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

Introduced and read first time: January 30, 2002

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Agriculture - Manure Transportation Pilot Project - Repeal of Termination**  
3 **Date**

4 FOR the purpose of repealing a certain termination date for the Manure  
5 Transportation Pilot Project; making certain changes to reflect that the project  
6 is no longer a pilot project; altering a certain definition; and generally relating to  
7 the Manure Transportation Project.

8 BY repealing and reenacting, with amendments,  
9 Article - Agriculture  
10 Section 8-704.1, 8-704.2, 8-803.1(a), (b), and (c), and 8-804(a)(2)  
11 Annotated Code of Maryland  
12 (1999 Replacement Volume and 2001 Supplement)

13 BY repealing  
14 Chapter 324 of the Acts of the General Assembly of 1998  
15 Section 7

16 BY repealing  
17 Chapter 325 of the Acts of the General Assembly of 1998  
18 Section 7

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

21 **Article - Agriculture**

22 8-704.1.

23 (a) In this section, "Service" means the Manure Matching Service.

24 (b) The Department shall create a Manure Matching Service.

1 (c) The purpose of the Service is to develop transfer programs and marketing  
2 techniques to promote and facilitate the transfer of poultry and livestock manure.

3 (d) The Service shall be implemented in conjunction with the Manure  
4 Transportation [Pilot] Project set forth in § 8-704.2 of this subtitle.

5 (e) The Governor shall include in the annual budget bill sufficient funds to  
6 carry out this section.

7 8-704.2.

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

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

11 (3) "[Pilot] Project" means the Manure Transportation [Pilot] Project.

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

13 (1) [For a 4-year period the] THE State and the commercial poultry  
14 producers shall facilitate the prompt transportation of poultry litter from farms in all  
15 areas of the State that experience phosphorus overenrichment;

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

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

21 (4) The [Pilot] Project shall be implemented in conjunction with the  
22 Manure Matching Service set forth in § 8-704.1 of this subtitle.

23 (c) The purpose of the [Pilot] Project is to establish a cost-share matching  
24 program to assist in the transportation of poultry or livestock manure from farms  
25 [over a period of 4 years]:

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

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

30 (d) The State shall provide funding for the [Pilot] Project by matching the  
31 amount of funds contributed by the commercial poultry producer industry for eligible  
32 costs, as determined by the Department, associated with the transportation and  
33 handling of poultry litter. The State share may not exceed \$10 per ton for poultry  
34 manure or 87.5% up to \$20 per ton for livestock manure.

1 (e) The Department of Agriculture shall adopt regulations authorizing the  
2 disbursement of cost-share matching funds consistent with the purposes of the  
3 [Pilot] Project.

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

7 8-803.1.

8 (a) In this section, "gross income" means the actual income that is received in  
9 a calendar year that results directly from the farm or agricultural use of the land.

10 (b) This section does not apply to:

11 (1) An agricultural operation with less than \$2,500 in gross income; or

12 (2) A livestock operation with less than eight animal units defined as  
13 1,000 pounds of live animal weight per animal unit.

14 (c) The Governor shall provide sufficient funding in each fiscal year's budget  
15 to:

16 (1) Assist in the development of nutrient management plans;

17 (2) Meet the technical assistance and evaluation requirements of this  
18 section;

19 (3) Meet the State's requirements for the implementation of the Manure  
20 Transportation [Pilot] Project under § 8-704.2 of this title; and

21 (4) Provide State assistance under the Maryland Agricultural Water  
22 Quality Cost Share Program in the Department.

23 8-804.

24 (a) (2) (i) The Nutrient Management Advisory Committee shall report to  
25 the Governor and the General Assembly, in accordance with § 2-1246 of the State  
26 Government Article, by July 1 of each year on the implementation of the  
27 requirements of the Water Quality Improvement Act of 1998.

28 (ii) The report required under subparagraph (i) of this paragraph  
29 shall include information regarding:

30 1. The level of participation in the nutrient management  
31 plan program;

32 2. Additional resources that may be needed to meet the  
33 requirements of § 8-803.1 of this subtitle;

1  
2 programs; and

3. The effectiveness of nutrient application education

3  
4 Transportation [Pilot] Project set forth in § 8-704.2 of this title [and the potential  
5 economic impact on farmers if the Pilot Project is terminated].

4. The effectiveness of the [Poultry] MANURE [Litter]

6 **Chapter 324 of the Acts of 1998**

7 [SECTION 7. AND BE IT FURTHER ENACTED, That Section 2 of this Act  
8 shall remain effective for a period of 4 years and, at the end of June 30, 2002, with no  
9 further action required by the General Assembly, Section 2 of this Act shall be  
10 abrogated and of no further force and effect.]

11 **Chapter 325 of the Acts of 1998**

12 [SECTION 7. AND BE IT FURTHER ENACTED, That Section 2 of this Act  
13 shall remain effective for a period of 4 years and, at the end of June 30, 2002, with no  
14 further action required by the General Assembly, Section 2 of this Act shall be  
15 abrogated and of no further force and effect.]

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 June 1, 2002.