

8-704.

(A) (1) STATE COST SHARING IN ANY PROJECT MAY BE MADE AVAILABLE FOR UP TO 87-1/2 PERCENT OF ELIGIBLE COSTS, NOT TO EXCEED \$5,000 IN ANY ONE PROJECT OR \$10,000 FOR BEST MANAGEMENT PRACTICES CARRIED OUT UNDER A POOLING AGREEMENT.

(2) STATE COST SHARING FUNDS MAY BE MADE AVAILABLE FOR ANY PROJECT IF:

(I) THE DEPARTMENT OF AGRICULTURE, THE SOIL CONSERVATION DISTRICT, AND A PERSON HAVE EXECUTED AN AGREEMENT WHICH, AMONG OTHER THINGS, OBLIGATES THE PERSON TO ESTABLISH, CONSTRUCT, OR INSTALL THE BEST MANAGEMENT PRACTICE IN ACCORDANCE WITH TECHNICAL SPECIFICATIONS, TO MAINTAIN THE BEST MANAGEMENT PRACTICE FOR ITS EXPECTED LIFE SPAN AND TO SO BIND ANY SUCCESSOR IN TITLE, AND TO PROVIDE THE REQUIRED MATCHING FUNDS FOR THE PROJECT;

(II) THE BOARD OF PUBLIC WORKS HAS GIVEN APPROVAL TO THE PROJECT WHEN THE PROCEEDS OF STATE BONDS ARE TO BE USED TO FINANCE THE STATE SHARE; AND

(III) THE SOIL CONSERVATION DISTRICT HAS CERTIFIED TO THE DEPARTMENT THAT THE PROJECT MEETS ALL APPLICABLE TECHNICAL STANDARDS, AND THAT ALL SUBMITTED INVOICES PROPERLY REPRESENT ELIGIBLE COSTS.

(3) BEFORE THE DEPARTMENT OF AGRICULTURE EXECUTES A COST SHARING AGREEMENT WITH A FARM TENANT, IT SHALL OBTAIN THE CONSENT OF THE LANDLORD TO THE TERMS AND CONDITIONS OF THE AGREEMENT. THE DEPARTMENT MAY ALSO REQUIRE THE GRANTING TO THE STATE OF AN APPROPRIATE SECURITY INTEREST IN ANY EQUIPMENT, STRUCTURES OR SIMILAR ITEMS PURCHASED WITH STATE MONEYS.

(4) A COST SHARING AGREEMENT EXECUTED AS REQUIRED UNDER THIS SUBTITLE MAY BE ASSIGNED AND TRANSFERRED TO A SUCCESSOR IN TITLE OF ALL OR PART OF A TRACT OF LAND SUBJECT TO A BEST MANAGEMENT PRACTICE.

(5) A MEMORANDUM OF THE COST SHARING AGREEMENT SHALL BE RECORDED IN EACH COUNTY WHERE THE LAND IS LOCATED UNDER SECTIONS 3-102 AND 3-103 OF THE REAL PROPERTY ARTICLE OF THE CODE. ~~THE COST OF RECORBATION SHALL BE CONSIDERED AN ELIGIBLE COST UNDER THIS SUBTITLE.~~

(6) STATE GENERAL FUNDS MAY NOT BE USED AS COST SHARING FUNDS UNDER THIS SUBTITLE.

(B) STATE COST SHARING FUNDS SHALL BE DISBURSED, UPON WARRANT OF THE COMPTROLLER, ONLY AFTER THE DEPARTMENT HAS DETERMINED THAT THE BEST MANAGEMENT PRACTICE HAS BEEN ESTABLISHED OR IN THE CASE OF EQUIPMENT, STRUCTURES, OR SIMILAR ITEMS, THAT IT HAS BEEN RECEIVED AND PROPERLY