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By: **Chairman, Environmental Matters Committee (Departmental -  
Agriculture)**

Introduced and read first time: February 12, 1999

Assigned to: Environmental Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 27, 1999

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Department of Agriculture - Soil Conservation and Water Quality Plans -**  
3 **Use of Information**

4 FOR the purpose of requiring the supervisors of a soil conservation district to provide  
5 the Maryland Department of Agriculture and the Department of the  
6 Environment with any information in a soil conservation and water quality plan  
7 for certain purposes; authorizing the Department of Agriculture to use the  
8 information for statistical purposes and to release the information to ~~a certain~~  
9 ~~government agency~~ the Department of the Environment for a ~~law~~ certain  
10 compliance or enforcement purpose; requiring the Department of Agriculture  
11 and the supervisors to maintain plan information in a manner that protects the  
12 identity of the person for whom the plan was prepared; and generally relating to  
13 information concerning soil conservation and water quality plans.

14 BY repealing and reenacting, with amendments,  
15 Article - Agriculture  
16 Section 8-306(b), (c), and (d)  
17 Annotated Code of Maryland  
18 (1985 Replacement Volume and 1998 Supplement)

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

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**Article - Agriculture**

2 8-306.

3 (B) (1) THE SUPERVISOR SHALL MAINTAIN INFORMATION FROM A SOIL  
4 CONSERVATION AND WATER QUALITY PLAN IN A MANNER THAT PROTECTS THE  
5 IDENTITY OF THE PERSON FOR WHOM THE PLAN IS PREPARED. HOWEVER, THE  
6 SUPERVISORS SHALL MAKE A SOIL CONSERVATION AND WATER QUALITY PLAN  
7 AVAILABLE TO THE DEPARTMENT OF THE ENVIRONMENT FOR ENFORCEMENT  
8 ACTION UNDER § 4-413 OF THE ENVIRONMENT ARTICLE AND THE MARYLAND  
9 DEPARTMENT OF AGRICULTURE WHICH MAY USE THE INFORMATION FOR  
10 STATISTICAL PURPOSES.

11 (2) THE DEPARTMENT SHALL:

12 (I) MAINTAIN THE INFORMATION IN THE MANNER THAT  
13 PROTECTS THE IDENTITY OF THE PERSON FOR WHOM THE PLAN IS PREPARED; AND

14 (II) MAKE ANY INFORMATION FROM A PLAN AVAILABLE TO THE  
15 MARYLAND DEPARTMENT OF THE ENVIRONMENT ~~FOR THE PURPOSE OF WATER~~  
16 ~~QUALITY PERMIT COMPLIANCE OR ENFORCEMENT ACCORDING TO~~ TO SUPPORT THE  
17 DEVELOPMENT OF A COMPLIANCE OR ENFORCEMENT CASE FOR PURPOSES OF  
18 ADDRESSING AN EXISTING WATER QUALITY PROBLEM IN ACCORDANCE WITH  
19 PROCEDURES ESTABLISHED BETWEEN THE DEPARTMENTS AND THE STATE SOIL  
20 CONSERVATION COMMITTEE.

21 [(b)] (C) As a condition to extending any benefit of this title to any land not  
22 owned or controlled by the State or any of its agencies, or to performing work on them,  
23 the supervisors may require contributions in money, services, materials, or otherwise  
24 to any operations conferring benefits, and may require the land occupier to enter into  
25 and perform agreements or covenants concerning the permanent use of the land as  
26 tends to prevent or control erosion.

27 [(c)] (D) The supervisors of two or more districts may cooperate with one  
28 another in the exercise of any powers conferred by this title.

29 [(d)] (E) No provision relating to acquisition, operation, or disposition of  
30 property by other public bodies is applicable to a district, unless the provision  
31 specifically so states.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
33 effect October 1, 1999.

