

SENATE BILL 344

M4

11r0090

(PRE-FILED)

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

Requested: September 26, 2020

Introduced and read first time: January 13, 2021

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: January 29, 2021

CHAPTER _____

1 AN ACT concerning

2 **Agriculture – Cost-Sharing Program – State Cost-Sharing Funds**

3 FOR the purpose of clarifying that State cost-sharing funds are available for projects that
4 are being considered for State cost-sharing; increasing the percentage of eligible
5 costs for which State cost-sharing funds may be made available for projects that
6 prevent or control agriculturally related nonpoint source water pollution; clarifying
7 that certain matching funds may or may not be required in order to receive State
8 cost-sharing funds; providing for the termination of this Act; and generally relating
9 to Maryland's cost-sharing program.

10 BY repealing and reenacting, without amendments,

11 Article – Agriculture

12 Section 8-701(a), (c), and (g)

13 Annotated Code of Maryland

14 (2016 Replacement Volume and 2020 Supplement)

15 BY repealing and reenacting, with amendments,

16 Article – Agriculture

17 Section 8-704(a)(1) and (2)

18 Annotated Code of Maryland

19 (2016 Replacement Volume and 2020 Supplement)

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

3 **Article – Agriculture**

4 8–701.

5 (a) In this subtitle the following words have the meanings indicated.

6 (c) “Eligible cost” means a capital expenditure for installing, purchasing, or
7 constructing a best management practice. It does not include the cost of land or interests
8 in land, or the costs of operating or maintaining best management practices.

9 (g) “Project” means a project to prevent or control agriculturally related nonpoint
10 source water pollution by establishing best management practices on a farm.

11 8–704.

12 (a) [(1)] State [cost sharing in any] **COST-SHARING FUNDS FOR A** project
13 **BEING CONSIDERED FOR STATE COST-SHARING** may be made available [for]:

14 **(1) FOR** up to [87.5%] **100%** of eligible costs, not to exceed a dollar amount
15 of up to \$200,000 as determined by a regulation adopted jointly by the Secretary of
16 Agriculture and the Secretary of the Environment[.]; **AND**

17 **(2) [State cost-sharing funds may be made available for any project if] IF:**

18 (i) The Department of Agriculture, the soil conservation district,
19 and a person have executed an agreement which, among other things, obligates the person
20 to:

21 1. Establish, construct, or install the best management
22 practice or fixed natural filter practice in accordance with technical specifications;

23 2. Maintain the best management practice or fixed natural
24 filter practice for its expected life span; and

25 3. Provide the required matching funds, **IF ANY**, for the
26 project;

27 (ii) The Board of Public Works has given approval to the project
28 when the proceeds of State bonds are to be used to finance the State share; and

29 (iii) The soil conservation district has certified to the Department
30 that the project meets all applicable technical standards, and that all submitted invoices
31 properly represent eligible costs.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 ~~October~~ July 1, 2021. It shall remain effective for a period of 5 years and, at the end of June
3 30, 2026, this Act, with no further action required by the General Assembly, shall be
4 abrogated and of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.