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

Introduced and read first time: January 30, 2002

Assigned to: Environmental Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 18, 2002

CHAPTER _____

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:

1 **Article - Agriculture**

2 8-704.1.

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

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

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

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

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

11 8-704.2.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 8-803.1.

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

15 (b) This section does not apply to:

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

17 (2) A livestock operation with less than eight animal units defined as
18 1,000 pounds of live animal weight per animal unit.

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

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

22 (2) Meet the technical assistance and evaluation requirements of this
23 section;

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

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

28 8-804.

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

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

