

SENATE BILL 344

M4

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(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

A BILL ENTITLED

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; and generally relating to Maryland's cost-sharing program.

9 BY repealing and reenacting, without amendments,
10 Article – Agriculture
11 Section 8-701(a), (c), and (g)
12 Annotated Code of Maryland
13 (2016 Replacement Volume and 2020 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Agriculture
16 Section 8-704(a)(1) and (2)
17 Annotated Code of Maryland
18 (2016 Replacement Volume and 2020 Supplement)

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

21 **Article – Agriculture**

22 8-701.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) "Eligible cost" means a capital expenditure for installing, purchasing, or
2 constructing a best management practice. It does not include the cost of land or interests
3 in land, or the costs of operating or maintaining best management practices.

4 (g) "Project" means a project to prevent or control agriculturally related nonpoint
5 source water pollution by establishing best management practices on a farm.

6 8-704.

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

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

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

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

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

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

20 3. Provide the required matching funds, **IF ANY**, for the
21 project;

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

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

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2021.