

**Department of Legislative Services**  
Maryland General Assembly  
2002 Session

**FISCAL NOTE**  
**Revised**

Senate Joint Resolution 10 (Senators Middleton and Stoltzfus)

Education, Health, and Environmental Affairs

Appropriations

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**Preservation of Agricultural Land**

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This joint resolution provides that the statewide goal is to triple the number of acres of productive agricultural land preserved by the Maryland Agricultural Land Preservation Foundation (MALPF), GreenPrint, Rural Legacy, and local preservation programs by the year 2022.

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**Fiscal Summary**

**State Effect:** Because a joint resolution is an expression of legislative intent only, compliance is not required, and State operations and finances would not be directly affected. Based on information provided by MALPF and the Department of Natural Resources (DNR), preliminary estimates of meeting the goal total about \$1.6 billion over the next 20 years, which is attainable without a major change in current budget priorities.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** The Maryland General Assembly created MALPF in 1977 to, among other things, protect agricultural land in the State. Agricultural preservation districts are formed when qualifying landowners sign voluntary agreements to keep their land in agricultural or woodland use for a minimum of five years. Once a district is established, the landowner is eligible to apply to sell a development rights easement on that property

to MALPF. Subject to some limitations, once an easement has been sold, the property is protected from further development.

The GreenPrint Program was established in 2001 to create a statewide green infrastructure network by acquiring property and property interests, including easements, in a manner that complements other conservation programs. The program is aimed at protecting a network of ecologically valuable lands by using computer-based assessment, mapping, and targeting tools to identify the most strategic acquisitions.

The Rural Legacy Program was established in 1997 to enhance agricultural, forestry, and environmental protection while maintaining the viability of resource-based land usage and proper management of tillable and wooded areas through accepted agricultural and silvicultural practices for farm production and timber harvests. It provides funds to rural legacy sponsors (local governments and land trusts) to purchase interests in real property from willing sellers, including easements and fee estates, focused in designated Rural Legacy Areas. Funds under the program may be used to purchase a development right as part of an easement or fee acquisition, to be held by the titleholder and the Rural Legacy Board, and may be sold only within the same jurisdiction, pursuant to local law.

**Background:** Chapter 634 of 2000 created a task force to study MALPF. The task force was required to: (1) study the current program and practices of the foundation; (2) study the financial standing of the foundation; (3) review and make recommendations on legislation affecting the foundation considered by the General Assembly in the 2000 session; and (4) make recommendations to improve the program, practices, and financial standing of the foundation.

In its August 2001 report to the Governor and the General Assembly, the task force recommended establishing a preliminary statewide goal to preserve 1.1 million acres of productive agricultural land by the year 2020. The acreage goal recommended by the task force represents half the remaining privately-owned farmland in the State. The task force contends that the goal will provide a long-term funding strategy for MALPF and a frame of reference of the legislature, the State, and the counties. In its report, the task force notes that agricultural land and woodland continue to decline statewide. According to DNR, at the end of fiscal 2001, approximately 288,300 acres had been preserved by MALPF, GreenPrint, and Rural Legacy. However, development of agricultural land remains a problem and is expected to continue through 2020 at high rates.

**State Expenditures:** Tripling the existing number of acres of productive agricultural land will require the preservation of about 570,000 acres by the year 2022. Based on information provided by MALPF and DNR, meeting the goal, which will require approximately \$1.6 billion in State expenditures over the next 20 years, is attainable without a significant change in current budget priorities. This estimate assumes that local preservation programs will not protect a significant amount of acreage. To the extent they do, State expenditures could be less.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HJ 22 (Delegate W. Baker, *et al.*) – Appropriations.

**Information Source(s):** Maryland Department of Agriculture (Maryland Agricultural Land Preservation Foundation), Department of Natural Resources, Department of Legislative Services

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