
By: **Delegate Edwards**

Introduced and read first time: January 31, 2001

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Agricultural Land Preservation Foundation - Gas and Mineral**
3 **Rights**

4 FOR the purpose of prohibiting regulations and procedures adopted by the Maryland
5 Agricultural Land Preservation Foundation for the establishment and
6 monitoring of agricultural districts from requiring, in Garrett County, a natural
7 gas company or other mineral rights owner or lessee to subordinate its interest
8 to the Foundation's interest.

9 BY adding to
10 Article - Agriculture
11 Section 2-509(c)
12 Annotated Code of Maryland
13 (1999 Replacement Volume and 2000 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article - Agriculture
16 Section 2-509(c) and (d)
17 Annotated Code of Maryland
18 (1999 Replacement Volume and 2000 Supplement)

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

21 **Article - Agriculture**

22 2-509.

23 (C) REGULATIONS AND PROCEDURES ADOPTED BY THE FOUNDATION FOR
24 THE ESTABLISHMENT AND MONITORING OF AGRICULTURAL DISTRICTS MAY NOT
25 REQUIRE, IN GARRETT COUNTY, A NATURAL GAS COMPANY OR OTHER MINERAL
26 RIGHTS OWNER OR LESSEE TO SUBORDINATE ITS INTEREST TO THE FOUNDATION'S
27 INTEREST.

1 [(c)] (D) Regulations and criteria developed by the Foundation relating to
2 land which may be included in an agricultural district shall provide that:

3 (1) Land shall meet productivity, acreage, and locational criteria
4 determined by the Foundation to be necessary for the continuation of farming;

5 (2) The Foundation shall attempt to preserve the minimum number of
6 acres in a given district which may reasonably be expected to promote the continued
7 availability of agricultural suppliers and markets for agricultural goods;

8 (3) Land within the boundaries of a 10-year water and sewer service
9 district may be included in an agricultural district only if that land is outstanding in
10 productivity and is of significant size; and

11 (4) Land may be included in an agricultural district only if the county
12 regulations governing the land permit the activities listed under § 2-513(a) of this
13 subtitle.

14 [(d)] (E) The Foundation may not purchase an easement on land which is
15 located outside an agricultural district established under this subtitle.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2001.