

**HB0890/890018/1**

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 890  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the second “the” in line 3 down through “State” in line 5 and substitute “a local governing body to consider whether certain land drains into a reservoir in the State in prioritizing certain applications to sell certain easements under the Maryland Agricultural Land Preservation Program”; strike in their entirety lines 10 through 14, inclusive; and in line 17, strike “2-505(c)” and substitute “2-508”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 6 on page 2 through line 11 on page 3, inclusive, and substitute:

“2-508.”

(a) (1) For purposes of this subtitle the following words have the meanings indicated.

(2) “Total amount to be allotted” means the amount, as certified by the Comptroller, which remains in the Maryland Agricultural Land Preservation Fund at the beginning of the fiscal year after payment of all expenses of the Foundation and the board of trustees during the previous fiscal year as specified in § 2-505(c)(1) and (2) of this subtitle, and after subtraction of funds committed for payment as consideration for easements purchased during previous fiscal years, and after subtraction of any money remaining in the Fund as a result of a transfer of local Program Open Space funds made pursuant to § 5-903 of the Natural Resources Article.

(Over)

(3) “General purchases of easements” means purchases of agricultural land preservation easements under this subtitle in which the governing body of the county in which the land is located is not required to make a contribution to the Maryland Agricultural Land Preservation Fund.

(4) “Matching purchases of easements” means purchases of agricultural land preservation easements under this subtitle in which the governing body of the county in which the land is located is required to make a contribution to the Maryland Agricultural Land Preservation Fund of an amount equal to at least 40 percent of the value of the easement for each such purchase.

(5) “Allotted purchases” means general or matching purchases made pursuant to offers to buy tendered by the Foundation on or before January 31 of any fiscal year.

(6) “County” means any county containing productive agricultural land which is being actively farmed and which meets the criteria for land for which easements may be purchased.

(7) “Eligible county” means a county as defined in paragraph (6) of this subsection which has secured approval from the Foundation for a local agricultural land preservation program.

(b) Beginning with fiscal year 1979, and in each fiscal year thereafter, the Foundation shall determine the maximum amount which may be expended for allotted purchases of easements on land located within each county. The maximum amount which may be expended for allotted purchases of easements in any county in any fiscal year shall be:

(1) An amount, to be used for general allotted purchases, equal to one twenty-third of one half of the total amount to be allotted; and

(2) An amount, to be used for matching allotted purchases, which shall be computed for each eligible county by dividing one half of the total amount to be allotted equally among those counties having an approved program. The maximum amount available from the Foundation for the Foundation's share in matching allotted purchases may not exceed \$2,000,000 in any county in any fiscal year.

(c) If the Foundation receives acceptances of offers to buy in insufficient numbers to expend the total amount to be allotted for allotted purchases, the Foundation, to the extent feasible, shall tender additional offers to buy in sufficient numbers to expend the total amount to be allotted. Any such additional offers to buy shall be tendered:

(1) To landowners who have applied to sell easements on land which was otherwise acceptable, but who had not received an offer to buy solely because of limitations on the amount of money to be spent for allotted purchases;

(2) To applicants on a statewide basis as provided by the priority ranking system established under § 2-510(e) of this subtitle; and

(3) Only after the expiration of the period allowed for acceptance of offers to buy under allotted general and matching purchases.

**(D) IN PRIORITIZING AN APPLICATION TO SELL AN EASEMENT, A LOCAL GOVERNING BODY SHALL CONSIDER WHETHER THE LAND DRAINS INTO A RESERVOIR IN THE STATE."**