

HOUSE BILL 1438

M4

0lr1826

By: **Delegate Jacobs**

Introduced and read first time: February 7, 2020

Assigned to: Environment and Transportation

Committee Report: Favorable

House action: Adopted

Read second time: March 12, 2020

CHAPTER _____

1 AN ACT concerning

2 **Agriculture – Processing of Poultry Litter for Alternative Use**

3 FOR the purpose of requiring the processing of poultry litter for a certain alternative use,
4 or the product resulting from the processing, to meet certain requirements; requiring
5 a certain product to be able to be procured and handled or applied in a certain
6 manner for a certain purpose; authorizing the transportation of a certain alternative
7 use product off the Delmarva Peninsula to certain markets and using a certain
8 distribution apparatus; defining certain terms; and generally relating to the
9 alternative use of poultry litter.

10 BY adding to

11 Article – Agriculture

12 Section 8–1101 to be under the new subtitle “Subtitle 11. Alternative Use”

13 Annotated Code of Maryland

14 (2016 Replacement Volume and 2019 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

16 That the Laws of Maryland read as follows:

17 **Article – Agriculture**

18 **SUBTITLE 11. ALTERNATIVE USE.**

19 **8–1101.**

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.



(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "ALTERNATIVE USE" MEANS THE USE OF POULTRY LITTER OR OTHER ANIMAL MANURE IN AN ENVIRONMENTALLY ACCEPTABLE WAY, OTHER THAN BY DIRECT LAND APPLICATION IN AN UNPROCESSED FORM, AS DETERMINED BY THE DEPARTMENT.

(3) "COMMERCIAL POULTRY PRODUCER" HAS THE MEANING ESTABLISHED IN § 8-704.2 OF THIS TITLE.

(B) (1) THE PROCESSING OF POULTRY LITTER FOR AN ALTERNATIVE USE OR THE PRODUCT RESULTING FROM THE PROCESSING, AS APPROPRIATE, SHALL:

(I) CONVERT THE PHOSPHORUS CONTENT OF UNPROCESSED POULTRY LITTER TO A FORM THAT IS NOT SOLUBLE IN WATER AND, THEREFORE, INCAPABLE OF PROMOTING AQUATIC ALGAE GROWTH;

(II) RETAIN THE PHOSPHORUS IN A FORM THAT MAY BE CONVERTED BY THE NATURAL ACTIVITY OF SOIL-RESIDENT MICROORGANISMS TO BE AVAILABLE TO PLANTS;

(III) CONTAIN A COMMUNITY OF NATURAL SOIL MICROORGANISMS THAT ENHANCES OR REPLENISHES FARM SOIL MICROBIOLOGY, WHICH IS ESSENTIAL TO PHOSPHORUS CONVERSION AND OTHER SOIL HEALTH PURPOSES, INCLUDING MEASURABLE ATMOSPHERIC CARBON SEQUESTRATION; AND

(IV) RETAIN THE HIGH NUTRIENT VALUE OF POULTRY LITTER.

(2) ANY NOXIOUS ODOR FROM POULTRY LITTER SHALL BE ELIMINATED EARLY IN THE PROCESS.

(3) TO AVOID OR MINIMIZE ANY DISRUPTION OF LONGSTANDING FARMING OR GROWING REGIMES, AN ALTERNATIVE USE PRODUCT RESULTING FROM THE PROCESSING OF POULTRY LITTER SHALL BE ABLE TO BE PROCURED IN THE SAME MANNER, AT RELATIVELY SIMILAR COST, AND HANDLED OR APPLIED IN THE SAME MANNER AS UNPROCESSED POULTRY LITTER.

(4) AN ALTERNATIVE USE PRODUCT RESULTING FROM THE PROCESSING OF POULTRY LITTER MAY BE TRANSPORTED OFF THE DELMARVA PENINSULA:

1 **(I) TO ESTABLISHED, IDENTIFIED MARKETS; AND**

2 **(II) USING A DISTRIBUTION APPARATUS THAT IS IN PLACE AND**
3 **DOES NOT REQUIRE ANY TRANSPORTATION COST-SHARING ASSISTANCE.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
5 1, 2020.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.