

(PRE-FILED)

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By: **Senators Miller, Hollinger, Middleton, Brinkley, Colburn, Conway,  
Dyson, and Klausmeier Klausmeier, Garagiola, Brochin, and Munson**

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Introduced and read first time: January 11, 2006

Assigned to: Education, Health, and Environmental Affairs and Budget and Taxation

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Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: March 30, 2006

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Agricultural Stewardship Act of 2006**

3 FOR the purpose of ~~clarifying that certain funds received by the Maryland~~  
4 ~~Agricultural and Resource Based Industry Development Corporation may be~~  
5 ~~used for rural business development and assistance~~ requiring the Governor to  
6 appropriate certain funds to the Maryland Agricultural and Resource-Based  
7 Industry Development Corporation for rural business development and  
8 assistance; authorizing the Governor to appropriate certain funds to the  
9 ~~Maryland Agricultural and Resource Based Industry Development Corporation~~  
10 for certain easement and land acquisition programs; requiring authorizing  
11 counties to include a priority preservation area element in each county's  
12 comprehensive plan; authorizing the Maryland Agricultural Land Preservation  
13 Foundation to provide grants to the Maryland Agricultural and Resource-Based  
14 Industry Development Corporation under certain circumstances; requiring a  
15 priority preservation area to meet certain criteria; requiring a certain acreage  
16 goal in a priority preservation area; requiring an update of a county's  
17 comprehensive plan to include a certain evaluation ~~relating to priority~~  
18 ~~preservation areas~~; requiring the Department of Planning and the Maryland  
19 Agricultural Land Preservation Foundation to certify priority preservation  
20 areas jointly; requiring the Governor to appropriate certain additional funds for  
21 certain soil conservation districts; establishing a University of Maryland  
22 Agricultural Agriculture and Natural Resources Internship Program at the  
23 University of Maryland, College Park; providing that the internship is unpaid;  
24 altering the distribution of certain fees from the Bay Restoration Fund;  
25 requiring the Department of Agriculture to adopt certain regulations;  
26 ~~establishing a program for certification of a county's priority preservation areas;~~

1 ~~establishing the application and notification processes for certification of~~  
2 ~~priority preservation areas altering the process for the certification of county~~  
3 ~~agricultural land preservation programs to include priority preservation areas;~~  
4 ~~altering certain time frames and procedural requirements for the certification~~  
5 ~~and recertification of county agricultural land preservation programs;~~  
6 prohibiting the certification for priority preservation areas unless the  
7 Department of Planning and the Foundation agree that certain criteria are  
8 satisfied; specifying eligibility for certain State funding; requiring the  
9 Department of Planning and the Foundation to adopt certain regulations by a  
10 certain date; requiring the Department of Planning and the Foundation to make  
11 a certain report; defining certain terms; expressing the intent of the General  
12 Assembly that the Governor make certain appropriations to the Maryland  
13 Agricultural Water Quality Cost Share Program, the Cover Crop Program, the  
14 Manure Transport Program, the Maryland Agricultural Land Preservation  
15 Foundation, the Maryland Agricultural and Resource-Based Industry  
16 Development Corporation, the Maryland Cooperative Extension, ~~and certain~~  
17 ~~State Soil Conservation Districts under certain circumstances and the Maryland~~  
18 ~~Agricultural Education and Rural Development Assistance Fund;~~ encouraging  
19 the Department of Agriculture to modify the Cover Crop Program for the  
20 harvest of certain cover crops for biofuel production; supporting the promotion of  
21 agricultural education in the State; ~~requiring the University System of~~  
22 ~~Maryland to conduct certain research;~~ requiring certain agencies to report to  
23 certain legislative committees on the effectiveness of certain increases in  
24 funding after a certain period of time; ~~requiring the Department of Agriculture~~  
25 ~~to review certain programs and certain technology infrastructure in the~~  
26 ~~Department and submit a certain report regarding additional funding needs to~~  
27 ~~the Governor and General Assembly by a certain date; requiring the~~  
28 ~~Department of the Environment and the Department of Agriculture to jointly~~  
29 ~~review the status of a certain loan program and submit a certain report to the~~  
30 ~~Governor and General Assembly by a certain date; encouraging the Governor to~~  
31 ~~provide additional funds, to the extent available, to the Department of the~~  
32 ~~Environment for a certain fiscal year to be used for a certain loan program;~~  
33 establishing an Incentives for Agriculture Task Force; ~~providing that certain~~  
34 ~~provisions of the Maryland Public Ethics Law do not apply under certain~~  
35 ~~circumstances to certain regulated lobbyists;~~ providing for the membership and  
36 staffing of the Task Force; requiring the Task Force to review certain reports  
37 and incentives; requiring the Task Force to ~~identify new incentives for farmers~~  
38 ~~review and evaluate certain aspects of the State tax structure and certain~~  
39 ~~modifications or alternatives;~~ requiring the Task Force to ~~make a certain report~~  
40 ~~submit certain reports on or before certain dates; making certain stylistic~~  
41 ~~changes;~~ and generally relating to agricultural stewardship in the State.

42 BY repealing and reenacting, with amendments,  
43 Article 41 - Governor - Executive and Administrative Departments  
44 Section 13-513(c)  
45 Annotated Code of Maryland  
46 (2003 Replacement Volume and 2005 Supplement)

1 BY repealing and reenacting, with amendments,  
2 Article 66B - Land Use  
3 Section ~~4.03(a)~~ 1.03 and ~~3.05(a)(4)~~ 3.05(a)(6) and (b)  
4 Annotated Code of Maryland  
5 (2003 Replacement Volume and 2005 Supplement)

6 BY repealing and reenacting, without amendments,  
7 Article 66B - Land Use  
8 Section 3.05(a)(1) and (4)  
9 Annotated Code of Maryland  
10 (2003 Replacement Volume and 2005 Supplement)

11 BY adding to  
12 Article - Agriculture  
13 Section 2-518  
14 Annotated Code of Maryland  
15 (1999 Replacement Volume and 2005 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article - Agriculture  
18 Section 2-505(c) and 8-405(c)  
19 Annotated Code of Maryland  
20 (1999 Replacement Volume and 2005 Supplement)

21 BY adding to  
22 Article - Education  
23 Section 12-115  
24 Annotated Code of Maryland  
25 (2004 Replacement Volume and 2005 Supplement)

26 BY repealing and reenacting, with amendments,  
27 Article - Environment  
28 Section 9-1605.2(h)  
29 Annotated Code of Maryland  
30 (1996 Replacement Volume and 2005 Supplement)

31 BY ~~adding to~~ repealing and reenacting, with amendments,  
32 Article - State Finance and Procurement  
33 Section ~~5-409~~ 5-408  
34 Annotated Code of Maryland  
35 ~~(2001 Replacement Volume and 2005 Supplement)~~  
36 (2006 Replacement Volume)

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

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

4 13-513.

5 (c) (1) The Corporation may receive annual funding through an  
6 appropriation in the State budget.

7 (2) The Corporation may also receive funds for projects included in the  
8 budgets of State units.

9 (3) All unexpended and unencumbered funds appropriated to the  
10 Corporation shall remain with the Corporation for future uses.

11 (4) The Corporation shall conduct its financial affairs in such a manner  
12 that, by the year 2020, it shall be self-sufficient and in no further need of general  
13 operating support by the State.

14 (5) (i) Subject to subparagraph (ii) of this paragraph, in order to assist  
15 the Corporation in meeting the requirement specified in paragraph (4) of this  
16 subsection, the Governor ~~may~~ **SHALL** include each year in the budget bill an  
17 appropriation to the Corporation ~~in an amount up to \$5,000,000~~ FOR RURAL  
18 BUSINESS DEVELOPMENT AND ASSISTANCE **AS FOLLOWS:**

19 1. FOR FISCAL YEAR 2008, \$4,000,000; AND

20 2. FOR FISCAL YEARS 2009 THROUGH 2020, \$3,500,000 IN  
21 EACH FISCAL YEAR.

22 (ii) If the State has provided a combined and cumulative total of  
23 \$12,000,000 or less in fiscal year 2006 through fiscal year 2010 to the Corporation  
24 FOR RURAL BUSINESS DEVELOPMENT AND ASSISTANCE, the Governor may include  
25 each year in the budget bill an appropriation to the Corporation in an amount up to  
26 \$6,500,000 FOR RURAL BUSINESS DEVELOPMENT AND ASSISTANCE.

27 (III) IN ADDITION TO ANY FUNDS PROVIDED UNDER  
28 SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH, THE GOVERNOR MAY INCLUDE  
29 EACH YEAR IN THE BUDGET BILL AN APPROPRIATION TO THE CORPORATION IN AN  
30 AMOUNT UP TO \$5,000,000 FOR RURAL ACQUISITION AND EASEMENT PROGRAMS,  
31 INCLUDING PROGRAMS TO ASSIST YOUNG AND BEGINNING FARMERS.

32 **Article 66B - Land Use**

33 1.03.

34 (a) (1) When developing a comprehensive plan for a charter county, a  
35 planning commission shall include:

- 1 (i) A transportation plan element which shall:
- 2 1. Propose the most appropriate and desirable patterns for  
3 the general location, character, and extent of the channels, routes, and terminals for  
4 transportation facilities, and for the circulation of persons and goods on a schedule  
5 that extends as far into the future as is reasonable;
- 6 2. Provide for bicycle and pedestrian access and travelways;  
7 and
- 8 3. Include an estimate of the probable utilization of any  
9 proposed improvement;
- 10 (ii) If current geological information is available, a mineral  
11 resources plan element that:
- 12 1. Identifies undeveloped land that should be kept in its  
13 undeveloped state until the land can be used to provide or assist in providing a  
14 continuous supply of minerals, as defined in § 15-801(i) of the Environment Article;
- 15 2. Identifies appropriate postexcavation uses for the land  
16 that are consistent with the county's land planning process;
- 17 3. Incorporates land use policies and recommendations for  
18 regulations:
- 19 A. To balance mineral resource extraction with other land  
20 uses; and
- 21 B. To the extent feasible, to prevent the preemption of  
22 mineral resources extraction by other uses; and
- 23 4. Has been reviewed by the Department of the Environment  
24 to determine whether the proposed comprehensive plan is consistent with the  
25 programs and goals of the Department;
- 26 (iii) An element which contains the planning commission's  
27 recommendation for land development regulations to implement the comprehensive  
28 plan and which encourages:
- 29 1. Streamlined review of applications for development,  
30 including permit review and subdivision plat review within the areas designated for  
31 growth in the comprehensive plan;
- 32 2. The use of flexible development regulations to promote  
33 innovative and cost-saving site design and protect the environment; and
- 34 3. Economic development in areas designated for growth in  
35 the comprehensive plan through the use of innovative techniques; {and}

1 (iv) A sensitive areas element that contains goals, objectives,  
 2 principles, policies, and standards designed to protect sensitive areas from the  
 3 adverse effects of development; ~~AND.~~

4 ~~(V) A PRIORITY PRESERVATION AREA ELEMENT THAT IS~~  
 5 ~~DEVELOPED UNDER § 2-518 OF THE AGRICULTURE ARTICLE.~~

6 (2) The channels, routes, travelways, and terminals required under  
 7 paragraph (1)(i) of this subsection may include all types of highways or streets, bicycle  
 8 ways, sidewalks, railways, waterways, airways, routings for mass transit, and  
 9 terminals for people, goods, and vehicles related to highways, airways, waterways,  
 10 and railways.

11 (3) The mineral resources plan element required under paragraph (1)(ii)  
 12 of this subsection shall be incorporated in:

13 (i) Any new comprehensive plan adopted after July 1, 1986 for all  
 14 or any part of a jurisdiction; and

15 (ii) Any amendment or addition that is adopted after July 1, 1986  
 16 to a comprehensive plan that was in effect on July 1, 1985.

17 (B) WHEN DEVELOPING A COMPREHENSIVE PLAN FOR A CHARTER COUNTY, A  
 18 PLANNING COMMISSION MAY INCLUDE A PRIORITY PRESERVATION AREA ELEMENT  
 19 THAT IS DEVELOPED IN ACCORDANCE WITH § 2-518 OF THE AGRICULTURE ARTICLE.

20 ~~[(b)]~~ (C) (1) A planning commission shall include in its comprehensive plan  
 21 [all]:

22 (I) ALL elements required in subsection (a) of this section and the  
 23 visions set forth in § 1.01 of this article; AND

24 (II) IF CHOSEN UNDER SUBSECTION (B) OF THIS SECTION, ITS  
 25 PRIORITY PRESERVATION AREA ELEMENT.

26 (2) At least once every 6 years, the planning commission shall review  
 27 and, if necessary, revise or amend a comprehensive plan to include [all]:

28 (I) ALL elements required in subsection (a) of this section and the  
 29 visions set forth in § 1.01 of this article; AND

30 (II) IF CHOSEN UNDER SUBSECTION (B) OF THIS SECTION, ITS  
 31 PRIORITY PRESERVATION AREA ELEMENT.

32 (3) If the comprehensive plan for each geographic section or division is  
 33 reviewed and, if necessary, revised or amended at least once every 6 years, the  
 34 planning commission may prepare comprehensive plans for one or more major  
 35 geographic sections or divisions of the local jurisdiction.

1 ~~[(c)]~~ ~~(D)~~ (1) A planning commission shall implement the visions set forth in  
2 § 1.01 of this article through the comprehensive plan elements required under  
3 subsection (a) of this section.

4 (2) A local legislative body that has adopted a comprehensive plan may  
5 adopt regulations implementing the visions stated in § 1.01 of this article in a  
6 comprehensive plan.

7 ~~[(d)]~~ ~~(E)~~ On or before July 1, 1997, and subsequently at intervals of not more  
8 than 6 years which correspond to the comprehensive plan revision under subsection  
9 ~~[(b)]~~ (C) of this section, a charter county shall ensure that the implementation of the  
10 provisions of the comprehensive plan that comply with § 1.01 of this article and  
11 subsection (a)(1)(iii) and (iv) of this section are achieved through the adoption of:

12 (1) Applicable zoning ordinances and regulations;

13 (2) Planned development ordinances and regulations;

14 (3) Subdivision ordinances and regulations; and

15 (4) Other land use ordinances and regulations that are consistent with  
16 the comprehensive plan.

17 3.05.

18 (a) (1) A planning commission shall make and approve a plan which the  
19 commission shall recommend to the local legislative body for adoption.

20 (4) The plan shall contain at a minimum the following elements:

21 (i) A statement of goals and objectives, principles, policies, and  
22 standards, which shall serve as a guide for the development and economic and social  
23 well-being of the local jurisdiction;

24 (ii) A land use plan element, which:

25 1. Shall propose the most appropriate and desirable patterns  
26 for the general location, character, extent, and interrelationship of the uses of public  
27 and private land, on a schedule that extends as far into the future as is reasonable;  
28 and

29 2. May include public and private, residential, commercial,  
30 industrial, agricultural, and recreational land uses;

31 (iii) A transportation plan element which shall:

32 1. Propose the most appropriate and desirable patterns for  
33 the general location, character, and extent of the channels, routes, and terminals for  
34 transportation facilities, and for the circulation of persons and goods on a schedule  
35 that extends as far into the future as is reasonable;





1                                 2.       The use of flexible development regulations to promote  
2 innovative and cost-saving site design and protect the environment; and

3                                 3.       Economic development in areas designated for growth in  
4 the plan through the use of innovative techniques;

5                                 (vii)   Recommendations for the determination, identification, and  
6 designation of areas within the county that are of critical State concern; ~~and~~

7                                 (viii)   A sensitive area element that contains goals, objectives,  
8 principles, policies, and standards designed to protect sensitive areas from the  
9 adverse effects of development; ~~AND,~~

10                                ~~(IX)    A PRIORITY PRESERVATION AREA ELEMENT THAT IS  
11 DEVELOPED UNDER § 2-518 OF THE AGRICULTURE ARTICLE.~~

12                                (6)    (i)     The plan may include any additional elements which, in the  
13 judgment of the planning commission, will further advance the purposes of the plan.

14                                (ii)    The additional plan elements may include:

15   1.     Community renewal elements;

16   2.     Housing elements;

17   3.     Flood control elements;

18   4.     Pollution control elements;

19   5.     Conservation elements;

20   6.     Natural resources elements; ~~and~~

21   7.     The general location and extent of public utilities; AND

22   8.     PRIORITY PRESERVATION AREAS DEVELOPED IN  
23 ACCORDANCE WITH § 2-518 OF THE AGRICULTURE ARTICLE.

24                                (b)    (1)    Each local jurisdiction shall adopt and include in [their plans all] ITS  
25 PLAN:

26   (I)    ALL of the elements required in subsection (a) of this section  
27 and all of the visions set forth in § 1.01 of this article; AND

28   (II)   IF CHOSEN UNDER SUBSECTION (A)(6) OF THIS SECTION, A  
29 PRIORITY PRESERVATION AREA ELEMENT.

30                                (2)    At least once every 6 years, each planning commission shall review  
31 and, if necessary, revise or amend the local plan to include [all]:

1 (I) ALL of the elements required in subsection (a) of this section  
2 and all of the visions set forth in § 1.01 of this article; AND

3 (II) IF CHOSEN UNDER SUBSECTION (A)(6) OF THIS SECTION, A  
4 PRIORITY PRESERVATION AREA ELEMENT.

5 (3) If the plan for each geographic section or division is reviewed and, if  
6 necessary, revised or amended at least once every 6 years, the planning commission  
7 may prepare plans for one or more major geographic sections or divisions of the  
8 jurisdiction.

9 **Article - Agriculture**

10 2-505.

11 (c) (1) The Comptroller of the Treasury may not disburse any money from  
12 the Maryland Agricultural Land Preservation Fund other than:

13 [(1)] (I) For costs associated with the staffing and administration of the  
14 Maryland Agricultural Land Preservation Foundation;

15 [(2)] (II) For reasonable expenses incurred by the members of the board  
16 of trustees of the Maryland Agricultural Land Preservation Foundation in the  
17 performance of official duties; and

18 [(3)] (III) For consideration in the purchase of agricultural land  
19 preservation easements beginning with fiscal year 1979 and each fiscal year  
20 thereafter.

21 (2) (I) THE MARYLAND AGRICULTURAL LAND PRESERVATION  
22 FOUNDATION MAY PROVIDE GRANTS TO THE MARYLAND AGRICULTURAL AND  
23 RESOURCE-BASED INDUSTRY DEVELOPMENT CORPORATION TO FACILITATE THE  
24 PURCHASE OF EASEMENTS, SUBJECT TO CONDITIONS JOINTLY AGREED UPON BY  
25 THE FOUNDATION AND THE CORPORATION.

26 (II) THE CORPORATION MAY ONLY USE THESE GRANTS FOR  
27 EXPENSES RELATED TO:

28 1. FACILITATING THE PURCHASE OF EASEMENTS UNDER  
29 THE CRITICAL FARMS OR INSTALLMENT PURCHASE AGREEMENT PROGRAMS, OR

30 2. THE NEXT GENERATION FARMLAND ACQUISITION  
31 PROGRAM.

32 2-518.

33 (A) IN THIS SECTION, "AREA" MEANS A PRIORITY PRESERVATION AREA.

34 (B) A COUNTY ~~SHALL~~ MAY INCLUDE A PRIORITY PRESERVATION AREA  
35 ELEMENT IN THE COUNTY'S COMPREHENSIVE PLAN.

1 (C) AN AREA SHALL:

2 (1) (I) CONTAIN PRODUCTIVE AGRICULTURAL OR FOREST SOILS; OR

3 (II) BE CAPABLE OF SUPPORTING PROFITABLE AGRICULTURAL  
4 AND FORESTRY ENTERPRISES WHERE PRODUCTIVE SOILS ARE LACKING;

5 (2) BE GOVERNED BY LOCAL POLICIES THAT STABILIZE THE  
6 AGRICULTURAL AND FOREST LAND BASE SO THAT DEVELOPMENT DOES NOT  
7 CONVERT OR COMPROMISE AGRICULTURAL OR FOREST RESOURCES; AND

8 (3) BE LARGE ENOUGH TO SUPPORT THE KIND OF AGRICULTURAL  
9 OPERATIONS THAT THE COUNTY SEEKS TO PRESERVE, AS REPRESENTED IN ITS  
10 ADOPTED COMPREHENSIVE PLAN.

11 (D) AN AREA MAY:

12 (1) CONSIST OF A SINGLE PARCEL OF LAND, MULTIPLE CONNECTED  
13 PARCELS OF LAND, OR MULTIPLE UNCONNECTED PARCELS OF LAND; AND

14 (2) INCLUDE RURAL LEGACY AREAS.

15 (E) A COUNTY'S ACREAGE GOAL FOR LAND TO BE PRESERVED THROUGH  
16 EASEMENTS AND ZONING WITHIN AN AREA SHALL BE EQUAL TO AT LEAST 80% OF  
17 THE REMAINING UNDEVELOPED ~~AREAS OF~~ LAND IN THE AREA, AS CALCULATED AT  
18 THE TIME OF APPLICATION FOR STATE CERTIFICATION OF AN AREA.

19 (F) EACH TIME A COUNTY'S COMPREHENSIVE PLAN IS UPDATED, THE UPDATE  
20 SHALL INCLUDE AN EVALUATION OF:

21 (1) THE COUNTY'S PROGRESS TOWARD MEETING THE GOALS OF THE  
22 FOUNDATION;

23 (2) ANY SHORTCOMINGS IN THE COUNTY'S ABILITY TO ACHIEVE THE  
24 GOALS OF THE FOUNDATION; AND

25 (3) PAST, CURRENT, AND PLANNED ACTIONS TO CORRECT ANY  
26 IDENTIFIED SHORTCOMINGS.

27 (G) IN ACCORDANCE WITH ~~§ 5-409~~ § 5-408 OF THE STATE FINANCE AND  
28 PROCUREMENT ARTICLE AND ANY REGULATIONS ADOPTED UNDER THE AUTHORITY  
29 OF THAT SECTION, THE DEPARTMENT OF PLANNING AND THE MARYLAND  
30 AGRICULTURAL LAND PRESERVATION FOUNDATION SHALL JOINTLY CERTIFY AN  
31 AREA.

32 8-405.

33 (c) (1) [For fiscal year 2000 and each fiscal year thereafter, the] THE  
34 Governor shall include in the annual budget bill an amount sufficient to employ not  
35 less than 110 field personnel in the soil conservation districts under this title.

1           (2)    THE APPROPRIATION FOR THE 24 SOIL CONSERVATION DISTRICTS  
2 SHALL BE AS FOLLOWS:

- 3                   (I)    IN FISCAL YEAR 2008, \$9,200,000;
- 4                   (II)   IN FISCAL YEAR 2009, \$9,500,000;
- 5                   (III)   IN FISCAL YEAR 2010, \$9,500,000; AND
- 6                   (IV)   IN FISCAL YEAR 2011 AND EACH FISCAL YEAR THEREAFTER,  
7 \$10,000,000.

8                                   **Article - Education**

9 12-115.

10       (A)    THERE IS A UNIVERSITY OF MARYLAND ~~AGRICULTURAL~~ AGRICULTURE  
11 AND NATURAL RESOURCES INTERNSHIP PROGRAM.

12       (B)    THE PURPOSE OF THE UNIVERSITY OF MARYLAND ~~AGRICULTURAL~~  
13 AGRICULTURE AND NATURAL RESOURCES INTERNSHIP PROGRAM IS TO:

14           (1)    PROVIDE STUDENTS IN THE COLLEGE OF AGRICULTURE AND  
15 NATURAL RESOURCES AT THE UNIVERSITY OF MARYLAND, COLLEGE PARK WITH AT  
16 LEAST ONE SEMESTER, WHERE APPROPRIATE, OF HANDS-ON EXPERIENCE WORKING  
17 ON A FARM IN THE STATE; WORK EXPERIENCE RELEVANT TO THEIR MAJOR,  
18 INCLUDING ON-FARM EXPERIENCE FOR STUDENTS INTERESTED IN CAREERS  
19 RELATED TO PRODUCTION OF AGRICULTURE; AND

20           (2)    ~~PROVIDE ASSISTANCE TO FARMERS IN THE STATE; AND~~

21           (3)    PROMOTE CAREERS IN AGRICULTURE AND NATURAL RESOURCES IN  
22 THE STATE.

23       (C)    ~~THE INTERNSHIP SHALL BE UNPAID.~~

24       (4)    ~~THE UNIVERSITY OF MARYLAND, COLLEGE PARK OR THE DEAN OF THE~~  
25 COLLEGE OF AGRICULTURE AND NATURAL RESOURCES AT THE UNIVERSITY OF  
26 MARYLAND, COLLEGE PARK SHALL ~~CONSULT WITH~~ INFORM THE DEPARTMENT OF  
27 AGRICULTURE ON THE UNIVERSITY'S PLAN TO IMPLEMENT THE REQUIREMENTS OF  
28 THIS SECTION.

29       (D)    THE MARYLAND AGRICULTURAL COMMISSION SHALL WORK THROUGH ITS  
30 MEMBERS REPRESENTING SPECIFIC SECTORS OF AGRICULTURE AND NATURAL  
31 RESOURCES TO PROMOTE, AND WHERE POSSIBLE, TO ESTABLISH INTERNSHIPS  
32 WITH FARMS AND BUSINESSES IN THEIR RESPECTIVE SECTORS.

Article - Environment

1  
2 9-1605.2.

3 (h) (1) With regard to the funds collected under subsection (b)(1)(i), from  
4 users of an onsite sewage disposal system or holding tank that receive a water bill,  
5 (ii), and (iii) of this section, beginning in fiscal year 2006, the Comptroller shall:

6 (i) Establish a separate account within the Bay Restoration Fund;  
7 and

8 (ii) Disburse the funds as provided under paragraph (2) of this  
9 subsection.

10 (2) The Comptroller shall:

11 (i) Deposit [60%] 40% of the funds in the separate account to be  
12 used for:

13 1. With priority given to failing systems and holding tanks  
14 located in the Chesapeake and Atlantic Coastal Bays Critical Area, grants or loans for  
15 up to 100% of:

16 A. The costs attributable to upgrading an onsite sewage  
17 disposal system to the best available technology for the removal of nitrogen; or

18 B. The cost difference between a conventional onsite sewage  
19 disposal system and a system that utilizes the best available technology for the  
20 removal of nitrogen; and

21 2. The reasonable costs of the Department, not to exceed 8%  
22 of the funds deposited into the separate account, to:

23 A. Implement an education, outreach, and upgrade program  
24 to advise owners of onsite sewage disposal systems and holding tanks on the proper  
25 maintenance of the systems and tanks and the availability of grants and loans under  
26 item 1 of this subparagraph;

27 B. Review and approve the design and construction of onsite  
28 sewage disposal system or holding tank upgrades;

29 C. Issue grants or loans as provided under subparagraph  
30 1 of this subparagraph; and

31 D. Provide technical support for owners of upgraded onsite  
32 sewage disposal systems or holding tanks to operate and maintain the upgraded  
33 systems; and

34 (ii) Transfer [40%] 60% of the funds to the Maryland Agriculture  
35 Water Quality Cost Share Program in the Department of Agriculture in order to fund  
36 cover crop activities.

1           (3)     The Comptroller, in consultation with the Administration, may  
 2 establish any other accounts and subaccounts within the Bay Restoration Fund as  
 3 necessary to:

4                   (i)     Effectuate the purposes of this subtitle;

5                   (ii)    Comply with the provisions of any bond resolution;

6                   (iii)   Meet the requirements of any federal or State law or of any  
 7 grant or award to the Bay Restoration Fund; and

8                   (iv)    Meet any rules or program directives established by the  
 9 Secretary or the Board.

10                                   **Article - State Finance and Procurement**

11 ~~5-409. 5-408.~~

12     (A)     ~~IN THIS SECTION, "FOUNDATION" MEANS THE MARYLAND AGRICULTURAL~~  
 13 ~~LAND PRESERVATION FOUNDATION, ESTABLISHED UNDER § 2-502 OF THE~~  
 14 ~~AGRICULTURE ARTICLE.~~

15     (B)     ~~THERE IS WITHIN THE DEPARTMENT A PROGRAM FOR CERTIFICATION OF~~  
 16 ~~PRIORITY PRESERVATION AREAS ESTABLISHED UNDER § 2-518 OF THE AGRICULTURE~~  
 17 ~~ARTICLE.~~

18     (C)     (1)     ~~TO APPLY FOR CERTIFICATION UNDER THIS SECTION, A COUNTY~~  
 19 ~~SHALL FILE WITH THE DEPARTMENT AND THE FOUNDATION AN APPLICATION IN~~  
 20 ~~THE FORM THAT THE DEPARTMENT AND THE FOUNDATION JOINTLY REQUIRE BY~~  
 21 ~~REGULATION.~~

22                   (2)     ~~WITHIN 45 DAYS AFTER RECEIPT OF AN APPLICATION FOR~~  
 23 ~~CERTIFICATION, THE DEPARTMENT AND THE FOUNDATION SHALL JOINTLY NOTIFY~~  
 24 ~~THE COUNTY AS TO WHETHER THE COUNTY'S APPLICATION HAS BEEN APPROVED.~~

25     (a)     There is within the Department a program for certification of effective  
 26 county agricultural land preservation programs.

27     (b)     A county may apply to the Department and the Maryland Agricultural  
 28 Land Preservation Foundation for certification under this section only if the County  
 29 Agricultural Preservation Advisory Board and the governing body of the county both:

30                   (1)     approve the program established at the county level as being an  
 31 effective approach to agricultural land preservation; and

32                   (2)     approve the county's application for certification.

33     (c)     (1)     A county may apply for certification under this section if the county  
 34 has established programs to encourage participation of farmers in agricultural land  
 35 preservation efforts at the county level, including purchase of development rights or

1 financial enhancements related to purchase of development rights, outside of the  
2 State Agricultural Land Preservation Foundation.

3 (2) County programs shall include:

4 (I) any program that the Department and the Foundation:

5 [(i)] 1. determine is necessary for an effective county agricultural  
6 land preservation program; and

7 [(ii)] 2. require by regulation; AND

8 (II) BEGINNING IN FISCAL YEAR 2009, A PRIORITY PRESERVATION  
9 AREA ELEMENT ESTABLISHED IN ACCORDANCE WITH § 2-518 OF THE AGRICULTURE  
10 ARTICLE.

11 (d) (1) To apply for certification under this section, a county shall file with  
12 the Maryland Agricultural Land Preservation Foundation and the Department an  
13 application in the form that the Department and the Foundation jointly require by  
14 regulation.

15 (2) Within [45] 60 days after notification of an application for  
16 certification:

17 (i) the Foundation shall advise the Department as to whether it  
18 approves the application; and

19 (ii) the Department shall notify the county as to whether the  
20 county's application for certification has been approved.

21 (e) The Department and the Foundation may not certify a county under this  
22 section unless the Department and the Foundation determine that:

23 (1) the proposed county program for the purchase of development rights  
24 or financial enhancements related to the purchase of development rights is likely to  
25 be successful; [and]

26 (2) [either:

27 (i) local expenditures prior to July 1, 1990, for the purchase of  
28 development rights or financial enhancements related to the purchase of development  
29 rights have equaled or exceeded the additional funds that will be available to the  
30 county as a result of certification; or

31 (ii)] the county has committed to spend additional local funds for the  
32 purchase of development rights or enhancements related to the purchase of  
33 development rights in an amount equal to or exceeding the amount of the additional  
34 funds that will be available as a result of certification; AND

35 (3) BEGINNING IN FISCAL YEAR 2009:

1                    (I)     THE COUNTY'S PRIORITY PRESERVATION AREA HAS BEEN  
2 ESTABLISHED IN ACCORDANCE WITH § 2-518 OF THE AGRICULTURE ARTICLE; AND

3                    (II)    THE COUNTY'S PRIORITY PRESERVATION AREA ELEMENT IN  
4 THE COMPREHENSIVE PLAN MEETS THE REQUIREMENTS SET FORTH IN SUBSECTION  
5 (F) OF THIS SECTION.

6     ~~(D)~~   (F)     THE DEPARTMENT AND THE FOUNDATION MAY NOT CERTIFY A  
7 PRIORITY PRESERVATION AREA OF A COUNTY UNDER THIS SECTION UNLESS THE  
8 DEPARTMENT AND THE FOUNDATION AGREE THAT THE COUNTY'S COMPREHENSIVE  
9 PLAN:

10               (1)     ESTABLISHES APPROPRIATE GOALS FOR THE AMOUNT AND TYPES  
11 OF AGRICULTURAL RESOURCE LAND TO BE PRESERVED IN THE PRIORITY  
12 PRESERVATION AREA;

13               (2)     DESCRIBES THE KINDS OF AGRICULTURAL PRODUCTION THE  
14 COUNTY INTENDS TO SUPPORT AND THE AMOUNT OF DEVELOPMENT THE COUNTY  
15 INTENDS TO ALLOW;

16               (3)     INCLUDES MAPS SHOWING THE COUNTY'S PRIORITY PRESERVATION  
17 AREA;

18               (4)     DESCRIBES THE PRIORITY PRESERVATION AREA IN THE CONTEXT OF  
19 THE COUNTY'S GROWTH MANAGEMENT PLANS;

20               (5)     DESCRIBES THE WAY IN WHICH PRESERVATION GOALS WILL BE  
21 ACCOMPLISHED IN THE PRIORITY PRESERVATION AREA, INCLUDING THE COUNTY'S  
22 STRATEGY TO:

23                   (I)     PROTECT LAND FROM DEVELOPMENT THROUGH ZONING;

24                   (II)    PRESERVE THE DESIRED AMOUNT OF LAND WITH PERMANENT  
25 EASEMENTS; AND

26                   (III)   MAINTAIN A RURAL ENVIRONMENT CAPABLE OF SUPPORTING  
27 THE KIND OF PRODUCTION INTENDED;

28               (6)     INCLUDES AN EVALUATION OF THE ABILITY OF THE COUNTY'S  
29 ZONING AND OTHER LAND USE MANAGEMENT PRACTICES TO:

30                   (I)     LIMIT THE IMPACT OF SUBDIVISION AND DEVELOPMENT;

31                   (II)    ALLOW TIME FOR EASEMENT PURCHASE; AND

32                   (III)   ACHIEVE EACH OF THE FOUNDATION'S GOALS BEFORE THE  
33 GOALS ARE IRREPARABLY UNDERMINED OR IMPAIRED BY DEVELOPMENT;

34               (7)     IDENTIFIES SHORTCOMINGS IN THE ABILITIES OF THE COUNTY'S  
35 ZONING AND LAND MANAGEMENT PRACTICES AND IDENTIFIES CURRENT OR  
36 FUTURE ACTIONS TO CORRECT THE SHORTCOMINGS; AND



1 (8) DESCRIBES THE METHODS THE COUNTY WILL USE TO  
 2 CONCENTRATE PRESERVATION FUNDS AND OTHER SUPPORTING EFFORTS IN THE  
 3 PRIORITY PRESERVATION AREA TO ACHIEVE THE GOALS OF THE FOUNDATION AND  
 4 THE COUNTY'S ACREAGE PRESERVATION GOAL.

5 ~~(E)~~ (G) IN CERTIFYING A COUNTY'S PRIORITY PRESERVATION AREA, THE  
 6 DEPARTMENT AND THE FOUNDATION SHALL ENSURE THAT:

7 (1) THE COUNTY HAS INCLUDED ALL THE INFORMATION REQUIRED BY  
 8 SUBSECTION ~~(D)~~ (F) OF THIS SECTION IN THE COUNTY'S COMPREHENSIVE PLAN; AND

9 (2) THE SIZE OF THE COUNTY'S PRIORITY PRESERVATION AREA IS  
 10 APPROPRIATE IN RELATION TO THE COUNTY'S ACREAGE PRESERVATION GOAL.

11 ~~(F) IF A COUNTY HAS A PRIORITY PRESERVATION AREA THAT HAS BEEN  
 12 CERTIFIED UNDER THIS SECTION, THE COUNTY SHALL BE ELIGIBLE FOR STATE  
 13 FUNDING FOR THE ACQUISITION OF AGRICULTURAL PRESERVATION EASEMENTS  
 14 WITHIN THE PRIORITY PRESERVATION AREA.~~

15 ~~(G) ON OR BEFORE DECEMBER 31, 2006, THE DEPARTMENT AND THE  
 16 FOUNDATION JOINTLY SHALL ADOPT REGULATIONS FOR ADMINISTRATION OF THE  
 17 CERTIFICATION PROGRAM.~~

18 ~~(H) IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE,  
 19 THE DEPARTMENT AND THE FOUNDATION JOINTLY SHALL REPORT ON THE  
 20 CERTIFICATION PROGRAM BY JANUARY 15 OF EACH YEAR TO:~~

21 ~~(1) THE GOVERNOR;~~

22 ~~(2) THE SECRETARY OF PLANNING;~~

23 ~~(3) THE SECRETARY OF AGRICULTURE;~~

24 ~~(4) THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS  
 25 COMMITTEE; AND~~

26 ~~(5) THE HOUSE ENVIRONMENTAL MATTERS COMMITTEE.~~

27 ~~[(f)] (H) (1) A county that has been certified under this section as having  
 28 established an effective county agricultural land preservation program is eligible for:~~

29 ~~(I) the additional funds available to certified counties under §  
 30 2-508.1 of the Agriculture Article and § 13-306 of the Tax - Property Article; AND~~

31 ~~(II) AS OF JULY 1, 2008, FUNDS PROVIDED FOR THE MARYLAND  
 32 AGRICULTURAL LAND PRESERVATION FOUNDATION OVER AND ABOVE THE  
 33 FUNDING THE FOUNDATION RECEIVES IN ACCORDANCE WITH § 2-508.1 OF THE  
 34 AGRICULTURE ARTICLE AND §§ 13-209 AND 13-306 OF THE TAX - PROPERTY ARTICLE.~~

35 ~~(2) A county that has been certified under this section may use the  
 36 additional funds available as a result of certification;~~

1 (I) for the purposes stated under § 2-508.1 of the Agriculture  
2 Article and § 13-306 of the Tax - Property Article;

3 (II) TO PURCHASE EASEMENTS IN ITS PRIORITY PRESERVATION  
4 AREA;

5 (III) FOR A CRITICAL FARMS PROGRAM APPROVED BY THE  
6 FOUNDATION;

7 (IV) FOR AN INSTALLMENT PURCHASE AGREEMENT PROGRAM  
8 APPROVED BY THE FOUNDATION; OR

9 (V) FOR THE NEXT GENERATION FARMLAND ACQUISITION  
10 PROGRAM APPROVED BY THE FOUNDATION.

11 [(g)] (I) (1) A certification under this section is effective for [2] 3 years and  
12 the decision by the Department and the Foundation as to certification is final with no  
13 right to appeal.

14 (2) At the request of the county, the Department and the Foundation  
15 shall recertify under this section a county [that] AGRICULTURAL LAND  
16 PRESERVATION PROGRAM IF:

17 (I) THE COUNTY has maintained a successful program of purchase  
18 of development rights or financial enhancements related to purchase of development  
19 rights during the period of certification;

20 (II) CONDITIONS IN THE COUNTY PRIORITY PRESERVATION AREA  
21 REMAIN IN ACCORDANCE WITH THE REQUIREMENTS OF § 2-518 OF THE  
22 AGRICULTURE ARTICLE;

23 (III) THE COUNTY PROVIDES AN UPDATE ON THE METHOD,  
24 EVALUATION, SHORTCOMINGS, AND FUTURE ACTIONS THAT THE COUNTY IS USING  
25 OR WILL USE TO ACHIEVE PRESERVATION GOALS, AS REQUIRED UNDER SUBSECTION  
26 (F)(6) THROUGH (8) OF THIS SECTION; AND

27 (IV) THE UPDATE DEMONSTRATES SIGNIFICANT PROGRESS  
28 TOWARD ACHIEVEMENT OF PRESERVATION GOALS IN THE PRIORITY PRESERVATION  
29 AREA.

30 [(h)] (J) The Department and the Foundation shall jointly adopt regulations  
31 for administration of the certification program.

32 [(i)] (K) [The] IN ACCORDANCE WITH THE REQUIREMENTS OF § 2-1246 OF  
33 THE STATE GOVERNMENT ARTICLE, THE Department and the Foundation shall  
34 report on the certification program on or before January 15 of each year to:

35 (1) the Governor[.];

1                   (2)     THE SECRETARY OF AGRICULTURE AND THE SECRETARY OF  
2 PLANNING;

3                   (3)     the [budget committees] SENATE BUDGET AND TAXATION  
4 COMMITTEE AND THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS  
5 COMMITTEE; and

6                   (4)     the House APPROPRIATIONS COMMITTEE, THE HOUSE  
7 ENVIRONMENTAL MATTERS COMMITTEE, AND THE HOUSE COMMITTEE ON WAYS  
8 AND MEANS [Committees on Ways and Means and Environmental Matters of the  
9 General Assembly, and the Department of Legislative Services].

10       SECTION 2. AND BE IT FURTHER ENACTED, That, to the extent that funds  
11 are available, it is the intent of the General Assembly that the Governor provide an  
12 additional \$7,000,000 per year for the Maryland Agricultural Water Quality Cost  
13 Share Program for 5 consecutive fiscal years, for a total increase of \$35,000,000 over  
14 the fiscal 2006 legislative appropriation. It is also the intent of the General Assembly  
15 that the increased level of funding be continued in future fiscal years.

16       SECTION 3. AND BE IT FURTHER ENACTED, That, to the extent that funds  
17 are available, it is the intent of the General Assembly that the Governor provide an  
18 additional \$3,000,000 annually in general funds for the Cover Crop Program within  
19 the Department of Agriculture, over and above any funding received from the  
20 Chesapeake Bay Restoration Fund, until a total of at least \$14,000,000 is  
21 appropriated to the Program on an annual basis. It is the intent of the General  
22 Assembly that any funds appropriated to the Cover Crop Program that are not used  
23 in any given fiscal year not revert back to the general fund. It is also the intent of the  
24 General Assembly that the Department of Agriculture modify the Cover Crop  
25 Program to allow farmers to harvest small grains for biofuels; participants that  
26 harvest such crops should receive a reduced cost share payment per acre. The General  
27 Assembly encourages the development of a biofuels industry in the State and  
28 encourages the State to ensure that sufficient grains are available to support the  
29 operation of biofuels plants.

30       SECTION 4. AND BE IT FURTHER ENACTED, That, to the extent that funds  
31 are available, it is the intent of the General Assembly that the Governor increase  
32 State funding for the Manure Transport Program within the Department of  
33 Agriculture until State funding reaches the level of \$750,000 annually.

34       SECTION 5. AND BE IT FURTHER ENACTED, That, to the extent that funds  
35 are available, it is the intent of the General Assembly that the Governor provide  
36 \$20,000,000 annually in general funds for the Maryland Agricultural Land  
37 Preservation Foundation over and above any other funding the Foundation receives  
38 from other sources. Additionally, it is the intent of the General Assembly that the  
39 Maryland Agricultural Land Preservation Foundation be permitted to use this  
40 additional funding for its existing easement acquisition program, the Critical Farms  
41 Program, a Priority Preservation Areas Program, or an installment purchase  
42 agreement program. It is also the intent of the General Assembly that any funding  
43 not used in a given fiscal year not revert back to the general fund.

1 SECTION 6. AND BE IT FURTHER ENACTED, That, to the extent that funds  
2 are available, it is the intent of the General Assembly that the Governor provide  
3 \$5,000,000 in annual funding to capitalize the Maryland Agricultural and  
4 Resource Based Industry Development Corporation's loan programs. It is also the  
5 intent of the General Assembly that the Governor provide \$5,000,000 annually for 2  
6 consecutive fiscal years for the Maryland Agricultural and Resource-Based Industry  
7 Development Corporation to develop a Next Generation Farmland Acquisition  
8 Program.

9 SECTION 7. AND BE IT FURTHER ENACTED, That, to the extent that funds  
10 are available, it is the intent of the General Assembly that the Governor provide an  
11 additional \$2,000,000 in annual funding over the fiscal 2006 legislative appropriation  
12 for the Maryland Cooperative Extension at the University of Maryland. It is the  
13 intent of the General Assembly that this funding be used to support additional staff to  
14 provide enhanced technical assistance on best management practices to farmers and  
15 to reestablish a soil testing laboratory in the State. It is also the intent of the General  
16 Assembly that the funding for the Maryland Cooperative Extension not be reduced by  
17 the University of Maryland.

18 ~~SECTION 8. AND BE IT FURTHER ENACTED, That, to the extent that funds  
19 are available, it is the intent of the General Assembly that the Governor provide an  
20 additional \$2,500,000 in annual funding over the fiscal 2006 legislative appropriation  
21 for the 23 Soil Conservation Districts in the State to increase staffing levels to 110  
22 field personnel.~~

23 SECTION 8. AND BE IT FURTHER ENACTED, That, to the extent that funds  
24 are available, it is the intent of the General Assembly that the Governor provide at  
25 least \$150,000 annually in general funds for the Maryland Agricultural Education  
26 and Rural Development Assistance Fund. Any funds that may be provided to the  
27 Maryland Agricultural Education and Rural Development Assistance Fund from the  
28 Rural Maryland Prosperity Investment Fund may count toward satisfying the intent  
29 of this section.

30 SECTION 9. AND BE IT FURTHER ENACTED, That the General Assembly  
31 strongly supports the promotion of agricultural education throughout the State. The  
32 General Assembly encourages the University of Maryland, College Park to provide a  
33 greater focus on agriculture and extension education, and to establish a unique major  
34 in this area.

35 ~~SECTION 10. AND BE IT FURTHER ENACTED, That the University System  
36 of Maryland shall use existing budgeted resources to conduct research to:~~

37 (a) ~~Develop poultry feeds that reduce the amount of ammonia in chicken~~  
38 ~~exereta;~~

39 (b) ~~Improve poultry litter use in no till cropping practices;~~

40 (c) ~~Determine how much poultry litter is produced and how much can be~~  
41 ~~land applied in an environmentally sensitive manner; and~~

1       ~~(d)~~       Find alternative uses for excess poultry litter.

2       SECTION ~~44~~ 10. AND BE IT FURTHER ENACTED, That if any of the  
3 programs under this Act receive an increase in funding in accordance with the  
4 provisions of this Act, the affected agencies shall report to the House Appropriations  
5 Committee, the House Environmental Matters Committee, the Senate Budget and  
6 Taxation Committee, and the Senate Education, Health, and Environmental Affairs  
7 Committee after 3 consecutive fiscal years of increased funding, in accordance with §  
8 2-1246 of the State Government Article, on the impact of such increased funding on  
9 the effectiveness of the programs.

10       SECTION ~~42~~ 11. AND BE IT FURTHER ENACTED, That:

11       (a)       There is an Incentives for Agriculture Task Force.

12       (b)       The Task Force consists of the following members:

13               (1)       one member of the House Ways and Means Committee, appointed by  
14 the Speaker of the House;

15               (2)       one member of the House Environmental Matters Committee,  
16 appointed by the Speaker of the House;

17               (3)       one member of the Senate Budget and Taxation Committee,  
18 appointed by the President of the Senate;

19               (4)       one member of the Senate Education, Health, and Environmental  
20 Affairs Committee, appointed by the President of the Senate; ~~and~~

21               (5)       one member of the University of Maryland College of Agriculture and  
22 Natural Resources, appointed by the President of the University of Maryland, College  
23 Park; and

24               ~~(5)~~       (6)       the following ~~seven~~ ten members, appointed by the ~~Governor~~  
25 Secretary of Agriculture:

26                       (i)       one representative of the Department of Agriculture;

27                       (ii)       one representative of the Comptroller's Office;

28                       (iii)       one representative from the Rural Maryland Council;

29                       (iv)       one representative of the Maryland Farm Bureau;

30                       (v)       one representative from agri-business;

31                       (vi)       one farmer in the State who is also a member of the Maryland  
32 Agricultural Commission; ~~and~~

33                       (vii)       one farmer in the State who is also a member of the Young  
34 Farmer's Advisory Board;

1                   (viii) two representatives of the environmental community; and

2                   (ix) one specialist in Maryland tax law.

3       (c)       From among its members, the Task Force shall elect a chair of the Task  
4 Force.

5       (d)       The Department of Legislative Services shall provide staff for the Task  
6 Force.

7       (e)       (1)       A member of the Task Force:

8                   (+)       (i)       may not receive compensation as a member of the Task Force;  
9 but

10                  (2)       (ii)       is entitled to reimbursement for expenses under the Standard  
11 State Travel Regulations, as provided in the State budget.

12                  (2)       If the Secretary of Agriculture appoints a regulated lobbyist to serve  
13 as a member of the Task Force, the lobbyist:

14                   (i)       is not subject to § 15-504(d) of the State Government Article  
15 with respect to that service; and

16                   (ii)       is not subject to § 15-703(f)(3) of the State Government Article  
17 as a result of that service.

18       (f)       The Task Force shall:

19                  (1)       review the final recommendations and report of the Agricultural  
20 Stewardship Commission released in January 2006;

21                  (2)       ~~study existing tax incentives related to farming~~ review and evaluate  
22 the overall State tax structure as it impacts agriculture and the feasibility of  
23 modifications or alternatives to the current structure that would enhance the  
24 profitability of farming, including recommendations regarding:

25                   (i)       a reduction or elimination of the State inheritance and estate  
26 taxes for agricultural property and enterprises;

27                   (ii)       a reduction or elimination of the capital gains tax on the sale of  
28 development rights related to agricultural property;

29                   (iii)       an increase in the amount of the employer tax exemption  
30 applied to agricultural enterprises;

31                   (iv)       a reduction or elimination of the amusement tax for  
32 agro-tourism enterprises;

33                   (v)       the creation of tax credits or exemptions applicable to the  
34 production of ethanol, biodiesel, or other bio-energy alternatives;

1 (vi) the various methods used by local governments to assess the  
2 value of real property used for agriculture;

3 (vii) the existing tax incentives related to land conservation and  
4 preservation programs in the State, including the tax credit for preservation  
5 easements under § 10-723 of the Tax - General Article; and

6 (viii) any other option considered appropriate by the Task Force; and

7 (3) identify any ~~new or additional tax incentives~~ modifications to the  
8 current State tax structure that would help farmers to be better stewards of the land  
9 while maintaining the economic viability of farming in the State, including tax  
10 incentives for the utilization of best management practices associated with the  
11 improvement of water quality.

12 (g) On or before December 1, 2006, the Task Force shall report its preliminary  
13 findings and recommendations and, on or before October 1, 2007, the Task Force shall  
14 report its final findings and recommendations. The Task Force shall report both its  
15 preliminary and final findings and recommendations to the Speaker of the House, the  
16 President of the Senate, the House Ways and Means Committee, the House  
17 Environmental Matters Committee, the Senate Budget and Taxation Committee, the  
18 Senate Education, Health, and Environmental Affairs Committee, and the Governor,  
19 in accordance with § 2-1246 of the State Government Article.

20 ~~SECTION 12.~~ SECTION 12. AND BE IT FURTHER ENACTED, That on or before  
21 December 31, 2006, the Department of Planning and the Maryland Agricultural Land  
22 Preservation Foundation shall jointly adopt regulations for the administration of the  
23 certification of county priority preservation areas under § 5-408 of the State Finance  
24 and Procurement Article.

25 SECTION 13. AND BE IT FURTHER ENACTED, That the Department of  
26 Agriculture:

27 (a) Shall review the condition of the Department's agricultural marketing  
28 program and information technology infrastructure; and

29 (b) On or before September 29, 2006, shall submit a report to the Governor  
30 and, in accordance with § 2-1246 of the State Government Article, the General  
31 Assembly on the level of additional funding that may be needed in order to meet  
32 existing and future needs for the marketing program and information technology, as  
33 well as potential resources needed to take full advantage of federal funding  
34 opportunities for agricultural industry support.

35 SECTION 14. AND BE IT FURTHER ENACTED, That:

36 (a) The Department of the Environment and the Department of Agriculture  
37 jointly:

38 (1) Shall review the status of the linked deposit low interest loan  
39 program for agricultural conservation and water quality improvement; and

1           (2)     On or before September 29, 2006, shall submit a report to the  
2 Governor and, in accordance with § 2-1246 of the State Government Article, the  
3 General Assembly on the level of additional funding that may be needed in order to  
4 meet existing and future needs of the loan program.

5           (b)     The General Assembly encourages the Governor to provide additional  
6 funds, to the extent available, to the Department of the Environment in fiscal year  
7 2008 to be used to augment the resources that are available to the linked deposit low  
8 interest loan program for agricultural conservation and water quality improvement.

9           ~~SECTION 13.~~ 15. AND BE IT FURTHER ENACTED, That this Act shall take  
10 effect June 1, 2006.