

SENATE BILL 658

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1998 Regular Session
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CF HB 599

By: **Senators Stoltzfus, Middleton, Colburn, Bromwell, Craig, Derr, Dyson,
Ferguson, Fry, Hafer, Haines, Hogan, McCabe, Middlebrooks, Munson,
and Neall**

Introduced and read first time: February 6, 1998
Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Nutrient Management Practices Improvement Act of 1998**

3 FOR the purpose of authorizing the Secretary of Agriculture to adopt certain
4 regulations relating to certain cost share programs; establishing certain limits
5 for certain cost share programs; authorizing the Secretary of Agriculture to
6 adopt certain regulations; requiring the Governor to provide sufficient funding
7 to maintain a certain level of field personnel soil for conservation districts;
8 authorizing the Department of Agriculture, by regulation, to authorize the
9 disbursement of certain cost sharing funds for poultry manure storage facilities;
10 providing for a poultry litter matching service; establishing a Poultry Litter
11 Transportation Pilot Project; requiring nutrient management plans to be
12 developed considering certain factors; requiring nutrient management plans to
13 be filed and maintained under certain circumstances; establishing certain
14 requirements for the certification of nutrient management consultants;
15 establishing certain requirements for certain individuals receiving certain
16 vouchers of completion from the Department of Agriculture; requiring certain
17 individuals to make available certain documents under certain circumstances;
18 establishing certain requirements for persons applying commercial fertilizer
19 under certain circumstances; altering the membership and tasks of the Nutrient
20 Management Committee; requiring the Secretary to consult with the Nutrient
21 Management Committee under certain circumstances; requiring certain reports;
22 establishing an Animal Waste Technology Fund as a special, continuing,
23 nonlapsing fund; authorizing the Department of Business and Economic
24 Development to provide financial assistance from the Fund for certain purposes;
25 providing a subtraction modification under the Maryland individual and
26 corporate income tax for certain expenses associated with the purchase of
27 certain agricultural machinery under certain conditions; providing that the
28 subtraction may be carried over to succeeding taxable years under certain
29 circumstances; providing for a tax credit under the Maryland individual and
30 corporate income tax for certain expenses associated with certain costs
31 necessary to convert agricultural production to a certain nutrient management
32 plan under certain circumstances; placing certain restrictions, conditions, and
33 limits on the use of the tax credit; providing that the tax credit may be carried

1 over to succeeding taxable years under certain circumstances; requiring an
2 individual or corporation to receive a certain certification from the Department
3 of Agriculture and file proof of the certification; defining certain terms;
4 providing for the termination of certain provisions of this Act; stating certain
5 fundings; providing legislative intent; and generally relating to nutrient
6 management practices.

7 BY repealing and reenacting, without amendments,
8 Article - Agriculture
9 Section 6-101(a), (d), and (e), 6-102, 6-106, 6-113, 6-201(f), 8-801, 8-805, and
10 8-806
11 Annotated Code of Maryland
12 (1985 Replacement Volume and 1997 Supplement)

13 BY adding to
14 Article - Agriculture
15 Section 6-107.1, 8-405, 8-704.1, 8-704.2, 8-801.1, 8-801.2, 8-803.1, 8-803.2,
16 8-803.3, 8-803.4, and 8-807
17 Annotated Code of Maryland
18 (1985 Replacement Volume and 1997 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article - Agriculture
21 Section 8-704, 8-803, and 8-804
22 Annotated Code of Maryland
23 (1985 Replacement Volume and 1997 Supplement)

24 BY adding to
25 Article 41 - Governor - Executive and Administrative Departments
26 Section 18-316
27 Annotated Code of Maryland
28 (1997 Replacement Volume and 1997 Supplement)

29 BY adding to
30 Article 83A - Department of Business and Economic Development
31 Section 6-801 through 6-807, inclusive, to be under the new subtitle "Subtitle 8.
32 Animal Waste Technology Fund"
33 Annotated Code of Maryland
34 (1995 Replacement Volume and 1997 Supplement)

35 BY repealing and reenacting, without amendments,
36 Article - Tax - General
37 Section 10-208(a)
38 Annotated Code of Maryland

1 (1997 Replacement Volume)
2 (As enacted by Chapter 485 of the Acts of the General Assembly of 1997)

3 BY repealing and reenacting, without amendments,
4 Article - Tax - General
5 Section 10-308(a)
6 Annotated Code of Maryland
7 (1997 Replacement Volume)

8 BY adding to
9 Article - Tax - General
10 Section 10-208(m)
11 Annotated Code of Maryland
12 (1997 Replacement Volume)
13 (As enacted by Chapter 485 of the Acts of the General Assembly of 1997)

14 BY adding to
15 Article - Tax - General
16 Section 10-704.9
17 Annotated Code of Maryland
18 (1997 Replacement Volume)

19 BY repealing and reenacting, with amendments,
20 Article - Tax - General
21 Section 10-308(b)
22 Annotated Code of Maryland
23 (1997 Replacement Volume)

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

26 **Article - Agriculture**

27 6-101.

28 (a) In this subtitle the following words have the meanings indicated.

29 (d) "Commercial feed" means a material which is distributed for use as feed or
30 for mixing in feed for any animal, other than man, except:

31 (1) Unmixed and unprocessed whole seeds or meal made directly from
32 the entire seeds;

33 (2) Unground hay; or

1 (3) Whole or ground straw, stover, silage, cobs, and hulls not mixed with
2 any other material.

3 (e) "Contract feed" means a commercial feed which is formulated according to
4 an agreement between a distributor and a contract feeder.

5 6-102.

6 The State Chemist shall administer the provisions of this subtitle subject to the
7 supervision of the Secretary.

8 6-106.

9 (a) The Secretary shall sample, inspect, test and make analyses of commercial
10 feed distributed in the State at any time and place and to the extent the Secretary
11 considers necessary to ensure compliance with this subtitle.

12 (b) The Secretary shall adopt the methods of sampling and analysis from
13 sources, such as the journal of the Association of Official Analytical Chemists, or
14 methods that insure representative sampling and accurate examination.

15 (c) In determining for administrative purposes whether a commercial feed is
16 deficient in any component, the Secretary shall be guided solely by the official sample
17 obtained and analyzed as provided by this section.

18 (d) When inspection and analysis of an official sample indicates a commercial
19 feed is adulterated or misbranded, the Secretary shall forward the results of the
20 analysis to the person who registers the product and the person from whom the
21 sample is taken. The Secretary shall furnish the distributor with a portion of the
22 sample concerned within 30 days if he requests it.

23 (e) The Secretary may enter on any public or private premises, including any
24 transportation vehicle, during regular business hours to obtain access to commercial
25 feeds or to records relating to their distribution.

26 6-107.1.

27 (A) (1) THE SECRETARY SHALL ADOPT REGULATIONS THAT ESTABLISH A
28 STATE COST SHARE PROGRAM TO OFFSET THE CAPITAL COSTS OF MODIFYING FEED
29 MILLS TO USE PHYTASE, OTHER ENZYMES, OR FEED ADDITIVES.

30 (2) STATE COST SHARING FOR A PROJECT UNDER THIS SECTION MAY BE
31 MADE AVAILABLE FOR UP TO 50% OF ELIGIBLE COSTS.

32 (B) THE SECRETARY SHALL ADOPT REGULATIONS THAT ESTABLISH
33 APPROPRIATE LABELING AND DISTRIBUTION REQUIREMENTS FOR CONTRACT FEED.

34 6-113.

35 (a) The Secretary may issue and enforce a written stop-sale order to the
36 owner, custodian, or distributor of any commercial feed that the Secretary finds is in

1 violation of any provision of this subtitle or regulation under this subtitle, or has been
2 found by federal or State authorities to cause unreasonable adverse effects to
3 humans, animals, or the environment.

4 (b) The order prohibits sale or distribution of the commercial feed until the
5 Secretary has evidence that the feed is in compliance with the law and until the
6 Secretary provides a written release from the stop-sale order.

7 (c) The Secretary may file a petition for condemnation in the circuit court of
8 the county in which the commercial feed is located. If the court finds the commercial
9 feed to be in violation of the provisions of this subtitle and orders the condemnation,
10 the commercial feed shall be disposed of in any manner consistent with the quality of
11 the commercial feed and the laws of the State. The court may not dispose of the
12 commercial feed without first giving the claimant an opportunity to apply to the court
13 for release of it or for permission to process or relabel the commercial feed so that it
14 complies with the provisions of this subtitle.

15 6-201.

16 (f) "Commercial fertilizer" means any substance containing a recognized plant
17 nutrient used for its plant nutrient content and designed for use or claimed to have
18 value in promoting plant growth, except unmanipulated animal and vegetable
19 manure, marl, lime, wood ashes, and gypsum.

20 8-405.

21 (A) THE GENERAL ASSEMBLY FINDS THAT, FROM FISCAL YEAR 1991 THROUGH
22 FISCAL YEAR 1998, INADEQUATE RESOURCES HAVE BEEN PROVIDED FOR THE SOIL
23 CONSERVATION DISTRICTS TO EMPLOY ADEQUATE FIELD PERSONNEL TO ASSIST
24 FARMERS IN THE PREPARATION OF SOIL CONSERVATION AND WATER QUALITY
25 PLANS.

26 (B) IT IS THE INTENT OF THE GENERAL ASSEMBLY TO PROVIDE SUFFICIENT
27 TECHNICAL ASSISTANCE AND RESOURCES THROUGH THE SOIL CONSERVATION
28 DISTRICTS TO ASSIST FARMERS IN PURSUIT OF SOIL CONSERVATION AND WATER
29 QUALITY PLANS AND OTHER ACTIVITIES AUTHORIZED UNDER THIS TITLE.

30 (C) FOR FISCAL YEAR 2000 AND EACH FISCAL YEAR THEREAFTER, THE
31 GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN AMOUNT SUFFICIENT
32 TO EMPLOY NOT LESS THAN 110 FIELD PERSONNEL IN THE SOIL CONSERVATION
33 DISTRICTS UNDER THIS TITLE.

34 8-704.

35 (a) (1) State cost sharing in any project may be made available for up to 87
36 percent of eligible costs, not to exceed a dollar amount of up to \$50,000 as
37 determined by a regulation adopted jointly by the Secretary of Agriculture and the
38 Secretary of the Environment.

39 (2) State cost sharing funds may be made available for any project if:

1 (i) The Department of Agriculture, the soil conservation district,
2 and a person have executed an agreement which, among other things, obligates the
3 person to establish, construct, or install the best management practice in accordance
4 with technical specifications, to maintain the best management practice for its
5 expected life span, and to provide the required matching funds for the project;

6 (ii) The Board of Public Works has given approval to the project
7 when the proceeds of State bonds are to be used to finance the State share; and

8 (iii) The soil conservation district has certified to the Department
9 that the project meets all applicable technical standards, and that all submitted
10 invoices properly represent eligible costs.

11 (3) (i) 1. Except as authorized under sub-subparagraph 2 of this
12 subparagraph and before the Department of Agriculture executes a cost sharing
13 agreement with a farm tenant, it shall obtain the consent of the landlord to the terms
14 and conditions of the agreement.

15 2. The Department may execute the agreement without the
16 consent of the landlord if:

17 A. The agreement concerns a short-term project that
18 involves only the planting of a cover crop; and

19 B. The Department has sent by first-class mail written
20 notice of a cover crop project to the landlord at least 10 calendar days before executing
21 the agreement for the first cover crop project during the term of the lease.

22 (ii) The Department may also require the granting to the State of
23 an appropriate security interest in any equipment, structures or similar items
24 purchased with State moneys.

25 (4) A cost sharing agreement executed as required under this subtitle
26 may be assigned and transferred to a successor in title of all or part of a tract of land
27 subject to a best management practice.

28 (b) State cost sharing funds shall be disbursed, upon warrant of the
29 Comptroller, only after the Department has determined that the best management
30 practice has been established or in the case of equipment, structures, or similar items,
31 that it has been received and properly installed. Payment may be made either to the
32 person when the person has advanced money, or directly to a vendor or contractor in
33 accordance with the written agreement required by this section, or supplemental
34 written agreements with the vendor or contractor.

35 (c) (1) (I) The Secretary of Agriculture and the Secretary of the
36 Environment shall jointly promulgate rules and regulations to implement this
37 subtitle. However, rules and regulations solely involving internal management of the
38 cost sharing program need only be promulgated by the Secretary of Agriculture. The
39 Department of Natural Resources shall be consulted prior to any rule making effort to
40 assure coordination with its sediment control and related watershed programs.

1 (II) THE SECRETARY OF AGRICULTURE, IN CONSULTATION WITH
2 THE SECRETARY OF THE ENVIRONMENT, SHALL ADOPT REGULATIONS AUTHORIZING
3 THE DISBURSEMENT OF STATE COST SHARING FUNDS FOR THE CONSTRUCTION OF
4 POULTRY MANURE STORAGE FACILITIES ON FARMS WHICH DO NOT HAVE A
5 COMMERCIAL POULTRY OPERATION OR A COMMERCIAL EGG LAYING OPERATION.

6 (2) All rules and regulations promulgated under this section shall be
7 approved by the Board of Public Works prior to the use of the proceeds of State bonds
8 in the cost sharing program.

9 (3) The Department of Agriculture and the Department of the
10 Environment may enter into agreements with appropriate federal and local
11 governmental entities to assist in administering this subtitle.

12 8-704.1.

13 (A) IN THIS SECTION, "SERVICE" MEANS POULTRY LITTER MATCHING
14 SERVICE.

15 (B) THE DEPARTMENT SHALL CREATE A POULTRY LITTER MATCHING
16 SERVICE.

17 (C) THE PURPOSE OF THE SERVICE IS TO DEVELOP TRANSFER PROGRAMS
18 AND MARKETING TECHNIQUES TO PROMOTE AND FACILITATE THE TRANSFER OF
19 POULTRY LITTER.

20 (D) THE SERVICE IS TO BE IMPLEMENTED IN CONJUNCTION WITH THE
21 POULTRY LITTER TRANSPORTATION PILOT PROJECT SET FORTH IN § 8-704.2 OF THIS
22 TITLE.

23 (E) THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL
24 SUFFICIENT FUNDS TO CARRY OUT THIS SECTION.

25 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
26 read as follows:

27 **Article - Agriculture**

28 8-704.2.

29 (A) IN THIS SECTION, "PILOT PROJECT" MEANS THE POULTRY LITTER
30 TRANSPORTATION PILOT PROJECT.

31 (B) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT:

32 (1) FOR A 3-YEAR PERIOD THE STATE SHALL FACILITATE THE PROMPT
33 TRANSPORTATION OF POULTRY LITTER FROM FARMS IN AREAS OF THE STATE THAT
34 EXPERIENCE PHOSPHOROUS OVERENRICHMENT;

1 (2) THE PILOT PROJECT SHALL ENCOURAGE VOLUNTARY
2 PARTICIPATION TO ACHIEVE THE REMOVAL OF POULTRY LITTER PRODUCED BY 20%
3 OF THE POULTRY IN THE FOUR LOWER EASTERN SHORE COUNTIES IN MARYLAND.

4 (3) THE PILOT PROJECT SHALL BE IMPLEMENTED IN CONJUNCTION
5 WITH THE POULTRY LITTER MATCHING SERVICE SET FORTH IN § 8-704.1 OF THIS
6 TITLE.

7 (C) THE PURPOSE OF THE PILOT PROJECT IS TO ESTABLISH A COST SHARE
8 PROGRAM TO ASSIST IN THE TRANSPORTATION OF POULTRY LITTER FROM FARMS
9 OVER A PERIOD OF 3 YEARS:

10 (1) TO BE USED IN AREAS WITH SOIL HOLDING CAPACITY FOR
11 PHOSPHOROUS; OR

12 (2) TO BE USED IN WAYS OTHER THAN LAND APPLICATION.

13 (D) THE DEPARTMENT OF AGRICULTURE SHALL ADOPT REGULATIONS
14 AUTHORIZING THE DISBURSEMENT OF COST-SHARE FUNDS FROM THIS PROGRAM.

15 (E) THE DEPARTMENT OF AGRICULTURE SHALL PROVIDE THE ASSISTANCE
16 NECESSARY TO ENSURE THAT POULTRY LITTER IS TESTED IN ACCORDANCE WITH
17 DEPARTMENTAL PROCEDURES BEFORE TRANSPORTATION OF THE LITTER OCCURS.

18 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland
19 read as follows:

20 **Article - Agriculture**

21 8-801.

22 (a) In this subtitle the following words have the meanings indicated.

23 (b) "Certified nutrient management consultant" means an individual certified
24 by the Department to prepare a nutrient management plan.

25 (c) "Nutrient management plan" means a plan prepared under this subtitle by
26 a certified nutrient management consultant to manage the amount, placement,
27 timing, and application of animal waste, commercial fertilizer, sludge, or other plant
28 nutrients to prevent pollution and to maintain productivity.

29 8-801.1.

30 (A) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT BASED UPON THE
31 AVAILABILITY OF ADEQUATE FUNDS AND TECHNOLOGICAL RESOURCES, THE
32 FOLLOWING GOALS BE ATTAINABLE:

33 (1) 50% OF FARM ACREAGE IN THE STATE HAVE NUTRIENT
34 MANAGEMENT PLANS THAT MEET THE STANDARDS SET FORTH IN THIS SUBTITLE
35 IMPLEMENTED BY JULY 1, 2000;

1 (2) 70% OF FARM ACREAGE IN THE STATE HAVE NUTRIENT
2 MANAGEMENT PLANS THAT MEET THE STANDARDS SET FORTH IN THIS SUBTITLE
3 IMPLEMENTED BY JULY 1, 2002; AND

4 (3) 80% OF THE FARM ACREAGE IN THE STATE HAVE NUTRIENT
5 MANAGEMENT PLANS THAT MEET THE STANDARDS SET FORTH IN THIS SUBTITLE
6 IMPLEMENTED BY JULY 1, 2005.

7 8-801.2.

8 (A) EACH NUTRIENT MANAGEMENT PLAN SHALL BE DEVELOPED
9 CONSIDERING SUCH FACTORS AS:

10 (1) THE EXISTENCE AND PLANT AVAILABILITY OF NITROGEN AND
11 PHOSPHOROUS IN THE SOIL;

12 (2) THE NUTRIENT HOLDING CAPACITY OF THE SOIL;

13 (3) LEVELS OF NITROGEN AND PHOSPHORUS IN ALL NUTRIENTS TO BE
14 APPLIED;

15 (4) REALISTIC CROP YIELD GOALS;

16 (5) SOIL ERODIBILITY; AND

17 (6) THE BEST REASONABLE SCIENTIFIC METHODS ACCEPTED BY THE
18 DEPARTMENT AND THE UNIVERSITY OF MARYLAND COOPERATIVE EXTENSION
19 SERVICE.

20 (B) (1) EACH NUTRIENT MANAGEMENT PLAN SHALL BE FILED WITH THE
21 DEPARTMENT:

22 (I) WHEN IT IS DEVELOPED; AND

23 (II) EACH TIME IT IS UPDATED.

24 (2) THE DEPARTMENT SHALL MAINTAIN A COPY OF EACH NUTRIENT
25 MANAGEMENT PLAN FOR 3 YEARS IN A MANNER THAT PROTECTS THE IDENTITY OF
26 THE INDIVIDUAL FOR WHOM THE NUTRIENT MANAGEMENT PLAN WAS PREPARED.

27 8-803.

28 (a) To apply for certification AS A NUTRIENT MANAGEMENT CONSULTANT, an
29 applicant shall:

30 (1) Submit to the Department an application on the form the
31 Department requires; and

32 (2) Pay to the Department the certification fee stated in § 8-806 of this
33 subtitle.

- 1 (b) The Department shall certify any individual who:
- 2 (1) Meets the requirements of this subtitle;
- 3 (2) Meets the Department's educational requirements, INCLUDING A
4 PROGRAM ON THE PROPER APPLICATION OF NUTRIENTS;
- 5 (3) Passes a Department approved examination; and
- 6 (4) (i) Is employed by a person licensed under this subtitle; or
- 7 (ii) Holds a license as required by this subtitle.
- 8 (c) To apply for a license an applicant shall:
- 9 (1) Submit to the Department an application on the form the
10 Department requires; and
- 11 (2) Pay to the Department the applicable license fee stated in § 8-806 of
12 this subtitle.
- 13 (d) The Department shall license a person who meets the requirements of this
14 subtitle.
- 15 (e) A certificate or license is issued for 1 year unless the certificate or license
16 is renewed as provided by this subtitle.
- 17 (f) The Department shall renew the certificate or license of any applicant for
18 an additional 1-year term if the applicant:
- 19 (1) Submits a renewal application on the form that the Department
20 requires;
- 21 (2) Pays to the Department the applicable fee stated in § 8-806 of this
22 subtitle;
- 23 (3) Complies with applicable continuing education requirements; and
- 24 (4) Otherwise is entitled to be certified or licensed.
- 25 8-803.1.
- 26 (A) STATE COST SHARING MAY BE MADE AVAILABLE TO FARMERS TO HELP
27 OFFSET THE COSTS OF HAVING A NUTRIENT MANAGEMENT PLAN PREPARED BY A
28 CERTIFIED NUTRIENT MANAGEMENT CONSULTANT WHO IS NOT EMPLOYED BY THE
29 STATE OR A LOCAL GOVERNMENT.
- 30 (B) STATE COST SHARE FUNDS ARE TO BE MADE AVAILABLE FOR ELIGIBLE
31 COSTS UP TO 50% PER ACRE, NOT TO EXCEED \$3 PER ACRE.

1 (C) THE SECRETARY OF AGRICULTURE SHALL ADOPT REGULATIONS
2 AUTHORIZING THE DISBURSEMENT OF STATE COST SHARING FUNDS UNDER THIS
3 SUBTITLE.

4 8-803.2.

5 (A) A PERSON WHO APPLIES NUTRIENTS FOR HIRE SHALL BE A CERTIFIED
6 NUTRIENT MANAGEMENT CONSULTANT OR WORK UNDER A NUTRIENT
7 MANAGEMENT CONSULTANT CERTIFIED UNDER § 8-803 OF THIS ARTICLE.

8 (B) A PERSON WHO APPLIES NUTRIENTS FOR HIRE WHO IS NOT A CERTIFIED
9 NUTRIENT MANAGEMENT CONSULTANT SHALL MAKE AVAILABLE DOCUMENTATION,
10 IN THE FORM OF A WORK ORDER, BILL OF LADING, OR SIMILAR DOCUMENT, TO THE
11 LANDOWNER OR LAND MANAGER THAT THE PERSON IS WORKING UNDER A
12 CERTIFIED NUTRIENT MANAGEMENT CONSULTANT.

13 (C) THE SECRETARY SHALL ADOPT REGULATIONS TO IMPLEMENT THIS
14 SECTION.

15 8-803.3.

16 (A) THIS SECTION DOES NOT APPLY TO:

17 (1) A PERSON WHO APPLIES NUTRIENTS TO 10 ACRES OR LESS OF LAND
18 EACH YEAR; OR

19 (2) A PERSON WHO APPLIES NUTRIENTS FOR HIRE.

20 (B) A PERSON WHO ENGAGES IN THE ACTIVITY OF APPLYING NUTRIENTS TO
21 LAND WHICH THE PERSON OWNS OR MANAGES SHALL COMPLETE AN EDUCATIONAL
22 PROGRAM IN NUTRIENT APPLICATION EVERY 3 YEARS.

23 (C) THE SECRETARY, IN CONSULTATION WITH THE NUTRIENT MANAGEMENT
24 ADVISORY COMMITTEE UNDER § 8-804, SHALL CREATE OR APPROVE EDUCATIONAL
25 PROGRAMS UNDER THIS SECTION.

26 (1) THE NUTRIENT APPLICATION EDUCATIONAL PROGRAMS ARE TO BE
27 OFFERED AT SITES DISTRIBUTED THROUGHOUT THE STATE.

28 (2) THE DEPARTMENT SHALL ISSUE TO A PARTICIPANT UPON
29 COMPLETION OF AN EDUCATION PROGRAM UNDER THIS SECTION, A VOUCHER OF
30 COMPLETION.

31 (3) THE DEPARTMENT SHALL MAINTAIN A REGISTRY OF PERSONS WHO
32 HAVE RECEIVED VOUCHERS OF COMPLETION IN A NUTRIENT APPLICATION
33 EDUCATIONAL PROGRAM UNDER THIS SECTION.

34 8-803.4.

35 (A) THIS SECTION APPLIES TO THE APPLICATION OF COMMERCIAL
36 FERTILIZER, AS DEFINED IN § 6-201 OF THIS ARTICLE:

1 (1) THAT IS PERFORMED BY A PERSON WHO APPLIES COMMERCIAL
2 FERTILIZER FOR HIRE; AND

3 (2) THAT IS APPLIED TO PROPERTY THAT IS:

4 (I) NOT USED FOR AGRICULTURAL PURPOSES; AND

5 (II) 1. 3 OR MORE ACRES; OR

6 2. STATE PROPERTY.

7 (B) A PERSON WHO APPLIES COMMERCIAL FERTILIZER PURSUANT TO THIS
8 SECTION SHALL COMPLETE AN EDUCATIONAL PROGRAM IN COMMERCIAL
9 FERTILIZER APPLICATION EVERY 3 YEARS.

10 (C) (1) THE SECRETARY, IN CONSULTATION WITH THE NUTRIENT
11 MANAGEMENT ADVISORY COMMITTEE UNDER § 8-804 OF THIS SUBTITLE, SHALL
12 CREATE OR APPROVE A COMMERCIAL FERTILIZER APPLICATION PROGRAM.

13 (2) THE PROGRAM IS TO BE OFFERED AT SITES THROUGHOUT THE
14 STATE.

15 (3) THE DEPARTMENT SHALL ISSUE TO A PARTICIPANT UPON
16 COMPLETION OF A PROGRAM UNDER THIS SECTION, A VOUCHER OF COMPLETION.

17 (4) THE DEPARTMENT SHALL MAINTAIN A REGISTRY OF PERSONS WHO
18 HAVE RECEIVED VOUCHERS OF COMPLETION UNDER THIS SECTION.

19 8-804.

20 (a) The Department shall establish a Nutrient Management Advisory
21 Committee. The Secretary shall appoint to the Committee representatives of the
22 agricultural community, the environmental community, [industry] THE
23 COMMERCIAL LAWN CARE, BIOSOLIDS, AND AGRICULTURAL FERTILIZER
24 INDUSTRIES, academia, and appropriate government units.

25 (b) In consultation with the Nutrient Management Advisory Committee, the
26 Department shall by regulation:

27 (1) Prescribe the criteria, form, and content for certified nutrient
28 management plans applicable to licensees and certificate holders;

29 (2) Establish continuing education requirements for [certificate
30 holders] CERTIFIED NUTRIENT MANAGEMENT CONSULTANTS AND PERSONS
31 RECEIVING VOUCHERS OF COMPLETION UNDER §§ 8-803.3 AND 8-803.4 OF THIS
32 SUBTITLE; and

33 (3) Adopt guidelines and requirements for licensees on record keeping
34 and on reporting requirements to the Department on nutrient management plans.

1 8-805.

2 Subject to the provisions of the Administrative Procedure Act, the Department
3 may deny, suspend, or revoke a certificate or license for a violation of this subtitle or
4 for a violation of any regulation adopted under this subtitle by the Department.

5 8-806.

6 (a) Except for a government agency, the Department shall charge the
7 following fees under this subtitle:

- 8 (1) Certificate.....\$50;
- 9 (2) License (individual or sole proprietorship).....\$50;
- 10 (3) License (corporation or partnership)..... \$100; and
- 11 (4) Renewal.....\$50.

12 (b) The Department shall charge an applicant for the full cost of any training
13 provided by the Department under this subtitle.

14 (c) All moneys collected under this subtitle shall be deposited in the General
15 Fund of the State.

16 8-807.

17 ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE DEPARTMENT OF
18 AGRICULTURE SHALL REPORT TO THE GOVERNOR, AND, IN ACCORDANCE WITH §
19 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY, ON THE
20 FARM ACREAGE COVERED BY NUTRIENT MANAGEMENT PLANS AND THE
21 IMPLEMENTATION AND EVALUATION OF THOSE PLANS.

22 **Article 41 - Governor - Executive and Administrative Departments**

23 18-316.

24 (A) IN THIS SECTION, "ASSESSMENT TEAM" MEANS THE NUTRIENT
25 MANAGEMENT PROGRESS ASSESSMENT TEAM.

26 (B) THERE IS A NUTRIENT MANAGEMENT PROGRESS ASSESSMENT TEAM.

27 (C) THE ASSESSMENT TEAM SHALL BE COMPOSED OF:

28 (1) THE SECRETARY OF AGRICULTURE OR THE SECRETARY'S DESIGNEE;

29 (2) AN AGRONOMIST FROM THE MARYLAND AGRICULTURAL
30 EXPERIMENT STATION;

31 (3) A WATER QUALITY SPECIALIST FROM THE UNIVERSITY OF
32 MARYLAND CENTER FOR ENVIRONMENTAL SCIENCE; AND

- 1 (4) ONE REPRESENTATIVE FROM EACH OF THE FOLLOWING ENTITIES:
- 2 (I) UNIVERSITY OF MARYLAND COOPERATIVE EXTENSION
3 SERVICE;
- 4 (II) SOIL CONSERVATION DISTRICTS;
- 5 (III) MARYLAND FARM BUREAU;
- 6 (IV) MARYLAND STATE GRANGE;
- 7 (V) MARYLAND PORK PRODUCERS ASSOCIATION;
- 8 (VI) DELMARVA POULTRY INDUSTRY, INC.;
- 9 (VII) DELAWARE-MARYLAND AGRIBUSINESS ASSOCIATION;
- 10 (VIII) MARYLAND ASSOCIATION OF GREEN INDUSTRIES;
- 11 (IX) BIOSOLIDS COMMITTEE OF THE CHESAPEAKE WATER
12 ENVIRONMENT ASSOCIATION; AND
- 13 (X) ASSOCIATION OF FOREST INDUSTRIES, INC.
- 14 (D) THE ASSESSMENT TEAM SHALL REVIEW AND REPORT TO THE GOVERNOR
15 AND THE GENERAL ASSEMBLY ON AN ANNUAL BASIS ON THE PROGRESS BEING
16 MADE TOWARDS ACHIEVING THE NUTRIENT MANAGEMENT GOALS SET FORTH IN §
17 8-801.1 OF THE AGRICULTURE ARTICLE.
- 18 (E) THE DEPARTMENT OF AGRICULTURE SHALL PROVIDE STAFF ASSISTANCE
19 TO THE ASSESSMENT TEAM. THE ASSESSMENT TEAM MAY USE THE STAFF TO ASSIST
20 IN PREPARING THE ANNUAL REPORT.
- 21 (F) THE ASSESSMENT TEAM SHALL PROVIDE ANALYSIS TO THE GOVERNOR
22 AND THE GENERAL ASSEMBLY AND MAKE RECOMMENDATIONS BY JULY 1 OF EACH
23 YEAR ON THE FOLLOWING:
- 24 (1) THE ECONOMIC COSTS AND BENEFITS ASSOCIATED WITH
25 ALTERNATIVE USES OF MANURE;
- 26 (2) THE LEVEL OF PARTICIPATION IN A VOLUNTARY NUTRIENT
27 MANAGEMENT PROGRAM;
- 28 (3) ADDITIONAL RESOURCES THAT MAY BE NEEDED TO ACCOMPLISH
29 THE GOALS OF § 8-801.1 OF THE AGRICULTURE ARTICLE;
- 30 (4) THE LATEST DEVELOPMENTS IN PHOSPHOROUS MITIGATION,
31 INCLUDING THE EFFECTIVENESS OF PHYTASE AND OTHER ENZYMES, GENETICALLY
32 ENGINEERED CORN, SOIL ADDITIVES, AND OTHER INNOVATIONS;

1 (5) THE EFFECTIVENESS OF NUTRIENT APPLICATION EDUCATION
2 PROGRAMS;

3 (6) THE EFFECTIVENESS OF THE POULTRY LITTER TRANSPORTATION
4 PILOT PROJECT SET FORTH IN § 8-704.2 OF THE AGRICULTURE ARTICLE; AND

5 (7) FOR TARGETED AREAS DETERMINED BY THE SECRETARY OF
6 AGRICULTURE, THE TEAM WILL PROVIDE AN ASSESSMENT OF THE BACKGROUND
7 LEVELS OF PHOSPHOROUS IN THE SOIL, CURRENT LEVELS OF PHOSPHOROUS IN THE
8 SOIL, AND THE MOVEMENT OF PHOSPHOROUS IN AND ON THE LAND.

9 SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland
10 read as follows:

11 **Article 83A - Department of Business and Economic Development**

12 **SUBTITLE 8. ANIMAL WASTE TECHNOLOGY FUND.**

13 6-801.

14 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
15 INDICATED.

16 (B) "ANIMAL WASTE TECHNOLOGY PROJECT" MEANS THE RESEARCH,
17 DEVELOPMENT, IMPLEMENTATION, OR MARKET DEVELOPMENT OF TECHNOLOGY
18 THAT IS INTENDED TO:

19 (1) REDUCE THE AMOUNT OF NUTRIENTS IN ANIMAL WASTE;

20 (2) ALTER THE COMPOSITION OF ANIMAL WASTE;

21 (3) USE ANIMAL WASTE IN A PRODUCTION PROCESS; OR

22 (4) DEVELOP ALTERNATIVE WASTE MANAGEMENT STRATEGIES
23 INCLUDING THE TRANSFER AND TRANSPORTATION OF ANIMAL WASTE TO AREAS IN
24 MARYLAND WHICH CAN MAKE A BENEFICIAL USE OF THE MANURE.

25 (C) "FUND" MEANS THE ANIMAL WASTE TECHNOLOGY FUND.

26 (D) "PROGRAM" MEANS THE ORGANIZATIONAL UNIT IN THE DEPARTMENT
27 THAT ADMINISTERS THE ANIMAL WASTE TECHNOLOGY FUND.

28 6-802.

29 (A) THE PURPOSE OF THE ANIMAL WASTE TECHNOLOGY FUND IS TO PROVIDE
30 FINANCIAL ASSISTANCE TO INDIVIDUALS AND BUSINESS ENTERPRISES THAT
31 CONDUCT RESEARCH AND DEVELOP TECHNOLOGIES THAT ARE INTENDED TO:

32 (1) REDUCE THE AMOUNT OF NUTRIENTS IN ANIMAL WASTE;

33 (2) ALTER THE COMPOSITION OF ANIMAL WASTE;

1 (3) USE ANIMAL WASTE IN A PRODUCTION PROCESS; AND

2 (4) DEVELOP ALTERNATIVE ANIMAL WASTE MANAGEMENT
3 STRATEGIES, INCLUDING THE TRANSFER AND TRANSPORTATION OF ANIMAL WASTE
4 TO AREAS IN MARYLAND WHICH CAN MAKE A BENEFICIAL USE OF THE ANIMAL
5 WASTE.

6 (B) THE GOAL OF THE FUND IS TO ENCOURAGE THE DEVELOPMENT AND
7 IMPLEMENTATION OF ECONOMICALLY FEASIBLE TECHNOLOGIES AND PRACTICES
8 THAT HELP PROTECT THE PUBLIC HEALTH AND THE ENVIRONMENT BY REDUCING
9 THE AMOUNT OF NUTRIENTS FROM ANIMAL WASTE THAT ARE RELEASED INTO
10 STATE WATERS.

11 6-803.

12 (A) THERE IS AN ANIMAL WASTE TECHNOLOGY FUND IN THE DEPARTMENT.

13 (B) THE FUND IS A SPECIAL CONTINUING, NONLAPSING FUND NOT SUBJECT
14 TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

15 (C) THE FUND MAY CONSIST OF:

16 (1) MONEYS APPROPRIATED BY THE STATE;

17 (2) MONEYS MADE AVAILABLE THROUGH FEDERAL PROGRAMS OR
18 PRIVATE CONTRIBUTIONS;

19 (3) INCOME FROM INVESTMENTS THAT THE STATE TREASURER MAKES
20 FROM MONEYS IN THE FUND;

21 (4) REPAYMENTS OF PRINCIPAL AND INTEREST FROM LOANS MADE
22 FROM THE FUND;

23 (5) INCOME FROM EQUITY INVESTMENTS THAT THE DEPARTMENT
24 MAKES FROM THE FUND;

25 (6) PROCEEDS FROM THE SALE, DISPOSITION, LEASE, OR RENTAL BY
26 THE DEPARTMENT OF COLLATERAL RELATED TO ANY FINANCING PROVIDED BY THE
27 DEPARTMENT UNDER THIS SUBTITLE;

28 (7) APPLICATION OR OTHER FEES PAID TO THE PROGRAM IN
29 CONNECTION WITH THE PROCESSING OF REQUESTS FOR ASSISTANCE; AND

30 (8) ANY OTHER MONEYS MADE AVAILABLE TO THE FUND.

31 (D) THE PROGRAM MAY USE MONEYS IN THE FUND TO:

32 (1) PROVIDE FINANCIAL ASSISTANCE TO DEFRAID THE COSTS OF
33 ANIMAL WASTE TECHNOLOGY PROJECTS; AND

1 (2) PAY EXPENSES FOR ADMINISTRATIVE, ACTUARIAL, LEGAL, AND
2 TECHNICAL SERVICES ASSOCIATED WITH OPERATING THE FUND.

3 6-804.

4 FINANCIAL ASSISTANCE PROVIDED FROM THE FUND MAY BE:

5 (1) USED ONLY TO PAY THE COSTS OF CARRYING OUT AN ANIMAL
6 WASTE TECHNOLOGY PROJECT; AND

7 (2) IN THE FORM OF:

8 (I) A GRANT;

9 (II) A LOAN;

10 (III) A LOAN GUARANTEE;

11 (IV) A LOAN THAT IS CONVERTIBLE IN WHOLE OR IN PART TO A
12 GRANT ON THE SATISFACTION OF SPECIFIED CONDITIONS; OR

13 (V) AN EQUITY INVESTMENT.

14 6-805.

15 (A) TO BE ELIGIBLE FOR ASSISTANCE FROM THE FUND, AN ANIMAL WASTE
16 TECHNOLOGY PROJECT MUST HAVE STRONG POTENTIAL FOR:

17 (1) IMPROVING THE PUBLIC HEALTH;

18 (2) PRESERVING THE VIABILITY OF THE AGRICULTURAL INDUSTRY;

19 (3) IMPROVING THE ENVIRONMENT;

20 (4) HAVING A POSITIVE ECONOMIC DEVELOPMENT IMPACT IN THE
21 STATE;

22 (5) FACILITATING THE INVOLVEMENT OF PRIVATE ENTERPRISE; AND

23 (6) LEADING TO A COST-EFFECTIVE ANIMAL WASTE MANAGEMENT
24 PROGRAM.

25 (B) IF THE AMOUNT OF FINANCIAL ASSISTANCE REQUESTED EXCEEDS THE
26 AMOUNT OF MONEYS AVAILABLE IN THE FUND, THE PROGRAM SHALL GIVE
27 PREFERENCE TO THE ANIMAL WASTE TECHNOLOGY PROJECTS THAT DEMONSTRATE
28 THE GREATEST POTENTIAL FOR:

29 (1) IMPROVING THE PUBLIC HEALTH;

30 (2) PRESERVING THE VIABILITY OF THE AGRICULTURAL INDUSTRY;

- 1 (3) IMPROVING THE ENVIRONMENT;
- 2 (4) HAVING A POSITIVE ECONOMIC DEVELOPMENT IMPACT IN THE
3 STATE;
- 4 (5) FACILITATING THE INVOLVEMENT OF PRIVATE ENTERPRISE; AND
- 5 (6) LEADING TO A COST-EFFECTIVE ANIMAL WASTE MANAGEMENT
6 PROGRAM.

7 6-806.

8 THE PROGRAM MAY IMPOSE TERMS AND CONDITIONS ON FINANCIAL
9 ASSISTANCE PROVIDED FROM THE FUND.

10 6-807.

11 (A) THE STATE TREASURER SHALL HOLD THE FUND AND THE STATE
12 COMPTROLLER SHALL ACCOUNT FOR THE FUND.

13 (B) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE PAID INTO THE
14 FUND.

15 SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland
16 read as follows:

17 **Article - Tax - General**

18 10-208.

19 (a) In addition to the modification under § 10-207 of this subtitle, the
20 amounts under this section are subtracted from the federal adjusted gross income of
21 a resident to determine Maryland adjusted gross income.

22 (M) (1) IN THIS SUBSECTION, "POULTRY OR LIVESTOCK MANURE
23 SPREADING EQUIPMENT" MEANS EQUIPMENT THAT IS USED BY A FARM OWNER OR
24 TENANT ON FARMLAND IN ACCORDANCE WITH A NUTRIENT MANAGEMENT PLAN
25 PREPARED BY AN INDIVIDUAL LICENSED BY THE SECRETARY OF AGRICULTURE IN
26 ACCORDANCE WITH TITLE 8, SUBTITLE 8 OF THE AGRICULTURE ARTICLE IF THE
27 MANURE SPREADING EQUIPMENT IS USED:

28 (I) TO SPREAD POULTRY MANURE AND BEDDING FROM NORMAL
29 POULTRY PRODUCTION WITH A CAPABILITY OF BEING CALIBRATED TO 1.0 TON PER
30 ACRE; OR

31 (II) TO APPLY SOLID OR LIQUID LIVESTOCK WASTE.

32 (2) THE SUBTRACTION UNDER SUBSECTION (A) OF THIS SECTION
33 INCLUDES 100% OF THE EXPENSE THAT A TAXPAYER INCURS TO BUY POULTRY OR
34 LIVESTOCK MANURE SPREADING EQUIPMENT IF THE TAXPAYER:

1 (I) PURCHASED THE SPREADING EQUIPMENT AFTER DECEMBER
2 31, 1997; AND

3 (II) OWNS THE SPREADING EQUIPMENT FOR AT LEAST 3 YEARS
4 AFTER THE TAXABLE YEAR IN WHICH THE SUBTRACTION IS MADE.

5 (3) THE SUBTRACTION ALLOWED UNDER PARAGRAPH (2) OF THIS
6 SUBSECTION MAY BE CARRIED OVER TO SUCCEEDING TAXABLE YEARS, NOT TO
7 EXCEED 5 YEARS, UNTIL THE FULL AMOUNT OF THE SUBTRACTION IS USED.

8 10-308.

9 (a) In addition to the modification under § 10-307 of this subtitle, the
10 amounts under this section are subtracted from the federal taxable income of a
11 corporation to determine Maryland modified income.

12 (b) The subtraction under subsection (a) of this section includes the amounts
13 allowed to be subtracted for an individual under:

14 (1) § 10-208(d) of this title (conservation tillage equipment expenses);

15 (2) § 10-208(i) of this title (reforestation or timber stand expenses);
16 [and]

17 (3) § 10-208(k) of this title (wage expenses for targeted jobs); AND

18 (4) § 10-208(M) OF THIS TITLE (POULTRY OR LIVESTOCK MANURE
19 SPREADING EQUIPMENT).

20 SECTION 6. AND BE IT FURTHER ENACTED, That the Laws of Maryland
21 read as follows:

22 **Article - Tax - General**

23 10-704.9.

24 (A) SUBJECT TO THE PROVISIONS OF THIS SECTION, AN INDIVIDUAL OR A
25 CORPORATION MAY CLAIM A CREDIT AGAINST THE STATE INCOME TAX FOR A
26 TAXABLE YEAR IN THE AMOUNT EQUAL TO 50% OF THE CERTIFIED ADDITIONAL
27 COMMERCIAL FERTILIZER COSTS NECESSARY TO CONVERT AGRICULTURAL
28 PRODUCTION TO A NUTRIENT MANAGEMENT PLAN UNDER TITLE 8, SUBTITLE 8 OF
29 THE AGRICULTURE ARTICLE.

30 (B) (1) THE CREDIT ALLOWED UNDER THIS SECTION MAY ONLY BE
31 CLAIMED BY AN INDIVIDUAL OR A CORPORATION FOR UP TO 3 CONSECUTIVE
32 TAXABLE YEARS.

33 (2) THE CREDIT ALLOWED UNDER THIS SECTION MAY NOT EXCEED
34 \$4,500 IN ANY TAXABLE YEAR.

1 (3) (I) IF THE CREDIT ALLOWED UNDER THIS SECTION IN ANY
2 TAXABLE YEAR EXCEEDS THE TOTAL TAX OTHERWISE PAYABLE BY THE INDIVIDUAL
3 OR CORPORATION FOR THAT TAXABLE YEAR, THE INDIVIDUAL OR CORPORATION
4 MAY APPLY THE EXCESS AS A CREDIT FOR SUCCEEDING TAXABLE YEARS UNTIL THE
5 EARLIER OF:

- 6 1. THE FULL AMOUNT OF THE EXCESS IS USED; OR
7 2. THE EXPIRATION OF THE 5TH SUCCEEDING TAXABLE
8 YEAR.

9 (II) ANY EXCESS CREDIT CARRIED FORWARD UNDER THIS
10 PARAGRAPH DOES NOT APPLY TO THE CREDIT LIMIT SPECIFIED IN PARAGRAPH (2) OF
11 THIS SUBSECTION.

12 (C) THE CREDIT ALLOWED UNDER THIS SECTION MAY NOT BE EARNED FOR
13 ANY CREDIT YEAR BEGINNING ON OR AFTER JANUARY 1, 2006.

14 (D) (1) TO QUALIFY FOR THE CREDIT UNDER THIS SECTION, AN INDIVIDUAL
15 OR A CORPORATION MUST RECEIVE A STATEMENT FROM THE DEPARTMENT OF
16 AGRICULTURE CERTIFYING:

17 (I) THAT THE INDIVIDUAL OR CORPORATION HAS SUBMITTED A
18 NUTRIENT MANAGEMENT PLAN TO THE DEPARTMENT IN ACCORDANCE WITH TITLE
19 8, SUBTITLE 8 OF THE AGRICULTURE ARTICLE;

20 (II) THAT THE ADDITIONAL COMMERCIAL FERTILIZER COSTS ARE
21 NECESSARY TO CONVERT AGRICULTURAL PRODUCTION TO COMPLY WITH A
22 NUTRIENT MANAGEMENT PLAN UNDER TITLE 8, SUBTITLE 8 OF THE AGRICULTURE
23 ARTICLE; AND

24 (III) THE AMOUNT OF THE CREDIT THAT THE INDIVIDUAL OR
25 CORPORATION IS ELIGIBLE TO TAKE FOR THE TAXABLE YEAR.

26 (2) AN INDIVIDUAL OR A CORPORATION MUST FILE PROOF OF
27 CERTIFICATION BY THE DEPARTMENT OF AGRICULTURE IN A MANNER PRESCRIBED
28 BY THE COMPTROLLER.

29 (E) SUBJECT TO THE PROVISIONS OF THIS SUBSECTION, THE STATE
30 DEPARTMENT OF AGRICULTURE SHALL ADOPT REGULATIONS NECESSARY TO CARRY
31 OUT THE PROVISIONS OF THIS SECTION.

32 SECTION 7. AND BE IT FURTHER ENACTED, That for Fiscal Year 2000 the
33 Governor shall include in the annual budget bill an amount of not less than \$350,000
34 for the cost share program under § 6-107.1 of the Agriculture Article; for Fiscal Year
35 2000 and each fiscal year thereafter, the Governor shall include in the annual budget
36 bill an amount not less than \$620,000 for the employment of contractual nutrient
37 management planners through the University of Maryland Cooperative Extension
38 Service; for Fiscal Year 2000, the Governor shall include in the annual budget bill an

1 amount of not less than \$1,000,000 for the State cost sharing program under §
2 8-803.1 as enacted by Section 3 of this Act.

3 SECTION 8. AND BE IT FURTHER ENACTED, That, for each of Fiscal Years
4 2000 and 2001, the Governor shall include in the annual budget bill an amount of not
5 less than \$1,500,000 for the Pilot Project under Section 2 of this Act; that Section 2 of
6 this Act shall remain effective for a period of 3 years and, at the end of June 30, 2001,
7 with no further action required by the General Assembly, Section 2 of this Act shall be
8 abrogated and of no further force and effect. Any money remaining in the Poultry
9 Litter Transportation Pilot Project or due to the Poultry Litter Transportation Pilot
10 Project after June 30, 2001 shall be paid to the General Fund.

11 SECTION 9. AND BE IT FURTHER ENACTED, That for each of Fiscal Years
12 2000 and 2001, the Governor shall include in the annual budget bill an amount not
13 less than \$1,000,000 for the purposes of implementing Section 4 of this Act; and that
14 Section 4 of this Act shall remain effective for a period of 3 years and, at the end of
15 June 30, 2001, with no further action required by the General Assembly, Section 4 of
16 this Act shall be abrogated and of no further force and effect. Any money remaining in
17 the Animal Waste Technology Fund on June 30, 2001 or due to the Animal Waste
18 Technology Fund after June 30, 2001 shall be paid into the General Fund.

19 SECTION 10. AND BE IT FURTHER ENACTED, That Section 5 of this Act
20 shall be applicable to all taxable years beginning after December 31, 1997.

21 SECTION 11. AND BE IT FURTHER ENACTED, That Section 6 of this Act
22 shall be applicable to all taxable years beginning after December 31, 1998.

23 SECTION 12. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 July 1, 1998.