

SENATE BILL 127

M4

4lr0101

(PRE-FILED)

By: **Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)**

Requested: November 6, 2013

Introduced and read first time: January 8, 2014

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: January 22, 2014

CHAPTER _____

1 AN ACT concerning

2 **Department of Agriculture – Manure Transportation Project**

3 FOR the purpose of authorizing the Department of Agriculture to determine the
4 amount of certain cost-share matching funds provided under the Manure
5 Transportation Project; repealing certain caps on the per ton amount of
6 cost-share matching funds available under the Manure Transportation Project;
7 and generally relating to the Manure Transportation Project.

8 BY repealing and reenacting, with amendments,
9 Article – Agriculture
10 Section 8-704.2
11 Annotated Code of Maryland
12 (2007 Replacement Volume and 2013 Supplement)

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

15 **Article – Agriculture**

16 8-704.2.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2) “Commercial poultry producer” means any entity that contracts
2 with a farmer to raise poultry for the producer on property owned or leased by the
3 farmer.

4 (3) “Project” means the Manure Transportation Project.

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

6 (1) The State and the commercial poultry producers shall facilitate the
7 prompt transportation of poultry litter from farms in all areas of the State that
8 experience phosphorus overenrichment;

9 (2) The State shall facilitate the transfer of livestock manure from
10 farms in all parts of the State that experience phosphorus overenrichment;

11 (3) The Project shall encourage voluntary participation to achieve the
12 removal of poultry litter produced by at least 20% of the poultry in the four lower
13 Eastern Shore counties in Maryland; and

14 (4) The Project shall be implemented in conjunction with the Manure
15 Matching Service set forth in § 8–704.1 of this subtitle.

16 (c) The purpose of the Project is to establish a cost share matching program
17 to assist in the transportation of poultry or livestock manure from farms:

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

20 (2) To be used in environmentally acceptable ways other than land
21 application.

22 (d) The State shall provide [funding]:

23 **(1) FUNDING** for the Project by matching, **IN AN AMOUNT**
24 **DETERMINED BY THE DEPARTMENT**, the amount of funds contributed by the
25 commercial poultry producer industry for eligible costs, as determined by the
26 Department, associated with the transportation and handling of poultry litter[. The
27 State share may not exceed \$10 per ton for poultry manure or 87.5% up to \$20 per ton
28 for livestock manure.]; **AND**

29 **(2) UP TO 87.5% OF THE TRANSPORTATION AND HANDLING**
30 **COSTS, AS DETERMINED BY THE DEPARTMENT, PER TON FOR LIVESTOCK**
31 **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 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 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2014.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.