

HB0209/420316/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 209

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “land;” insert “clarifying that certain provisions of this Act do not exempt a landowner from complying with certain local laws or certain State or local restrictions or requirements;”.

On page 2, in line 1, after “regulations;” insert “clarifying that certain provisions of law apply to easements approved for purchase before a certain date;”; in the same line, after “that” insert “certain provisions of”; in the same line, strike “applies” and substitute “apply”; in the same line, after “purchase” insert “on or”; in line 3, strike “approved for purchase on or after a certain date”; strike in their entirety lines 4 through 8, inclusive, and substitute:

“BY renumbering

Article - Agriculture

Section 2-513(b) and (c), respectively

to be Section 2-513(c) and (d), respectively

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

BY adding to

Article – Agriculture

Section 2-513(a) and 2-513.2

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article - Agriculture

Section 2-513(a)

(Over)

Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)”;

and after line 8, insert:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 2-513(b) and (c), respectively, of Article - Agriculture of the Annotated Code of Maryland be renumbered to be Section(s) 2-513(c) and (d), respectively.”.

AMENDMENT NO. 2

On page 2, in line 9, strike “1.” and substitute “2. AND”; in the same line after “IT” insert “FURTHER”; strike beginning with “BY” in line 9 down through “MARYLAND” in line 10; and after line 11, insert:

“2-513.

(A) THIS SECTION APPLIES TO AN EASEMENT THE PURCHASE OF WHICH IS APPROVED BY THE BOARD OF PUBLIC WORKS BEFORE JULY 1, 2012.

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

- (1) Any farm use of land is permitted.**
- (2) Operation at any time of any machinery used in farm production or the primary processing of agricultural products is permitted.**
- (3) All normal agricultural operations performed in accordance with good husbandry practices which do not cause bodily injury or directly endanger human**

health are permitted including, but not limited to, sale of farm products produced on the farm where such sales are made.”.

AMENDMENT NO. 3

On page 2, in line 13, after “(A)” insert “(1)”; in the same line, strike “IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THIS” and substitute “THIS”; in line 14, strike “ONLY”; in the same line, strike “WHOSE” and substitute “THE”; in the same line, after “PURCHASE” insert “OF WHICH”; and after line 15, insert:

“(2) THIS SECTION DOES EXEMPT A LANDOWNER FROM COMPLYING WITH:

(I) A LOCAL LAW, ORDINANCE, RESOLUTION, OR REGULATION APPLICABLE TO TENANT HOUSING;

(II) A STATE OR LOCAL LOT SIZE RESTRICTION APPLICABLE TO THE INSTALLATION OR REPLACEMENT OF AN ON-SITE SEWAGE DISPOSAL SYSTEM; OR

(III) A STATE OR LOCAL LAND CLASSIFICATION REQUIREMENT OR RESTRICTION APPLICABLE TO THE CHESAPEAKE BAY CRITICAL AREA OR ATLANTIC COASTAL BAYS CRITICAL AREA.”.

AMENDMENT NO. 4

On page 3, in line 7, after “EXERCISED” insert “BY THE LANDOWNER OR BY A FUTURE LANDOWNER”.

AMENDMENT NO. 5

On page 7, in line 2, strike “(E)(1)” and substitute “(E)(2)”; and in line 7, strike “OR DISTRICT AGREEMENT”.

AMENDMENT NO. 6

On page 8, in line 1, strike “2.” and substitute “3.”.