOUSE BILL 1438

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By: Delegate Jacobs

Introduced and read first time: February 7, 2020 Assigned to: Environment and Transportation

A BILL ENTITLED

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1	AN	\mathbf{ACT}	concerning
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Agriculture -	Proc	cessing	ot Po	ultrv	Litter	tor	Altern	lative	US	e

- FOR the purpose of requiring the processing of poultry litter for a certain alternative use, or the product resulting from the processing, to meet certain requirements; requiring a certain product to be able to be procured and handled or applied in a certain manner for a certain purpose; authorizing the transportation of a certain alternative use product off the Delmarva Peninsula to certain markets and using a certain distribution apparatus; defining certain terms; and generally relating to the alternative use of poultry litter.
- 10 BY adding to

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- 11 Article Agriculture
- Section 8–1101 to be under the new subtitle "Subtitle 11. Alternative Use"
- 13 Annotated Code of Maryland
- 14 (2016 Replacement Volume and 2019 Supplement)
- 15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 16 That the Laws of Maryland read as follows:
- 17 Article Agriculture
- 18 SUBTITLE 11. ALTERNATIVE USE.
- 19 **8–1101.**
- 20 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
- 21 INDICATED.
- 22 (2) "ALTERNATIVE USE" MEANS THE USE OF POULTRY LITTER OR
- 23 OTHER ANIMAL MANURE IN AN ENVIRONMENTALLY ACCEPTABLE WAY, OTHER THAN

- 1 BY DIRECT LAND APPLICATION IN AN UNPROCESSED FORM, AS DETERMINED BY THE
- 2 **DEPARTMENT.**
- 3 (3) "COMMERCIAL POULTRY PRODUCER" HAS THE MEANING
- 4 ESTABLISHED IN § 8-704.2 OF THIS TITLE.
- 5 (B) (1) THE PROCESSING OF POULTRY LITTER FOR AN ALTERNATIVE USE
- 6 OR THE PRODUCT RESULTING FROM THE PROCESSING, AS APPROPRIATE, SHALL:
- 7 (I) CONVERT THE PHOSPHORUS CONTENT OF UNPROCESSED
- 8 POULTRY LITTER TO A FORM THAT IS NOT SOLUBLE IN WATER AND, THEREFORE,
- 9 INCAPABLE OF PROMOTING AQUATIC ALGAE GROWTH;
- 10 (II) RETAIN THE PHOSPHORUS IN A FORM THAT MAY BE
- 11 CONVERTED BY THE NATURAL ACTIVITY OF SOIL-RESIDENT MICROORGANISMS TO
- 12 BE AVAILABLE TO PLANTS;
- 13 (III) CONTAIN A COMMUNITY OF NATURAL SOIL
- 14 MICROORGANISMS THAT ENHANCES OR REPLENISHES FARM SOIL MICROBIOLOGY,
- 15 WHICH IS ESSENTIAL TO PHOSPHORUS CONVERSION AND OTHER SOIL HEALTH
- 16 PURPOSES, INCLUDING MEASURABLE ATMOSPHERIC CARBON SEQUESTRATION;
- 17 AND
- 18 (IV) RETAIN THE HIGH NUTRIENT VALUE OF POULTRY LITTER.
- 19 (2) ANY NOXIOUS ODOR FROM POULTRY LITTER SHALL BE
- 20 ELIMINATED EARLY IN THE PROCESS.
- 21 (3) TO AVOID OR MINIMIZE ANY DISRUPTION OF LONGSTANDING
- 22 FARMING OR GROWING REGIMES, AN ALTERNATIVE USE PRODUCT RESULTING FROM
- 23 THE PROCESSING OF POULTRY LITTER SHALL BE ABLE TO BE PROCURED IN THE
- 24 SAME MANNER, AT RELATIVELY SIMILAR COST, AND HANDLED OR APPLIED IN THE
- 25 SAME MANNER AS UNPROCESSED POULTRY LITTER.
- 26 (4) AN ALTERNATIVE USE PRODUCT RESULTING FROM THE
- 27 PROCESSING OF POULTRY LITTER MAY BE TRANSPORTED OFF THE DELMARVA
- 28 PENINSULA:
- 29 (I) TO ESTABLISHED, IDENTIFIED MARKETS; AND
- 30 (II) USING A DISTRIBUTION APPARATUS THAT IS IN PLACE AND
- 31 DOES NOT REQUIRE ANY TRANSPORTATION COST-SHARING ASSISTANCE.
- 32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July

1 1, 2020.