

UNOFFICIAL COPY OF HOUSE BILL 2

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(6lr1613)

**ENROLLED BILL**

-- Environmental Matters and Appropriations/Education, Health, and Environmental Affairs --

Introduced by **The Speaker and Delegates McIntosh, Conway, ~~and Hixson~~  
Hixson, Aumann, Barkley, Bartlett, Barve, Bates, Bohanan, Bobo,  
Bozman, Branch, Bromwell, Bronrott, Brown, Burns, Cadden, Cane,  
Cardin, G. Clagett, V. Clagett, Cluster, Conroy, D. Davis, DeBoy,  
Donoghue, Doory, Dumais, Eckardt, Edwards, Elliott, Elmore, Feldman,  
Franchot, Frush, Gaines, Glassman, Goodwin, Gordon, Griffith,  
Gutierrez, Hammen, Harrison, Haynes, Healey, Heller, Holmes, Hogan,  
Howard, Hubbard, James, Jameson, Jennings, Jones, Kaiser, Kelley,  
King, Krebs, Krysiak, Kullen, Lawton, Lee, Leopold, Levy, Love,  
Madaleno, Malone, Mandel, Marriott, Mayer, McComas, McConkey,  
McHale, McKee, Menes, Moe, Montgomery, Morhaim, Murray,  
Nathan-Pulliam, Niemann, O'Donnell, Paige, Parker, Patterson,  
Pendergrass, Petzold, Proctor, Pugh, Quinter, Rosenberg, Smigiel,  
Sophocleus, Sossi, Stern, Stocksdale, Stull, Trueschler, F. Turner, V.  
Turner, Vallario, Vaughn, Weir, and Zirkin**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Agricultural Stewardship Act of 2006**

3 FOR the purpose of ~~clarifying that certain funds received by the Maryland~~

1 ~~Agricultural and Resource Based Industry Development Corporation may be~~  
2 ~~used for rural business development and assistance; authorizing requiring~~ the  
3 Governor to appropriate certain funds to the Maryland Agricultural and  
4 Resource-Based Industry Development Corporation for rural business  
5 development and assistance; authorizing the Governor to appropriate certain  
6 funds to the Corporation for certain easement and land acquisition programs;  
7 ~~requiring authorizing~~ counties to include a priority preservation area element in  
8 each county's comprehensive plan; authorizing the Maryland Agricultural Land  
9 Preservation Foundation to provide grants to the Maryland Agricultural and  
10 Resource-Based Industry Development Corporation under certain  
11 circumstances; requiring a priority preservation area to meet certain criteria;  
12 requiring a certain acreage goal in a priority preservation area; requiring an  
13 update of a county's comprehensive plan to include a certain evaluation relating  
14 to priority preservation areas; requiring the Department of Planning and the  
15 Maryland Agricultural Land Preservation Foundation to certify priority  
16 preservation areas jointly; requiring the Governor to appropriate certain  
17 additional funds for certain soil conservation districts; establishing a University  
18 of Maryland Agricultural Agriculture and Natural Resources Internship  
19 Program at the University of Maryland, College Park; providing that the  
20 internship is unpaid; requiring the Department of Agriculture to adopt certain  
21 regulations; establishing a program for certification of a county's priority  
22 preservation areas; establishing the application and notification processes for  
23 certification of priority preservation areas; altering the process for the  
24 certification of county agricultural land preservation programs to include  
25 priority preservation areas; altering certain time frames and procedural  
26 requirements for the certification and recertification of county agricultural land  
27 preservation programs; prohibiting the certification for priority preservation  
28 areas unless the Department of Planning and the Foundation agree that certain  
29 criteria are satisfied; specifying eligibility for certain State funding; requiring  
30 the Department of Planning and the Foundation to adopt certain regulations by  
31 a certain date; requiring the Department of Planning and the Foundation to  
32 make a certain report; defining certain terms; expressing the intent of the  
33 General Assembly that the Governor make certain appropriations to the  
34 Maryland Agricultural Water Quality Cost Share Program, the Cover Crop  
35 Program, the Manure Transport Program, the Maryland Agricultural Land  
36 Preservation Foundation, the Maryland Agricultural and Resource-Based  
37 Industry Development Corporation, the Maryland Cooperative Extension, and  
38 certain State Soil Conservation Districts under certain circumstances; and the  
39 Maryland Agricultural Education and Rural Development Assistance Fund, and  
40 a certain marketing and rural assistance program in the Maryland Department  
41 of Agriculture; encouraging the Department of Agriculture to modify the Cover  
42 Crop Program for the harvest of certain cover crops for biofuel production;  
43 supporting the promotion of agricultural education in the State; requiring the  
44 University System of Maryland to conduct certain research; requiring certain  
45 agencies to report to certain legislative committees on the effectiveness of  
46 certain increases in funding after a certain period of time; requiring the  
47 Department of Agriculture to review certain programs and certain technology  
48 infrastructure in the Department and submit a certain report regarding

1 additional funding needs to the Governor and the General Assembly by a certain  
 2 date; requiring the Department of the Environment and the Department of  
 3 Agriculture to jointly review the status of a certain loan program and submit a  
 4 certain report to the Governor and the General Assembly by a certain date;  
 5 encouraging the Governor to provide additional funds, to the extent available, to  
 6 the Department of the Environment for a certain fiscal year to be used for a  
 7 certain loan program; establishing an Incentives for Agriculture Task Force;  
 8 providing that certain provisions of the Maryland Public Ethics Law do not  
 9 apply under certain circumstances to certain regulated lobbyists; providing for  
 10 the membership and staffing of the Task Force; requiring the Task Force to  
 11 review certain reports and incentives; requiring the Task Force to identify new  
 12 incentives for farmers review and evaluate certain aspects of the State tax  
 13 structure and certain modifications or alternatives; requiring the Task Force to  
 14 make a certain report; submit certain reports on or before certain dates; making  
 15 certain stylistic changes; and generally relating to agricultural stewardship in  
 16 the State.

17 BY repealing and reenacting, with amendments,  
 18 Article 41 - Governor - Executive and Administrative Departments  
 19 Section 13-513(c)  
 20 Annotated Code of Maryland  
 21 (2003 Replacement Volume and 2005 Supplement)

22 BY repealing and reenacting, with amendments,  
 23 Article 66B - Land Use  
 24 Section ~~1.03(a)~~ 1.03 and ~~3.05(a)(4)~~ 3.05(a)(6) and (b)  
 25 Annotated Code of Maryland  
 26 (2003 Replacement Volume and 2005 Supplement)

27 BY repealing and reenacting, without amendments,  
 28 Article 66B - Land Use  
 29 Section 3.05(a)(1) and (4)  
 30 Annotated Code of Maryland  
 31 (2003 Replacement Volume and 2005 Supplement)

32 BY adding to  
 33 Article - Agriculture  
 34 Section 2-518  
 35 Annotated Code of Maryland  
 36 (1999 Replacement Volume and 2005 Supplement)

37 BY repealing and reenacting, with amendments,  
 38 Article - Agriculture  
 39 Section 2-505(c) and 8-405(c)  
 40 Annotated Code of Maryland

1 (1999 Replacement Volume and 2005 Supplement)

2 BY adding to

3 Article - Education

4 Section 12-115

5 Annotated Code of Maryland

6 (2004 Replacement Volume and 2005 Supplement)

7 ~~BY adding to repealing and reenacting, with amendments,~~

8 Article - State Finance and Procurement

9 Section ~~5-409~~ 5-408

10 Annotated Code of Maryland

11 ~~(2001 Replacement Volume and 2005 Supplement)~~

12 (2006 Replacement Volume)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

14 MARYLAND, That the Laws of Maryland read as follows:

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

16 13-513.

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

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

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

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

26 (5) (i) ~~Subject to subparagraph (ii) of this paragraph, in IN~~ order to  
27 assist the Corporation in meeting the requirement specified in paragraph (4) of this  
28 subsection, the Governor ~~may~~ SHALL include each year in the budget bill an  
29 appropriation to the Corporation ~~in an amount up to \$5,000,000~~ FOR RURAL  
30 BUSINESS DEVELOPMENT AND ASSISTANCE AS FOLLOWS:

31 1. ~~IN FOR FISCAL YEAR 2008, \$2,000,000~~ \$3,000,000;

32 2. ~~IN FOR FISCAL YEAR 2009, \$3,000,000;~~ \$3,500,000; AND

33 3. ~~IN FOR EACH OF FISCAL YEAR YEARS 2010 THROUGH 2020,~~  
34 \$4,000,000; AND

1 ~~4. IN FISCAL YEAR 2011 AND EACH FISCAL YEAR~~  
2 ~~THEREAFTER, \$5,000,000.~~

3 (ii) ~~If the State has provided a combined and cumulative total of~~  
4 ~~\$12,000,000 or less in fiscal year 2006 through fiscal year 2010 to the Corporation~~  
5 ~~FOR RURAL BUSINESS DEVELOPMENT AND ASSISTANCE, the Governor may include~~  
6 ~~each year in the budget bill an appropriation to the Corporation in an amount up to~~  
7 ~~\$6,500,000 FOR RURAL BUSINESS DEVELOPMENT AND ASSISTANCE.~~

8 (II) IN ADDITION TO ANY FUNDS PROVIDED UNDER  
9 ~~SUBPARAGRAPHS SUBPARAGRAPH(I) AND (II) OF THIS PARAGRAPH, THE GOVERNOR~~  
10 MAY INCLUDE EACH YEAR IN THE BUDGET BILL AN APPROPRIATION TO THE  
11 CORPORATION IN AN AMOUNT UP TO \$5,000,000 FOR RURAL LAND ACQUISITION AND  
12 EASEMENT PROGRAMS, INCLUDING PROGRAMS TO ASSIST YOUNG AND BEGINNING  
13 FARMERS.

14 **Article 66B - Land Use**

15 1.03.

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

18 (i) A transportation plan element which shall:

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

23 2. Provide for bicycle and pedestrian access and travelways;  
24 and

25 3. Include an estimate of the probable utilization of any  
26 proposed improvement;

27 (ii) If current geological information is available, a mineral  
28 resources plan element that:

29 1. Identifies undeveloped land that should be kept in its  
30 undeveloped state until the land can be used to provide or assist in providing a  
31 continuous supply of minerals, as defined in § 15-801(i) of the Environment Article;

32 2. Identifies appropriate postexcavation uses for the land  
33 that are consistent with the county's land planning process;

34 3. Incorporates land use policies and recommendations for  
35 regulations:

1 A. To balance mineral resource extraction with other land  
2 uses; and

3 B. To the extent feasible, to prevent the preemption of  
4 mineral resources extraction by other uses; and

5 4. Has been reviewed by the Department of the Environment  
6 to determine whether the proposed comprehensive plan is consistent with the  
7 programs and goals of the Department;

8 (iii) An element which contains the planning commission's  
9 recommendation for land development regulations to implement the comprehensive  
10 plan and which encourages:

11 1. Streamlined review of applications for development,  
12 including permit review and subdivision plat review within the areas designated for  
13 growth in the comprehensive plan;

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

16 3. Economic development in areas designated for growth in  
17 the comprehensive plan through the use of innovative techniques; {and}

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

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

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

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

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

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

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

1 ~~[(b)]~~ (C) (1) A planning commission shall include in its comprehensive plan  
 2 [all];

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

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

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

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

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

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

17 ~~[(c)]~~ (D) (1) A planning commission shall implement the visions set forth in  
 18 § 1.01 of this article through the comprehensive plan elements required under  
 19 subsection (a) of this section.

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

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

28 (1) ~~applicable~~ Applicable zoning ordinances and regulations;

29 (2) ~~planned~~ Planned development ordinances and regulations;

30 (3) ~~subdivision~~ Subdivision ordinances and regulations; and

31 (4) ~~other~~ Other land use ordinances and regulations that are consistent  
 32 with the comprehensive plan.

33 3.05.

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

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

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

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

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

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

12 (iii) A transportation plan element which shall:

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

17 2. Provide for bicycle and pedestrian access and travelways;  
18 and

19 3. Include an estimate of the probable utilization of any  
20 proposed improvement;

21 (iv) A community facilities plan element, which:

22 1. Shall propose the most appropriate and desirable patterns  
23 for the general location, character, and extent of public and semipublic buildings,  
24 land, and facilities on a schedule that extends as far into the future as is reasonable;  
25 and

26 2. May include parks and recreation areas, schools and other  
27 educational and cultural facilities, libraries, churches, hospitals, social welfare and  
28 medical facilities, institutions, fire stations, police stations, jails, or other public office  
29 or administrative facilities;

30 (v) If current geological information is available, a mineral  
31 resources plan element that:

32 1. Identifies undeveloped land that should be kept in its  
33 undeveloped state until the land can be used to provide or assist in providing a  
34 continuous supply of minerals, as defined in § 15-801(i) of the Environment Article;

35 2. Identifies appropriate post-excavation uses for the land  
36 that are consistent with the county's land planning process;



1 regulations: 3. Incorporates land use policies and recommendations for  
 2 regulations:  
 3 uses; and A. To balance mineral resource extraction with other land  
 4 uses; and  
 5 B. To the extent feasible, to prevent the preemption of  
 6 mineral resources extraction by other uses; and  
 7  
 8 4. Has been reviewed by the Department of the Environment  
 9 to determine whether the proposed plan is consistent with the programs and goals of  
 10 the Department;

11 (vi) An element which shall contain the planning commission's  
 12 recommendation for land development regulations to implement the plan and which  
 13 encourages the following:

14 1. Streamlined review of applications for development,  
 15 including permit review and subdivision plat review within the areas designated for  
 16 growth in the plan;  
 17 2. The use of flexible development regulations to promote  
 18 innovative and cost-saving site design and protect the environment; and  
 19 3. Economic development in areas designated for growth in  
 20 the plan through the use of innovative techniques;

21 (vii) Recommendations for the determination, identification, and  
 22 designation of areas within the county that are of critical State concern; {and}

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

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

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

30 (ii) The additional plan elements may include:

31 1. Community renewal elements;

32 2. Housing elements;

33 3. Flood control elements;

34 4. Pollution control elements;

5. Conservation elements;

- 1   6.         Natural resources elements; [and]
- 2   7.         The general location and extent of public utilities; AND
- 3   8.         PRIORITY PRESERVATION AREAS DEVELOPED IN
- 4 ACCORDANCE WITH § 2-518 OF THE AGRICULTURE ARTICLE.

- 5         **(b)**         **(1)**         Each local jurisdiction shall adopt and include in [their plans all] ITS
- 6 PLAN:
- 7   **(I)**         ALL of the elements required in subsection (a) of this section
- 8 and all of the visions set forth in § 1.01 of this article; AND
- 9   **(II)**         IF CHOSEN UNDER SUBSECTION (A)(6) OF THIS SECTION, A
- 10 PRIORITY PRESERVATION AREA ELEMENT.

- 11   **(2)**         at At least once every 6 years, each planning commission shall review
- 12 and, if necessary, revise or amend the local plan to include [all]:
- 13   **(I)**         ALL of the elements required in subsection (a) of this section
- 14 and all of the visions set forth in § 1.01 of this article; AND
- 15   **(II)**         IF CHOSEN UNDER SUBSECTION (A)(6) OF THIS SECTION, A
- 16 PRIORITY PRESERVATION AREA ELEMENT.

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

**Article - Agriculture**

22 2-505.

- 23         **(c)**         **(1)**         The Comptroller of the Treasury may not disburse any money from
- 24 the Maryland Agricultural Land Preservation Fund other than:
- 25   **[(1)]**         **(I)**         For costs associated with the staffing and administration of the
- 26 Maryland Agricultural Land Preservation Foundation;
- 27   **[(2)]**         **(II)**         For reasonable expenses incurred by the members of the board
- 28 of trustees of the Maryland Agricultural Land Preservation Foundation in the
- 29 performance of official duties; and
- 30   **[(3)]**         **(III)**         For consideration in the purchase of agricultural land
- 31 preservation easements beginning with fiscal year 1979 and each fiscal year
- 32 thereafter.
- 33   **(2)**         **(I)**         THE MARYLAND AGRICULTURAL LAND PRESERVATION
- 34 FOUNDATION MAY PROVIDE GRANTS TO THE MARYLAND AGRICULTURAL AND

1 RESOURCE-BASED INDUSTRY DEVELOPMENT CORPORATION TO FACILITATE THE  
 2 PURCHASE OF EASEMENTS, SUBJECT TO CONDITIONS JOINTLY AGREED UPON BY  
 3 THE FOUNDATION AND THE CORPORATION.

4 (II) THE CORPORATION MAY ONLY USE THESE GRANTS FOR  
 5 EXPENSES RELATED TO:

6 1. FACILITATING THE PURCHASE OF EASEMENTS UNDER  
 7 THE CRITICAL FARMS OR INSTALLMENT PURCHASE AGREEMENT PROGRAMS; OR

8 2. THE NEXT GENERATION FARMLAND ACQUISITION  
 9 PROGRAM.

10 2-518.

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

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

14 (C) AN AREA SHALL:

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

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

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

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

24 (D) AN AREA MAY:

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

27 (2) INCLUDE RURAL LEGACY AREAS.

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

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

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

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

5 (3) PAST, CURRENT, AND PLANNED ACTIONS TO CORRECT ANY  
6 IDENTIFIED SHORTCOMINGS.

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

12 8-405.

13 (c) (1) [For fiscal year 2000 and each fiscal year thereafter, the] THE Governor  
14 shall include in the annual budget bill an amount sufficient to employ not less than  
15 110 field personnel in the soil conservation districts under this title. ~~THE~~  
16 ~~APPROPRIATION SHALL EXCEED THE FISCAL YEAR 2006 LEGISLATIVE~~  
17 ~~APPROPRIATION FOR THE 24 SOIL CONSERVATION DISTRICTS BY THE FOLLOWING~~  
18 ~~AMOUNTS:~~

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

21 ~~(1)~~ (I) ~~IN FOR FISCAL YEAR 2008, \$1,000,000 \$8,800,000;~~

22 ~~(2)~~ (II) ~~IN FOR FISCAL YEAR 2009, \$1,500,000 \$9,200,000;~~

23 ~~(3)~~ (III) ~~IN FOR FISCAL YEAR 2010, \$2,000,000 \$9,600,000; AND~~

24 ~~(4)~~ (IV) ~~IN FOR FISCAL YEAR 2011 AND EACH FISCAL YEAR~~  
25 ~~THEREAFTER, \$2,500,000 \$10,000,000.~~

26 **Article - Education**

27 12-115.

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

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

32 (1) PROVIDE STUDENTS IN THE COLLEGE OF AGRICULTURE AND  
33 NATURAL RESOURCES AT THE UNIVERSITY OF MARYLAND, COLLEGE PARK WITH AT  
34 LEAST ONE SEMESTER, WHERE APPROPRIATE, OF HANDS-ON EXPERIENCE WORKING  
35 ON A FARM IN THE STATE; WORK EXPERIENCE RELEVANT TO THEIR MAJOR,

1 INCLUDING ON-FARM EXPERIENCE FOR STUDENTS INTERESTED IN CAREERS  
 2 RELATED TO PRODUCTION OF AGRICULTURE; AND

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

4 (3) PROMOTE CAREERS IN AGRICULTURE AND NATURAL RESOURCES IN  
 5 THE STATE.

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

7 (D) ~~THE UNIVERSITY OF MARYLAND, COLLEGE PARK OR THE DEAN OF THE~~  
 8 ~~COLLEGE OF AGRICULTURE AND NATURAL RESOURCES AT THE UNIVERSITY OF~~  
 9 ~~MARYLAND, COLLEGE PARK SHALL CONSULT WITH~~ INFORM ~~THE DEPARTMENT OF~~  
 10 AGRICULTURE ON THE UNIVERSITY'S PLAN TO IMPLEMENT THE REQUIREMENTS OF  
 11 THIS SECTION.

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

16 **Article - State Finance and Procurement**

17 ~~5-409. 5-408.~~

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

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

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

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

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

33 (b) A county may apply to the Department and the Maryland Agricultural  
 34 Land Preservation Foundation for certification under this section only if the county  
 35 agricultural preservation advisory board and the governing body of the county both:

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

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

4       (c)    (1)    A county may apply for certification under this section if the county  
5 has established programs to encourage participation of farmers in agricultural land  
6 preservation efforts at the county level, including purchase of development rights or  
7 financial enhancements related to purchase of development rights, outside of the  
8 State Agricultural Land Preservation Foundation.

9           (2)    County programs shall include:

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

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

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

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

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

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

23           (i)    the foundation shall advise the Department as to whether it  
24 approves the application; and

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

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

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

32           (2)    [either:

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

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

5                   (3)     BEGINNING IN FISCAL YEAR 2009:

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

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

11        ~~(D)~~   (F)     THE DEPARTMENT AND THE FOUNDATION MAY NOT CERTIFY A  
12 PRIORITY PRESERVATION AREA OF A COUNTY UNDER THIS SECTION UNLESS THE  
13 DEPARTMENT AND THE FOUNDATION AGREE THAT THE COUNTY'S COMPREHENSIVE  
14 PLAN:

15               (1)     ESTABLISHES APPROPRIATE GOALS FOR THE AMOUNT AND TYPES  
16 OF AGRICULTURAL RESOURCE LAND TO BE PRESERVED IN THE PRIORITY  
17 PRESERVATION AREA;

18               (2)     DESCRIBES THE KINDS OF AGRICULTURAL PRODUCTION THE  
19 COUNTY INTENDS TO SUPPORT AND THE AMOUNT OF DEVELOPMENT THE COUNTY  
20 INTENDS TO ALLOW;

21               (3)     INCLUDES MAPS SHOWING THE COUNTY'S PRIORITY PRESERVATION  
22 AREA;

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

25               (5)     DESCRIBES THE WAY IN WHICH PRESERVATION GOALS WILL BE  
26 ACCOMPLISHED IN THE PRIORITY PRESERVATION AREA, INCLUDING THE COUNTY'S  
27 STRATEGY TO:

28                   (I)     PROTECT LAND FROM DEVELOPMENT THROUGH ZONING;

29                   (II)    PRESERVE THE DESIRED AMOUNT OF LAND WITH PERMANENT  
30 EASEMENTS; AND

31                   (III)   MAINTAIN A RURAL ENVIRONMENT CAPABLE OF SUPPORTING  
32 THE KIND OF PRODUCTION INTENDED;

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

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

36                   (II)    ALLOW TIME FOR EASEMENT PURCHASE; AND

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

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

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

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

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

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

16 ~~(F) IF A COUNTY HAS A PRIORITY PRESERVATION AREA THAT HAS BEEN  
17 CERTIFIED UNDER THIS SECTION, THE COUNTY SHALL BE ELIGIBLE FOR STATE  
18 FUNDING FOR THE ACQUISITION OF AGRICULTURAL PRESERVATION EASEMENTS  
19 WITHIN THE PRIORITY PRESERVATION AREA.~~

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

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

26 ~~(1) THE GOVERNOR;~~

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

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

29 ~~(4) THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS  
30 COMMITTEE; AND~~

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

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

34 (I) the additional funds available to certified counties under §  
35 2-508.1 of the Agriculture Article and § 13-306 of the Tax - Property Article; AND



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

5 (2) A county that has been certified under this section may use the  
6 additional funds available as a result of certification:

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

9 (II) TO PURCHASE EASEMENTS IN ITS PRIORITY PRESERVATION  
10 AREA;

11 (III) FOR A CRITICAL FARMS PROGRAM APPROVED BY THE  
12 FOUNDATION; ~~OR~~

13 (IV) FOR AN INSTALLMENT PURCHASE AGREEMENT PROGRAM  
14 APPROVED BY THE FOUNDATION; ~~OR~~

15 (V) FOR THE NEXT GENERATION FARMLAND ACQUISITION  
16 PROGRAM APPROVED BY THE FOUNDATION.

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

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

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

26 (II) CONDITIONS IN THE COUNTY PRIORITY PRESERVATION AREA  
27 REMAIN IN ACCORDANCE WITH THE REQUIREMENTS OF § 2-518 OF THE  
28 AGRICULTURE ARTICLE;

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

33 (IV) THE UPDATE DEMONSTRATES SIGNIFICANT PROGRESS  
34 TOWARD ACHIEVEMENT OF PRESERVATION GOALS IN THE PRIORITY PRESERVATION  
35 AREA.

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

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

4 (1) the Governor[.];

5 (2) THE SECRETARY OF AGRICULTURE AND THE SECRETARY OF  
 6 PLANNING;

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

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

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

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

34 SECTION 4. 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 increase  
 36 State funding for the Manure Transport Program within the Department of  
 37 Agriculture until State funding reaches the level of \$750,000 annually.

38 SECTION 5. AND BE IT FURTHER ENACTED, That, to the extent that funds  
 39 are available, it is the intent of the General Assembly that the Governor provide  
 40 \$20,000,000 annually in general funds for the Maryland Agricultural Land  
 41 Preservation Foundation over and above any other funding the Foundation receives  
 42 from other sources. Additionally, it is the intent of the General Assembly that the

1 Maryland Agricultural Land Preservation Foundation be permitted to use this  
2 additional funding for its existing easement acquisition program, the Critical Farms  
3 Program, a Priority Preservation Areas Program, or an installment purchase  
4 agreement program. It is also the intent of the General Assembly that any funding  
5 not used in a given fiscal year not revert back to the general fund.

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

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

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 an~~  
25 ~~additional \$2,500,000 in annual funding over the fiscal 2006 legislative appropriation~~  
26 ~~for the 23 Soil Conservation Districts in the State to increase staffing levels to 110~~  
27 ~~field personnel.~~

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

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

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

- 1 (a) Develop poultry feeds that reduce the amount of ammonia in chicken  
2 excreta;
- 3 (b) Improve poultry litter use in no till cropping practices;
- 4 (c) Determine how much poultry litter is produced and how much can be  
5 land applied in an environmentally sensitive manner; and
- 6 (d) Find alternative uses for excess poultry litter.

7 SECTION ~~11~~ 10. AND BE IT FURTHER ENACTED, That if any of the  
8 programs under this Act receive an increase in funding in accordance with the  
9 provisions of this Act, the affected agencies shall report to the House Appropriations  
10 Committee, the House Environmental Matters Committee, the Senate Budget and  
11 Taxation Committee, and the Senate Education, Health, and Environmental Affairs  
12 Committee after 3 consecutive fiscal years of increased funding, in accordance with §  
13 2-1246 of the State Government Article, on the impact of such increased funding on  
14 the effectiveness of the programs.

15 SECTION ~~12~~ 11. AND BE IT FURTHER ENACTED, That:

- 16 (a) There is an Incentives for Agriculture Task Force.
- 17 (b) The Task Force consists of the following members:
- 18 (1) one member of the House Ways and Means Committee, appointed by  
19 the Speaker of the House;
- 20 (2) one member of the House Environmental Matters Committee,  
21 appointed by the Speaker of the House;
- 22 (3) one member of the Senate Budget and Taxation Committee,  
23 appointed by the President of the Senate;
- 24 (4) one member of the Senate Education, Health, and Environmental  
25 Affairs Committee, appointed by the President of the Senate; ~~and~~
- 26 (5) one member of the University of Maryland College of Agriculture and  
27 Natural Resources, appointed by the President of the University of Maryland, College  
28 Park; and
- 29 (5) (6) the following ~~seven~~ ten members, appointed by the ~~Governor~~  
30 Secretary of Agriculture:

- 31 (i) one representative of the Department of Agriculture;
- 32 (ii) one representative of the Comptroller's Office;
- 33 (iii) one representative from the Rural Maryland Council;
- 34 (iv) one representative of the Maryland Farm Bureau;

- 1 (v) one representative from agri-business;
- 2 (vi) one farmer in the State who is also a member of the Maryland  
3 Agricultural Commission; ~~and~~
- 4 (vii) one farmer in the State who is also a member of the Young  
5 Farmer's Advisory Board;
- 6 (viii) two representatives of the environmental community; and
- 7 (ix) one specialist in Maryland tax law.

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

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

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

13 ~~(1)~~ (i) may not receive compensation as a member of the Task Force;  
14 but

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

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

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

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

23 (f) The Task Force shall:

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

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

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

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

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

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

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

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

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

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

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

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

26 SECTION ~~13.~~ 12. AND BE IT FURTHER ENACTED, That on or before  
 27 December 31, 2006, the Department of Planning and the Maryland Agricultural Land  
 28 Preservation Foundation shall jointly adopt regulations for the administration of the  
 29 certification of county priority preservation areas under § 5-408 of the State Finance  
 30 and Procurement Article.

31 *SECTION 13. AND BE IT FURTHER ENACTED, That the Department of*  
 32 *Agriculture:*

33 (a) *shall review the condition of the Department's agricultural marketing*  
 34 *program and information technology infrastructure; and*

35 (b) *on or before September 29, 2006, shall submit a report to the Governor and,*  
 36 *in accordance with § 2-1246 of the State Government Article, the General Assembly on*  
 37 *the level of additional funding that may be needed in order to meet existing and future*  
 38 *needs for the marketing program and information technology, as well as potential*

1 resources needed to take full advantage of federal funding opportunities for  
2 agricultural industry support.

3 SECTION 14. AND BE IT FURTHER ENACTED, That to the extent funds are  
4 available, it is the intent of the General Assembly that the Governor provide a general  
5 fund appropriation for fiscal year 2008 that equals or exceeds the general fund  
6 appropriation provided for fiscal year 2007 for each of the agricultural marketing and  
7 rural assistance programs of a nonregulatory nature in Unit 12 of the Maryland  
8 Department of Agriculture.

9 SECTION 15. AND BE IT FURTHER ENACTED, That:

10 (a) The Department of the Environment and the Department of Agriculture  
11 jointly:

12 (1) shall review the status of the linked deposit low interest loan program  
13 for agricultural conservation and water quality improvement; and

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

18 (b) The General Assembly encourages the Governor to provide additional  
19 funds, to the extent available, to the Department of the Environment for fiscal year  
20 2008 to be used to augment the resources that are available to the linked deposit low  
21 interest loan program for agricultural conservation and water quality improvement.

22 SECTION ~~13.~~ 16. AND BE IT FURTHER ENACTED, That this Act shall take  
23 effect June 1, 2006.