
By: Senator Colburn

Introduced and read first time: February 12, 1996

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Forest Conservation - Declaration of Intent - Prohibition**

3 FOR the purpose of prohibiting the Department of Natural Resources or a local
4 government from requiring a landowner to file a certain declaration of intent stating
5 that a proposed activity is exempt from certain requirements regarding forest
6 conservation and that the proposed activity does not circumvent certain
7 requirements regarding forest conservation; prohibiting the Department or a local
8 government from enforcing a declaration of intent filed before the effective date of
9 this Act; providing for the effective date of this Act; and generally relating to
10 prohibiting the Department or a local government from requiring a certain
11 landowner from filing a declaration of intent.

12 BY adding to

13 Article - Natural Resources
14 Section 5-1602(c)
15 Annotated Code of Maryland
16 (1989 Replacement Volume and 1995 Supplement)

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

19 **Article - Natural Resources**

20 5-1602.

21 (C) THE DEPARTMENT OR A LOCAL GOVERNMENT THAT HAS DEVELOPED A
22 FOREST CONSERVATION PROGRAM UNDER THIS SUBTITLE MAY NOT REQUIRE A
23 LANDOWNER TO FILE A DECLARATION OF INTENT CERTIFYING THAT A PROPOSED
24 ACTIVITY:

25 (1) IS EXEMPT UNDER THIS SUBTITLE OR § 5-103 OF THIS TITLE; AND

26 (2) DOES NOT CIRCUMVENT THIS SUBTITLE OR § 5-103 OF THIS TITLE .

27 SECTION 2. AND BE IT FURTHER ENACTED, That the Department of
28 Natural Resources or a local authority may not take any enforcement action against any
29 landowner who acts in violation of any declaration of intent filed by the landowner under
30 the Forest Conservation Act of 1991 before the effective date of this Act.

2

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 June 1, 1996.