

# HOUSE BILL 1041

M4

(7lr1076)

## **ENROLLED BILL**

— *Environmental Matters / Education, Health, and Environmental Affairs* —  
Introduced by **Delegate Rudolph**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Maryland Agricultural Land Preservation Fund – Foundation Grants to**  
3 **Counties**

4 FOR the purpose of authorizing the Maryland Agricultural Land Preservation  
5 Foundation to make grants for certain purposes to counties from the Maryland  
6 Agricultural Land Preservation Fund under certain circumstances; altering the  
7 purposes for which grants provided by the Foundation to the Maryland  
8 Agricultural and Resource-Based Industry Development Corporation may be  
9 used; prohibiting the counties from using the grants except under certain  
10 circumstances prohibiting certain grants provided by the Foundation from being  
11 used for certain purposes; prohibiting money in the Fund from the sale of

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber / conference committee amendments.*



1 tax-exempt general obligation bonds from being used for certain purposes; and  
2 generally relating to the Maryland Agricultural Land Preservation Foundation.

3 BY repealing and reenacting, with amendments,  
4 Article – Agriculture  
5 Section 2–505(c) and (f)  
6 Annotated Code of Maryland  
7 (1999 Replacement Volume and 2006 Supplement)

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

10 **Article – Agriculture**

11 2–505.

12 (c) (1) The Comptroller of the Treasury may not disburse any money from  
13 the Maryland Agricultural Land Preservation Fund other than:

14 (i) For costs associated with the staffing and administration of  
15 the Maryland Agricultural Land Preservation Foundation;

16 (ii) For reasonable expenses incurred by the members of the  
17 board of trustees of the Maryland Agricultural Land Preservation Foundation in the  
18 performance of official duties; and

19 (iii) For consideration in the purchase of agricultural land  
20 preservation easements beginning with fiscal year 1979 and each fiscal year  
21 thereafter.

22 ~~(2) (i) The Maryland Agricultural Land Preservation Foundation~~  
23 ~~may provide grants to the Maryland Agricultural and Resource Based Industry~~  
24 ~~Development Corporation to facilitate the purchase of easements, subject to conditions~~  
25 ~~jointly agreed upon by the Foundation and the Corporation.~~

26 ~~(ii) The Corporation may only use these grants for expenses~~  
27 ~~related to:~~

28 ~~1. Facilitating the purchase of easements under the~~  
29 ~~critical farms or installment purchase agreement programs; or~~

30 ~~2. The Next Generation Farmland Acquisition Program.~~

~~(3) (i) THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION MAY PROVIDE GRANTS TO COUNTIES TO FACILITATE THE PURCHASE OF EASEMENTS, SUBJECT TO CONDITIONS JOINTLY AGREED ON BY THE FOUNDATION AND THE COUNTY.~~

~~(ii) A COUNTY MAY ONLY USE THESE GRANTS FOR EXPENSES RELATED TO THE PURCHASE OF AGRICULTURAL LAND PRESERVATION EASEMENTS THAT:~~

~~1. MEET THE REQUIREMENTS OF THIS SUBTITLE; OR~~

~~2. USE A COUNTY INSTALLMENT PURCHASE AGREEMENT PROGRAM APPROVED BY THE FOUNDATION UNDER § 2-510.1 OF THIS SUBTITLE.~~

(2) THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION MAY PROVIDE GRANTS TO THE MARYLAND AGRICULTURAL AND RESOURCE-BASED INDUSTRY DEVELOPMENT CORPORATION, SUBJECT TO CONDITIONS JOINTLY AGREED UPON BY THE FOUNDATION AND THE CORPORATION, TO FACILITATE:

(i) AN INSTALLMENT PURCHASE AGREEMENT PROGRAM;  
OR

(ii) THE FUNDING OF THE NEXT GENERATION FARMLAND ACQUISITION PROGRAM.

(3) THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION MAY PROVIDE GRANTS TO COUNTIES TO FACILITATE:

(i) THE CRITICAL FARMS PROGRAM, AS PROVIDED IN § 2-517 OF THIS SUBTITLE, SUBJECT TO CONDITIONS JOINTLY AGREED UPON BY THE FOUNDATION AND THE COUNTY;

(ii) THE PURCHASE OF EASEMENTS UNDER A COUNTY INSTALLMENT PURCHASE AGREEMENT PROGRAM APPROVED BY THE FOUNDATION, AS PROVIDED IN § 2-510.1 OF THIS SUBTITLE; AND

(iii) THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON BONDS ISSUED BY A COUNTY FOR THE SOLE PURPOSE OF PURCHASING

1 AGRICULTURAL LAND PRESERVATION EASEMENTS THAT MEET THE  
2 REQUIREMENTS OF THIS SUBTITLE, SUBJECT TO CONDITIONS JOINTLY AGREED  
3 UPON BY THE FOUNDATION AND THE COUNTY.

4 (4) GRANTS PROVIDED BY THE MARYLAND AGRICULTURAL LAND  
5 PRESERVATION FOUNDATION MAY NOT BE:

6 (I) USED TO FUND COUNTY LAND PRESERVATION  
7 PROGRAMS; OR

8 (II) PLEDGED TO SECURE COUNTY-ISSUED BONDS.

9 (f) Money in the Fund from the sale of tax-exempt general obligation bonds  
10 may not be used:

11 (1) [to] TO purchase easements under:

12 [(1)] (I) An installment purchase agreement, as provided in §  
13 2-510(k)(3) of this subtitle; [or]

14 [(2)] (II) A schedule of installments financed with certificates of  
15 deposit, as provided in § 2-510(k)(2) of this subtitle; OR

16 (III) THE CRITICAL FARMS PROGRAM, AS PROVIDED IN §  
17 2-517 OF THIS SUBTITLE; OR

18 (2) FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON  
19 BONDS ISSUED BY A COUNTY IN ACCORDANCE WITH ~~§ 2-505(C)~~ SUBSECTION (C)  
20 OF THIS SECTION.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 2007.