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By: **Delegates Glassman, James, Barkley, Bartlett, Boschert, Boutin,  
Bronrott, Clagett, Conroy, Conway, Cryor, DeCarlo, Dembrow,  
Donoghue, Elliott, Getty, Giannetti, Hecht, Hubers, Hutchins, Kach,  
Leopold, Malone, McKee, Moe, Mohorovic, Morhaim, O'Donnell, Riley,  
Rosso, Rudolph, Shank, Sher, Sophocleus, Stern, Stull, Walkup, Weir,  
and Wood**

Introduced and read first time: January 20, 2000  
Assigned to: Appropriations

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A BILL ENTITLED

1 AN ACT concerning

2 **Agriculture - Land Preservation Matching Grants Act of 2000**

3 FOR the purpose of requiring the State to provide certain agricultural land  
4 preservation matching grants to certain counties in a certain fiscal year;  
5 limiting use of the funds to certain purposes; providing for the termination of  
6 this Act; and generally relating to agricultural land preservation programs.

7 BY adding to  
8 Article - Agriculture  
9 Section 2-508.2  
10 Annotated Code of Maryland  
11 (1999 Replacement Volume and 1999 Supplement)

12 BY repealing and reenacting, without amendments,  
13 Article - Agriculture  
14 Section 2-512  
15 Annotated Code of Maryland  
16 (1999 Replacement Volume and 1999 Supplement)

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

19 **Article - Agriculture**

20 2-508.2.

21 (A) IN FISCAL YEAR 2002 ONLY, THE STATE SHALL PROVIDE GRANTS AS  
22 PROVIDED IN THIS SECTION TO EACH COUNTY CERTIFIED BY THE OFFICE OF  
23 PLANNING UNDER § 5-408 OF THE STATE FINANCE AND PROCUREMENT ARTICLE AS

1 OPERATING AN EFFECTIVE COUNTY AGRICULTURAL LAND PRESERVATION  
2 PROGRAM.

3 (B) THE GRANTS SHALL BE ADMINISTERED BY THE MARYLAND  
4 AGRICULTURAL LAND PRESERVATION FOUNDATION.

5 (C) A COUNTY SHALL RECEIVE A GRANT UNDER THIS SECTION IN AN AMOUNT  
6 EQUAL TO THE LESSER OF:

7 (1) \$1,000,000; OR

8 (2) THE INCREASE IN THE COUNTY'S GENERAL FUNDS USED FOR  
9 AGRICULTURAL PRESERVATION PROGRAMS APPROVED UNDER § 2-512 OF THIS  
10 SUBTITLE IN STATE FISCAL YEAR 2001 OVER STATE FISCAL YEAR 2000.

11 (D) A COUNTY MAY USE THE FUNDS DISTRIBUTED UNDER THIS SECTION  
12 ONLY FOR AN AGRICULTURAL LAND PRESERVATION PROGRAM APPROVED UNDER §  
13 2-512 OF THIS SUBTITLE.

14 (E) A COUNTY MAY ESTABLISH AN APPROVED AGRICULTURAL LAND  
15 PRESERVATION PROGRAM DURING FISCAL YEAR 2001 AND QUALIFY FOR A GRANT  
16 UNDER SUBSECTION (C) OF THIS SECTION.

17 2-512.

18 (a) The Foundation may not approve matching allotted purchases of  
19 easements for land located in any county which has not secured approval from the  
20 Foundation for a local program of agricultural land preservation.

21 (b) The Foundation may approve a local program of agricultural land  
22 preservation upon request of a county, provided that:

23 (1) The county shall agree to make payments up to a specified aggregate  
24 amount to the Maryland Agricultural Land Preservation Fund to equal at least 40  
25 percent of the value of any easement acquired by the Foundation as a result of a  
26 matching allotted purchase, made during the ensuing fiscal year; and

27 (2) The county shall show evidence that any county program for the  
28 acquisition of agricultural land for preservation, or easements for purposes of  
29 preservation of agricultural land, will not result in preservation of land which does  
30 not meet the minimum standards set by the Foundation under § 2-509 of this  
31 subtitle; and

32 (3) The request for approval of a local program must be submitted to the  
33 Foundation, together with any necessary agreements not later than 90 days prior to  
34 the beginning of the fiscal year for which approval is being sought.

35 (c) Approval of a local program by the Foundation is valid only during the  
36 next fiscal year following the fiscal year of the request for approval by the county.

1 (d) Local programs shall be approved upon the affirmative vote of a majority  
2 of the Foundation members at-large, and upon approval of the Secretary and the  
3 State Treasurer.

4 (e) (1) In this subsection, "development rights" mean the potential for  
5 improvement of a parcel of real property that is measured in dwelling units or units of  
6 commercial or industrial space and that exist because of the zoning classification of  
7 the parcel.

8 (2) A county shall use that county's unencumbered and uncommitted  
9 matching funds and any additional funds under § 2-508.1 of this subtitle available to  
10 a county certified by the Office of Planning and the Foundation under § 5-408 of the  
11 State Finance and Procurement Article to purchase development rights and  
12 guarantee loans that are collateralized by development rights for agricultural land  
13 that meets the minimum standards set by the Foundation under § 2-509(c) of this  
14 subtitle, except as provided in paragraph (3) of this subsection.

15 (3) For a county certified by the Office of Planning and the Foundation  
16 under § 5-408 of the State Finance and Procurement Article, in lieu of any acreage  
17 requirement set by the Foundation under § 2-509(c) of this subtitle, development  
18 rights purchased by or collateralizing loans guaranteed by a county under this  
19 subsection shall be for agricultural land of significant size to promote an agricultural  
20 operation.

21 (4) This subsection may not be construed to prohibit any county from  
22 accepting funds from private sources and using those private funds to purchase  
23 development rights or guarantee loans that are collateralized by development rights.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2000. It shall remain effective for a period of two years and, at the end of  
26 October 30, 2002, with no further action required by the General Assembly, this Act  
27 shall be abrogated and of no further force and effect.