

Bill No: **Senate Bill 661 (Protect Maryland Farm Lands Act)**

Committee: **Maryland Senate Judicial Proceedings Committee**

Hearing Date: **February 11, 2025**

Sponsors: **Senators Ready, Bailey, Carozza, Corderman, Folden, Gallion, Hershey, James, Jennings, McKay, and Salling**

Submitted by: **Stop MPRP, Inc.**

Position: **FAVORABLE**

Thank you for the opportunity to submit testimony in strong support of Senate Bill 661, the Protect Maryland Farm Lands Act. Stop MPRP, Inc. is a grassroots organization committed to protecting Maryland's rural communities, agricultural heritage, and landowners from the adverse impacts of unnecessary high-voltage transmission projects like the Maryland Piedmont Reliability Project (MPRP). SB661 is a critical piece of legislation that ensures just compensation for farmers and agricultural landowners facing the threat of condemnation.

The Importance of SB661 for Maryland's Farmers and Agricultural Lands

Maryland's agricultural lands are a vital economic and cultural resource. They provide food security, sustain rural economies, and contribute to the state's environmental and ecological well-being. However, these lands are under threat from the Maryland Piedmont Reliability Project (MPRP) with and other similar large-scale transmission lines, which seek to condemn farmland for infrastructure expansion.

SB661 addresses this disparity by requiring that agricultural property taken through condemnation be valued at 350% of the highest appraised value. This provision is essential for ensuring that farmers and landowners are not forced to bear the financial burden of losing their property at undervalued rates, particularly when the land is taken for private utility development.

Addressing the Impact of Condemnation on Maryland's Agricultural Economy

Farmers invest not only in their land but also in the infrastructure, soil health, and business operations that make their agricultural enterprises viable. When land is condemned at standard market rates without consideration of its true value to the owner and community, farmers are left with inadequate compensation to reestablish their livelihoods elsewhere. SB661 acknowledges the unique economic and cultural role of agricultural lands and ensures that compensation aligns with the value these lands hold beyond simple market transactions.

Additionally, farmland that cannot be developed due to conservation and preservation easements or zoning restrictions is often worth significantly less when sold. These restrictions limit a landowner's ability to convert their land to higher-value uses, making it even more critical that fair compensation is provided when eminent domain is exercised. Without appropriate valuation mechanisms, landowners may face financial hardships from an undervalued sale.

Preventing the Forced Conversion of Agricultural Lands

Maryland has a strong tradition of farmland preservation as recognized by a number of strong and long-standing programs across the state. SB661 reinforces this commitment by discouraging forced conversion of farmland due to economic pressures caused by undervalued condemnation proceedings. By ensuring fair market valuation at 350% of the highest appraisal, this bill provides an added layer of financial security for farm families and strengthens Maryland's broader agricultural conservation efforts.

A Response to Unjust Land Seizures for Transmission Projects

The Maryland Piedmont Reliability Project (MPRP) and similar large-scale transmission initiatives illustrate the risks of unjust land acquisition. Projects that prioritize utility expansion over landowner rights disproportionately harm small farmers and rural communities. SB661's provisions create a necessary safeguard against speculative infrastructure projects that fail to provide clear public benefits while inflicting lasting damage on agricultural communities.

Comparison with Virginia's Eminent Domain Protections for Agricultural Land

Virginia has enacted robust measures to safeguard property owners, particularly farmers, from eminent domain abuses. Key aspects include:

1. **Constitutional Amendment Defining Public Use:** In 2012, Virginia amended its constitution to clarify that "public use" excludes takings primarily for private gain, benefit, enterprise, job creation, tax revenue increase, or economic development. This ensures that farmland cannot be condemned for private projects under the guise of public benefit.¹
2. **Just Compensation and Residual Damages:** Property owners are entitled to "just compensation," encompassing both the market value of the taken land and any devaluation of the remaining property due to the taking.²
3. **Compensation for Lost Profits and Access:** Virginia law allows property owners to be compensated for lost business income and restricted access if condemnation negatively impacts farming operations.
4. **Protections for Agricultural and Forestal Districts:** Land within designated agricultural and forestal districts receives additional protections, limiting the government's ability to use eminent domain in these areas.³

¹ [Institute for Justice](#)

² [Virginia Eminent Domain FAQ](#)

³ [Virginia Law](#)

5. **Procedural Safeguards:** Before condemning property, the government must engage in good-faith negotiations, providing written offers and justifications for the proposed compensation.

Virginia's model demonstrates a commitment to protecting agricultural landowners from eminent domain abuse while ensuring fair compensation when condemnation is unavoidable. Maryland's Senate Bill 661, by establishing a 350% valuation multiplier for farmland, builds upon this approach to further safeguard agricultural land and its economic viability.

Conclusion: Fairness and Justice for Maryland's Landowners

Stop MPRP, Inc. urges the committee to support SB661 to protect Maryland's agricultural landowners from unjust condemnation practices. By ensuring fair and equitable compensation, this bill upholds the rights of farmers, preserves the agricultural economy, and prevents unnecessary land loss. We respectfully request a favorable report on SB661.

Thank you for your time and consideration.

Respectfully submitted,

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