

SENATE BILL 291

M4

9lr1832
CF 9lr1833

By: **Senator Edwards**

Introduced and read first time: January 28, 2009

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Agricultural Land Preservation Foundation – Easement Properties**
3 **– Natural Gas Drilling**

4 FOR the purpose of authorizing a landowner whose land is subject to a certain
5 agricultural easement to drill for natural gas; and generally relating to
6 authorized uses of land subject to an agricultural land preservation easement.

7 BY repealing and reenacting, without amendments,
8 Article – Agriculture
9 Section 2–513(a)
10 Annotated Code of Maryland
11 (2007 Replacement Volume and 2008 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Agriculture
14 Section 2–513(b)(1)
15 Annotated Code of Maryland
16 (2007 Replacement Volume and 2008 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 2–513.

21 (a) Agricultural land preservation easements may be purchased under this
22 subtitle for any land in agricultural use which meets the minimum criteria established
23 under § 2–509 of this subtitle if the easement and county regulations governing the
24 use of the land include the following provisions:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) Any farm use of land is permitted.

2 (2) Operation at any time of any machinery used in farm production or
3 the primary processing of agricultural products is permitted.

4 (3) All normal agricultural operations performed in accordance with
5 good husbandry practices which do not cause bodily injury or directly endanger human
6 health are permitted including, but not limited to, sale of farm products produced on
7 the farm where such sales are made.

8 (b) (1) A landowner whose land is subject to an easement may not use the
9 land for any commercial, industrial, or residential purpose except:

10 (i) As determined by the Foundation, for farm and forest
11 related uses and home occupations; [or]

12 (ii) **DRILLING FOR NATURAL GAS; OR**

13 **(III)** As otherwise provided under this section.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2009.