

1 same and that this language would permit the General
2 Assembly to provide that use for agricultural purposes was
3 one of the criteria for determining the exclusion and that
4 zoning would not necessarily control. I think he stated
5 that twice.

6 Delegate Clagett.

7 DELEGATE CLAGETT: Mr. Chairman, I think we are
8 close, but we are not quite at the point yet. I want to be
9 sure by the use of the phraseology "agricultural property,"
10 bona fide agricultural use is not excluded and cannot be
11 excluded by the mere zoning of the property.

12 THE PRESIDENT: I think that the chairman of the
13 committee has made that clear but you can ask him again.

14 Delegate Sherbow, did you understand the last
15 comment?

16 DELEGATE SHERBOW: Yes, and I agree with your
17 definition and what you said. I made it as clear as I know
18 how. If they pass a law and say that the only criterion is
19 the way it is zoned, then I would say you have a case on your
20 hands for the Court of Appeals to determine whether that is
21 reasonable. I can't answer what would happen if the