

# HOUSE BILL 861

M4, C5  
HB 1091/13 – ENV

4lr2406  
CF SB 259

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By: **Delegates Fraser-Hidalgo, Arora, Barkley, Hixson, Kramer, Luedtke, McIntosh, Mizeur, and Waldstreicher**

Introduced and read first time: February 5, 2014

Assigned to: Environmental Matters

Reassigned: Environmental Matters and Economic Matters, February 11, 2014

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 2014

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Agriculture – Easements – Renewable Energy Generation Facilities**

3 FOR the purpose of requiring, ~~on written request of a landowner in an application to~~  
4 ~~purchase an easement,~~ an easement to authorize the landowner to use the land  
5 subject to the easement for renewable energy generation under certain  
6 circumstances; ~~requiring, on written request of a landowner,~~ authorizing a  
7 written request of a landowner to be approved by the Maryland Agricultural  
8 Land Preservation Foundation to amend an easement to authorize the  
9 landowner to use the land subject to the easement for renewable energy  
10 generation under certain circumstances; altering the composition of the  
11 Maryland Agricultural Land Preservation Fund; prohibiting the Foundation  
12 from approving the use of land subject to an easement for renewable energy  
13 generation after a certain date; prohibiting the installation of certain wind  
14 turbines exceeding certain heights in certain areas of the State; requiring a  
15 facility owner to remit a certain percentage of a certain lease payment to the  
16 Maryland Agricultural Land Preservation Fund; authorizing the Foundation to  
17 charge certain costs to cover certain expenses; requiring the Foundation to  
18 adopt certain regulations; providing for the application of this Act; declaring the  
19 intent of the General Assembly; requiring the Foundation to make a certain  
20 report to certain committees of the General Assembly by a certain date; defining  
21 ~~a certain term~~ certain terms; and generally relating to use of land under an  
22 easement held by the Maryland Agricultural Land Preservation Foundation.

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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.



1 BY repealing and reenacting, with amendments,  
 2 Article – Agriculture  
 3 Section 2–505(b) and 2–513(c)  
 4 Annotated Code of Maryland  
 5 (2007 Replacement Volume and 2013 Supplement)

6 BY repealing and reenacting, without amendments,  
 7 Article – Agriculture  
 8 Section 2–509  
 9 Annotated Code of Maryland  
 10 (2007 Replacement Volume and 2013 Supplement)

11 BY adding to  
 12 Article – Agriculture  
 13 Section 2–513(c)  
 14 Annotated Code of Maryland  
 15 (2007 Replacement Volume and 2013 Supplement)

16 ~~BY repealing and reenacting, with amendments,~~  
 17 ~~Article – Agriculture~~  
 18 ~~Section 2–513(c)~~  
 19 ~~Annotated Code of Maryland~~  
 20 ~~(2007 Replacement Volume and 2013 Supplement)~~

21 ~~BY repealing and reenacting, without amendments,~~  
 22 ~~Article – Public Utilities~~  
 23 ~~Section 7–701(r)~~  
 24 ~~Annotated Code of Maryland~~  
 25 ~~(2010 Replacement Volume and 2013 Supplement)~~

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

28 **Article – Agriculture**

29 2–505.

30 (b) The Maryland Agricultural Land Preservation Fund shall comprise:

31 (1) Any money made available to the Fund by general or special fund  
 32 appropriations; [and]

33 (2) Any money made available to the Fund by grants or transfers from  
 34 governmental or private sources; AND

35 (3) ANY MONEY RECEIVED UNDER § 2–513(C) OF THIS SUBTITLE.

1 2-509.

2 (a) (1) The Foundation shall follow the provisions under this section for  
3 the easement application process.

4 (2) The Foundation shall adopt regulations and procedures for:

5 (i) Evaluation of land for which application is made to sell an  
6 easement; and

7 (ii) Purchase of easements, including the purchase of easements  
8 under an installment purchase agreement.

9 (b) Regulations and procedures adopted by the Foundation for the purchase  
10 of easements shall provide that:

11 (1) One or more owners of land actively devoted to agricultural use  
12 may file an application with the county governing body requesting the purchase of an  
13 easement by the Foundation on the land owned by the applicants. The application  
14 shall include maps and descriptions of the current use of land for the proposed  
15 easement, and any other information required by the Foundation to evaluate the land  
16 for purchase of an easement.

17 (2) Upon receipt of an application to purchase an easement the local  
18 governing body shall refer the application and accompanying materials both to the  
19 agricultural preservation advisory board and to the county planning and zoning body.

20 (i) After the referral of an application, the agricultural  
21 preservation advisory board shall advise the county governing body as to whether or  
22 not the land for the proposed easement meets the qualifications established by the  
23 Foundation under subsection (d) of this section, and whether or not the advisory board  
24 recommends the purchase of the easement.

25 (ii) In making its recommendation, the county agricultural  
26 preservation advisory board shall:

27 1. Take into consideration criteria and standards  
28 established by the Foundation under this subtitle, current local regulations, local  
29 patterns of land development, the kinds of development pressures currently existing  
30 on the land for the proposed easement, State smart growth goals, and any locally  
31 established priorities for the preservation of agricultural land; and

32 2. Recommend for ranking any application that qualifies  
33 and meets the priorities established by the county governing body for the preservation  
34 of agricultural land.

1 (iii) After the referral of an application, the county planning and  
2 zoning body shall advise the local governing body as to whether or not the purchase of  
3 the easement is compatible with existing and approved county plans and overall  
4 county policy, and whether or not the planning and zoning body recommends the  
5 purchase of the easement.

6 (3) If either the agricultural preservation advisory board or the  
7 planning and zoning body recommends approval, the county governing body shall hold  
8 a public hearing on the application for the proposed easement. Adequate notice of the  
9 hearing shall be given to all owners whose land would be encumbered by the proposed  
10 easement and all owners whose land is contiguous to the land for the proposed  
11 easement.

12 (4) In deciding whether to approve the application, the county  
13 governing body shall receive the recommendation of the county agricultural  
14 preservation advisory board established under § 2-504.1 of this subtitle.

15 (5) (i) After the receipt of the application and the recommendations  
16 of the agricultural preservation advisory board and the county planning and zoning  
17 body, the county governing body shall render a decision as to whether or not the  
18 application shall be recommended to the Foundation for approval.

19 (ii) If the county governing body decides to recommend approval  
20 of the application, it shall notify the Foundation and forward to the Foundation:

21 1. The application and all accompanying materials,  
22 including the recommendations of the advisory board and county planning and zoning  
23 body;

24 2. A ranking of all applications based on:

25 A. The county governing body's locally established  
26 priorities as approved by the Foundation, which for purposes of enhancing competitive  
27 bidding may include a system that ranks properties in ascending order with respect to  
28 the proportion obtained by dividing the asking price by the value of the easement; and

29 B. Guidelines adopted by the Foundation under  
30 subsection (d) of this section; and

31 3. A statement of the total current development rights  
32 on the land for the proposed easement, which shall include the total number of  
33 development rights that have been subdivided or transferred.

34 (iii) If the county governing body recommends denial of the  
35 application, it shall inform the Foundation and the applicants.

1 (c) Regulations and procedures adopted by the Foundation for the purchase  
2 and monitoring of easements may not require, in Garrett County or Allegany County,  
3 a natural gas rights owner or lessee to subordinate its interest to the Foundation's  
4 interest if the Foundation determines that exercise of the natural gas rights will not  
5 interfere with an agricultural operation conducted on land subject to an easement.

6 (d) Regulations and criteria developed by the Foundation relating to land  
7 which may be considered for purchase of an easement shall provide that:

8 (1) Subject to item (2) of this subsection, land shall meet productivity,  
9 acreage, and locational criteria determined by the Foundation to be necessary for the  
10 continuation of farming;

11 (2) As long as all other criteria are met, land that is at least 50 acres  
12 in size or is contiguous to other permanently preserved land shall qualify for purchase  
13 of an easement;

14 (3) The Foundation shall attempt to preserve the minimum number of  
15 acres which may reasonably be expected to promote the continued availability of  
16 agricultural suppliers and markets for agricultural goods;

17 (4) Land within the boundaries of a 10-year water and sewer service  
18 district may be considered for purchase of an easement only if that land is outstanding  
19 in productivity and is of significant size;

20 (5) Land may be considered for purchase of an easement only if the  
21 county regulations governing the land permit the activities listed under § 2-513(a) of  
22 this subtitle; and

23 (6) Land be evaluated for:

24 (i) Location in a priority preservation area of the county;

25 (ii) Soil and other land characteristics associated with  
26 agricultural and silvicultural productivity;

27 (iii) Agricultural and silvicultural production and contribution to  
28 the agricultural and silvicultural economy; and

29 (iv) Any other unique county considerations that support the  
30 goals of the program.

31 2-513.

32 (C) (1) ~~IN THIS SUBSECTION, "TIER 1 RENEWABLE SOURCE" IS A~~  
33 ~~SOURCE STATED IN § 7-701(R)(1), (2), (4), OR (9) OF THE PUBLIC UTILITIES~~

1 ~~ARTICLE.~~ (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE  
 2 THE MEANINGS INDICATED.

3 (II) “AUTHORIZED RENEWABLE ENERGY SOURCE” MEANS  
 4 THE FOLLOWING ENERGY SOURCES:

5 1. SOLAR;

6 2. WIND; AND

7 3. ANAEROBIC DIGESTION OF POULTRY LITTER IF  
 8 PLACED ON FALLOW LAND.

9 (III) “REFERENCE POINT” MEANS A POINT ON THE  
 10 PATUXENT NAVAL AIR STATION CENTERED AT 38.29667N AND 76.37668W.

11 (2) ~~ANY SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, ANY~~  
 12 ~~EASEMENT ACQUIRED BY THE FOUNDATION AFTER SEPTEMBER 30, 2014,~~  
 13 ~~SHALL AUTHORIZE THE LANDOWNER TO USE THE LAND SUBJECT TO THE~~  
 14 ~~EASEMENT FOR THE GENERATION OF ELECTRICITY BY A FACILITY UTILIZING A~~  
 15 ~~TIER 1 RENEWABLE APPROVED FOR PURCHASE BY THE BOARD OF PUBLIC~~  
 16 ~~WORKS AFTER JUNE 30, 2014, SHALL AUTHORIZE THE LANDOWNER TO~~  
 17 ~~REQUEST APPROVAL, WITH A RECOMMENDATION OF THE LOCAL AGRICULTURAL~~  
 18 ~~ADVISORY BOARD AND IF NOT PROHIBITED BY FEDERAL, STATE, AND LOCAL~~  
 19 ~~LAWS AND REGULATIONS, TO USE THE LAND SUBJECT TO THE EASEMENT FOR~~  
 20 ~~THE GENERATION OF ELECTRICITY BY A FACILITY UTILIZING AN AUTHORIZED~~  
 21 ~~RENEWABLE ENERGY SOURCE PROVIDED THAT:~~

22 (I) THE FACILITY OCCUPIES NO MORE THAN 5% OR 5  
 23 ACRES, WHICHEVER IS LESS AND NOT INCLUDING ANY TEMPORARY IMPACTS  
 24 NECESSARY FOR CONSTRUCTION OF THE FACILITY, OF EACH PARCEL THE LAND  
 25 SUBJECT TO THE EASEMENT;

26 1. INCLUDING PERMANENT ROADS OR STRUCTURES  
 27 THAT ARE NECESSARY FOR ACCESS FOR OPERATION AND MAINTENANCE  
 28 PURPOSES; AND

29 2. NOT INCLUDING ANY TEMPORARY IMPACTS  
 30 NECESSARY FOR CONSTRUCTION OF THE FACILITY;

31 (II) THE FOUNDATION DETERMINES THAT AUTHORIZING  
 32 THE LANDOWNER TO USE THE LAND SUBJECT TO THE EASEMENT FOR THE  
 33 GENERATION OF ELECTRICITY BY A FACILITY UTILIZING A TIER 1 RENEWABLE  
 34 AN AUTHORIZED RENEWABLE ENERGY SOURCE WILL NOT:

1                   1. INTERFERE SIGNIFICANTLY WITH THE  
2 AGRICULTURAL USE OF THE LAND SUBJECT TO THE EASEMENT; AND

3                   2. INTERFERE WITH STATE, LOCAL, OR FEDERAL  
4 RESTRICTIONS PLACED ON FUNDS USED BY THE FOUNDATION TO PURCHASE  
5 THE EASEMENT; AND

6                   (III) FOR GENERATION OF ELECTRICITY FROM WIND, THE  
7 GENERATING STATION'S WIND TURBINES ~~ARE NOT LOCATED:~~

8                   1. ~~IN ARE NOT LOCATED IN~~ AN AREA WHERE THE  
9 WIND TURBINES COULD CREATE DOPPLER RADAR INTERFERENCE FOR  
10 MISSIONS AT THE PATUXENT RIVER NAVAL AIR STATION; AND

11                   2. ~~WITHIN A 46 MILE RADIUS MEASURED FROM~~  
12 ~~LOCATION 38.29667N, 76.37668W~~ DO NOT EXCEED THE MAXIMUM HEIGHT  
13 ABOVE GROUND LEVEL WITHIN THE AREA SPECIFIED IN PARAGRAPH (5) OF  
14 THIS SUBSECTION.

15                   ~~(3) ON THE WRITTEN REQUEST OF A LANDOWNER, THE~~  
16 ~~FOUNDATION SHALL AMEND AN EASEMENT TO AUTHORIZE THE LANDOWNER TO~~  
17 ~~USE THE LAND SUBJECT TO THE EASEMENT FOR GENERATION OF ELECTRICITY~~  
18 ~~BY A FACILITY UTILIZING A TIER 1 RENEWABLE SOURCE PROVIDED THAT:~~

19                   (3) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, A  
20 WRITTEN REQUEST OF A LANDOWNER, WITH A RECOMMENDATION OF THE  
21 LOCAL AGRICULTURAL ADVISORY BOARD AND IF NOT PROHIBITED BY FEDERAL,  
22 STATE, AND LOCAL LAWS, MAY BE APPROVED BY THE FOUNDATION TO AMEND  
23 AN EXISTING EASEMENT TO AUTHORIZE THE LANDOWNER TO USE THE LAND  
24 SUBJECT TO THE EASEMENT FOR THE GENERATION OF ELECTRICITY BY A  
25 FACILITY UTILIZING AN AUTHORIZED RENEWABLE ENERGY SOURCE PROVIDED  
26 THAT:

27                   (i) THE FACILITY OCCUPIES NO MORE THAN 5% OR 5  
28 ACRES, WHICHEVER IS LESS AND NOT INCLUDING ANY TEMPORARY IMPACTS  
29 NECESSARY FOR CONSTRUCTION OF THE FACILITY, OF EACH PARCEL THE LAND  
30 SUBJECT TO THE EASEMENT;

31                   1. INCLUDING PERMANENT ROADS OR STRUCTURES  
32 THAT ARE NECESSARY FOR ACCESS FOR OPERATION AND MAINTENANCE  
33 PURPOSES; AND

1                   **2. NOT INCLUDING ANY TEMPORARY IMPACTS**  
2 **NECESSARY FOR CONSTRUCTION OF THE FACILITY;**

3                   **(II) THE FOUNDATION DETERMINES THAT AUTHORIZING**  
4 **THE LANDOWNER TO USE THE LAND SUBJECT TO THE EASEMENT FOR THE**  
5 **GENERATION OF ELECTRICITY BY A FACILITY UTILIZING ~~A TIER 1 RENEWABLE~~**  
6 **AN AUTHORIZED RENEWABLE ENERGY SOURCE WILL NOT:**

7                   **1. INTERFERE SIGNIFICANTLY WITH THE**  
8 **AGRICULTURAL USE OF THE LAND SUBJECT TO THE EASEMENT; AND**

9                   **2. INTERFERE WITH STATE, LOCAL, OR FEDERAL**  
10 **RESTRICTIONS PLACED ON FUNDS USED BY THE FOUNDATION TO PURCHASE**  
11 **THE EASEMENT; AND**

12                   **(III) FOR GENERATION OF ELECTRICITY FROM WIND, THE**  
13 **GENERATING STATION'S WIND TURBINES ~~ARE NOT LOCATED:~~**

14                   **1. ~~IN ARE NOT LOCATED IN~~ AN AREA WHERE THE**  
15 **WIND TURBINES COULD CREATE DOPPLER RADAR INTERFERENCE FOR**  
16 **MISSIONS AT THE PATUXENT RIVER NAVAL AIR STATION; AND**

17                   **2. ~~WITHIN A 46 MILE RADIUS MEASURED FROM~~**  
18 **~~LOCATION 38.29667N, 76.37668W~~ DO NOT EXCEED THE MAXIMUM HEIGHT**  
19 **ABOVE GROUND LEVEL WITHIN THE AREA SPECIFIED IN PARAGRAPH (5) OF**  
20 **THIS SUBSECTION.**

21                   **(4) (I) THE FOUNDATION MAY NOT APPROVE THE USE OF**  
22 **LAND SUBJECT TO AN EASEMENT FOR THE GENERATION OF ELECTRICITY BY A**  
23 **FACILITY UTILIZING AN AUTHORIZED RENEWABLE ENERGY SOURCE AFTER**  
24 **JUNE 30, 2019.**

25                   **(II) THIS PARAGRAPH MAY NOT BE CONSTRUED TO**  
26 **PROHIBIT THE USE OF LAND SUBJECT TO AN EASEMENT FOR THE GENERATION**  
27 **OF ELECTRICITY IN ACCORDANCE WITH THIS SUBSECTION THAT WAS APPROVED**  
28 **BY THE FOUNDATION BEFORE JULY 1, 2019.**

29                   **(5) A WIND TURBINE LOCATED ON LAND SUBJECT TO AN**  
30 **EASEMENT MAY NOT EXCEED THE SPECIFIED HEIGHT ABOVE GROUND LEVEL IN**  
31 **THE AREA DESCRIBED AS FOLLOWS:**

32                   **(I) EAST OF A LINE PASSING THROUGH THE REFERENCE**  
33 **POINT AND 39.0986N AND 76.5284W AND:**



1                   **1. NOT MORE THAN 24 MILES FROM THE**  
2 **REFERENCE POINT, 0 FEET;**

3                   **2. MORE THAN 24 MILES AND NOT MORE THAN 30**  
4 **MILES FROM THE REFERENCE POINT, 100 FEET;**

5                   **3. MORE THAN 30 MILES AND NOT MORE THAN 35**  
6 **MILES FROM THE REFERENCE POINT, 200 FEET;**

7                   **4. MORE THAN 35 MILES AND NOT MORE THAN 39**  
8 **MILES FROM THE REFERENCE POINT, 300 FEET;**

9                   **5. MORE THAN 39 MILES AND NOT MORE THAN 43**  
10 **MILES FROM THE REFERENCE POINT, 400 FEET;**

11                   **6. MORE THAN 43 MILES AND NOT MORE THAN 46**  
12 **MILES FROM THE REFERENCE POINT, 500 FEET;**

13                   **7. MORE THAN 46 MILES AND NOT MORE THAN 49**  
14 **MILES FROM THE REFERENCE POINT, 600 FEET; AND**

15                   **8. MORE THAN 49 MILES AND NOT MORE THAN 56**  
16 **MILES FROM THE REFERENCE POINT, 700 FEET; AND**

17                   **(II) WEST OF A LINE PASSING THROUGH THE REFERENCE**  
18 **POINT AND 39.0986N AND 76.5284W AND:**

19                   **1. SOUTH OF 38.4428N, 0 FEET;**

20                   **2. NORTH OF 38.4428N AND NO FARTHER NORTH**  
21 **THAN 38.5711N, 100 FEET;**

22                   **3. NORTH OF 38.5711N AND NO FARTHER NORTH**  
23 **THAN 38.5943N, 200 FEET;**

24                   **4. NORTH OF 38.5943N AND NO FARTHER NORTH**  
25 **THAN 38.6366N, 300 FEET;**

26                   **5. NORTH OF 38.6366N AND NO FARTHER NORTH**  
27 **THAN 38.6596N, 400 FEET;**

28                   **6. NORTH OF 38.6596N AND NO FARTHER NORTH**  
29 **THAN 38.6873N, 500 FEET;**

1 7. NORTH OF 38.6873N AND NO FARTHER NORTH  
 2 THAN 38.7075N, 600 FEET; AND

3 8. NORTH OF 38.7075N AND NOT MORE THAN 56  
 4 MILES FROM THE REFERENCE POINT, 700 FEET.

5 (6) A FACILITY OWNER WHO USES LAND SUBJECT TO AN  
 6 EASEMENT FOR THE GENERATION OF ELECTRICITY IN ACCORDANCE WITH THIS  
 7 SUBSECTION SHALL, ON OPERATION OF THE FACILITY, REMIT AN ANNUAL  
 8 PAYMENT OF 5% OF ANY LEASE PAYMENT PAID TO THE LANDOWNER TO THE  
 9 MARYLAND AGRICULTURAL LAND PRESERVATION FUND UNDER § 2-505 OF  
 10 THIS ARTICLE.

11 (7) A LANDOWNER WHO IS IN VIOLATION OF FEDERAL, STATE, OR  
 12 LOCAL LAWS REGARDING THE OPERATION OF THE FACILITY IS IN VIOLATION OF  
 13 THE EASEMENT AND IS SUBJECT TO A CIVIL PENALTY UNDER § 2-519 OF THIS  
 14 SUBTITLE.

15 ~~(4)~~ (8) THE FOUNDATION MAY CHARGE REASONABLE COSTS  
 16 TO COVER ANY EXPENSES RELATING TO THE FOUNDATION'S RESPONSIBILITY  
 17 TO AMEND ANY EASEMENT, AS REQUIRED UNDER THIS SUBSECTION, AND TO  
 18 MONITOR THE ENFORCEMENT AND COMPLIANCE OF THE EASEMENT.

19 ~~(5)~~ (9) THE FOUNDATION SHALL ADOPT REGULATIONS TO  
 20 CARRY OUT THE PROVISIONS OF THIS SUBSECTION.

21 [(c)] (D) Purchase of an easement by the Foundation does not grant the  
 22 public any right of access or right of use of the subject property.

23 ~~Article - Public Utilities~~

24 ~~7-701.~~

25 ~~(r) "Tier 1 renewable source" means one or more of the following types of~~  
 26 ~~energy sources:~~

27 ~~(1) solar energy, including energy from photovoltaic technologies and~~  
 28 ~~solar water heating systems;~~

29 ~~(2) wind;~~

30 ~~(3) qualifying biomass;~~

31 ~~(4) methane from the anaerobic decomposition of organic materials in~~  
 32 ~~a landfill or wastewater treatment plant;~~

1           ~~(5) geothermal, including energy generated through geothermal~~  
2 ~~exchange from or thermal energy avoided by, groundwater or a shallow ground source;~~

3           ~~(6) ocean, including energy from waves, tides, currents, and thermal~~  
4 ~~differences;~~

5           ~~(7) a fuel cell that produces electricity from a Tier 1 renewable source~~  
6 ~~under item (3) or (4) of this subsection;~~

7           ~~(8) a small hydroelectric power plant of less than 30 megawatts in~~  
8 ~~capacity that is licensed or exempt from licensing by the Federal Energy Regulatory~~  
9 ~~Commission;~~

10           ~~(9) poultry litter to energy;~~

11           ~~(10) waste to energy;~~

12           ~~(11) refuse derived fuel; and~~

13           ~~(12) thermal energy from a thermal biomass system.~~

14           SECTION 2. AND BE IT FURTHER ENACTED, That § 2-513(c) of the  
15 Agriculture Article as enacted by Section 1 of this Act applies to any easement  
16 acquired by the Maryland Agricultural Land Preservation Foundation before, on, or  
17 after the effective date of this Act.

18           SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the  
19 General Assembly that if land subject to an easement is used for the generation of  
20 electricity in accordance with this Act, that the majority of raw materials used as ~~Tier~~  
21 ~~1 renewable sources~~ an authorized renewable energy source under ~~§ 7-701(r)(4) and~~  
22 ~~(9) of the Public Utilities~~ § 2-513(c)(1)(ii) of the Agriculture Article originate from the  
23 farm subject to the easement.

24           SECTION 4. AND BE IT FURTHER ENACTED, That, on or before December 1,  
25 2018, the Maryland Agricultural Land Preservation Foundation shall report to the  
26 Senate Education, Health, and Environmental Affairs Committee, the Senate Finance  
27 Committee, the House Economic Matters Committee, and the House Environmental  
28 Matters Committee, in accordance with § 2-1246 of the State Government Article, on  
29 the implementation of this Act.

30           SECTION ~~4~~ 5. AND BE IT FURTHER ENACTED, That this Act shall take  
31 effect July 1, 2014.