

AGRICULTURAL LAND PRESERVATION FOUNDATION.

(2) COUNTY PROGRAMS SHALL INCLUDE ANY PROGRAM THAT THE OFFICE AND THE FOUNDATION:

(I) DETERMINE IS NECESSARY FOR AN EFFECTIVE COUNTY AGRICULTURAL LAND PRESERVATION PROGRAM; AND

(II) REQUIRE BY REGULATION.

(D) (1) TO APPLY FOR CERTIFICATION UNDER THIS SECTION, A COUNTY SHALL FILE WITH THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION AND THE OFFICE AN APPLICATION IN THE FORM THAT THE OFFICE AND THE FOUNDATION JOINTLY REQUIRE BY REGULATION.

(2) WITHIN 45 DAYS AFTER NOTIFICATION OF AN APPLICATION FOR CERTIFICATION:

(I) THE FOUNDATION SHALL ADVISE THE OFFICE AS TO WHETHER IT APPROVES THE APPLICATION; AND

(II) THE OFFICE SHALL NOTIFY THE COUNTY AS TO WHETHER THE COUNTY'S APPLICATION FOR CERTIFICATION HAS BEEN APPROVED.

(E) THE OFFICE AND THE FOUNDATION MAY NOT CERTIFY A COUNTY UNDER THIS SECTION UNLESS THE OFFICE AND THE FOUNDATION DETERMINE THAT:

(1) THE PROPOSED COUNTY PROGRAM FOR THE PURCHASE OF DEVELOPMENT RIGHTS OR FINANCIAL ENHANCEMENTS RELATED TO THE PURCHASE OF DEVELOPMENT RIGHTS IS LIKELY TO BE SUCCESSFUL; AND

(2) EITHER:

(I) LOCAL EXPENDITURES PRIOR TO JULY 1, 1990, FOR THE PURCHASE OF DEVELOPMENT RIGHTS OR FINANCIAL ENHANCEMENTS RELATED TO THE PURCHASE OF DEVELOPMENT RIGHTS HAVE EQUALED OR EXCEEDED THE ADDITIONAL FUNDS THAT WILL BE AVAILABLE TO THE COUNTY AS A RESULT OF CERTIFICATION; OR

(II) THE COUNTY HAS COMMITTED TO SPEND ADDITIONAL LOCAL FUNDS FOR THE PURCHASE OF DEVELOPMENT RIGHTS OR ENHANCEMENTS RELATED TO THE PURCHASE OF DEVELOPMENT RIGHTS IN AN AMOUNT EQUAL TO OR EXCEEDING THE AMOUNT OF THE ADDITIONAL FUNDS THAT WILL BE AVAILABLE AS A RESULT OF CERTIFICATION.

(F) (1) A COUNTY THAT HAS BEEN CERTIFIED UNDER THIS