

(1) HAS PAID THE ONE-TIME FEE PROVIDED IN § 8-806 OF THIS SUBTITLE;

(2) HAS PASSED AN EXAMINATION AS DETERMINED BY THE DEPARTMENT;

(3) COMPLIES WITH APPLICABLE CONTINUING EDUCATION REQUIREMENTS;

(4) COMPLIES WITH APPLICABLE RECORD KEEPING AND REPORTING REQUIREMENTS; AND

(5) OTHERWISE IS ENTITLED TO BE CERTIFIED.

8-803.1.

(a) In this section, "gross income" means the actual income that is received in a calendar year that results directly from the farm or agricultural use of the land.

(b) This section does not apply to:

(1) An agricultural operation with less than \$2,500 in gross income; or

(2) A livestock operation with less than eight animal units defined as 1,000 pounds of live animal weight per animal unit.

(c) The Governor shall provide sufficient funding in each fiscal year's budget to:

(1) Assist in the development of nutrient management plans;

(2) Meet the technical assistance and evaluation requirements of this section;

(3) Meet the State's requirement for the implementation of the Manure Transportation Project under § 8-704.2 of this title; and

(4) Provide State assistance under the Maryland Agricultural Water Quality Cost Share Program in the Department.

(d) (1) State cost sharing may be made available [to farmers] to help offset the costs of having a nutrient management plan prepared by a certified nutrient management consultant who is not employed by the federal, State, or a local government.

(2) The Secretary of Agriculture shall adopt regulations authorizing the disbursement of State cost sharing funds under this subsection.

(3) THE DEPARTMENT MAY PROCURE THE SERVICES OF A PRIVATE CERTIFIED NUTRIENT MANAGEMENT CONSULTANT TO DEVELOP NUTRIENT MANAGEMENT PLANS FOR PERSONS OPERATING A FARM.

(e) (1) By December 31, 2001, a person who, in operating a farm, uses chemical fertilizer, shall have a nutrient management plan for nitrogen and phosphorus that meets the requirements of this subtitle.