
By: **Delegate Edwards**
Introduced and read first time: January 31, 2001
Assigned to: Appropriations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 15, 2001

CHAPTER _____

1 AN ACT concerning

2 **Maryland Agricultural Land Preservation Foundation - ~~Gas and Mineral~~**
3 **Natural Gas 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 or
7 Allegany County, a natural gas ~~company or other mineral~~ rights owner or lessee
8 to subordinate its interest to the Foundation's interest; requiring that a certain
9 report be submitted by a certain date; and generally relating to the Maryland
10 Agricultural Land Preservation Foundation.

11 BY adding to
12 Article - Agriculture
13 Section 2-509(c)
14 Annotated Code of Maryland
15 (1999 Replacement Volume and 2000 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article - Agriculture
18 Section 2-509(c) and (d)
19 Annotated Code of Maryland
20 (1999 Replacement Volume and 2000 Supplement)

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

1

Article - Agriculture

2 2-509.

3 (C) REGULATIONS AND PROCEDURES ADOPTED BY THE FOUNDATION FOR
4 THE ESTABLISHMENT AND MONITORING OF AGRICULTURAL DISTRICTS MAY NOT
5 REQUIRE, IN GARRETT COUNTY OR ALLEGANY COUNTY, A NATURAL GAS COMPANY
6 OR OTHER MINERAL RIGHTS OWNER OR LESSEE TO SUBORDINATE ITS INTEREST TO
7 THE FOUNDATION'S INTEREST.

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

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

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

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

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

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

23 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1,
24 2004, the Agricultural Land Preservation Foundation shall submit a report to the
25 Governor and, subject to § 2-1246 of the State Government Article, to the General
26 Assembly that evaluates the impact of this Act on the quality of agricultural land
27 preserved and the Foundation's agricultural land preservation activities under the
28 Agricultural Land Preservation Foundation program.

29 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2001.

