

~~(2) WITHIN 45 DAYS AFTER RECEIPT OF AN APPLICATION FOR CERTIFICATION, THE DEPARTMENT AND THE FOUNDATION SHALL JOINTLY NOTIFY THE COUNTY AS TO WHETHER THE COUNTY'S APPLICATION HAS BEEN APPROVED.~~

(a) There is within the Department a program for certification of effective county agricultural land preservation programs.

(b) A county may apply to the Department and the Maryland Agricultural Land Preservation Foundation for certification under this section only if the county agricultural preservation advisory board and the governing body of the county both:

(1) approve the program established at the county level as being an effective approach to agricultural land preservation; and

(2) approve the county's application for certification.

(c) (1) A county may apply for certification under this section if the county has established programs to encourage participation of farmers in agricultural land preservation efforts at the county level, including purchase of development rights or financial enhancements related to purchase of development rights, outside of the State Agricultural Land Preservation Foundation.

(2) County programs shall include:

(I) any program that the Department and the Foundation:

[(i)] 1. determine is necessary for an effective county agricultural land preservation program; and

[(ii)] 2. require by regulation; AND

(II) BEGINNING IN FISCAL YEAR 2009, A PRIORITY PRESERVATION AREA ELEMENT ESTABLISHED IN ACCORDANCE WITH § 2-518 OF THE AGRICULTURE ARTICLE.

(d) (1) To apply for certification under this section, a county shall file with the Maryland Agricultural Land Preservation Foundation and the Department an application in the form that the Department and the Foundation jointly require by regulation.

(2) Within [45] 60 days after notification of an application for certification:

(i) the foundation shall advise the Department as to whether it approves the application; and

(ii) the Department shall notify the county as to whether the county's application for certification has been approved.

(e) The Department and the Foundation may not certify a county under this section unless the Department and the Foundation determine that: