CHAPTER 421

(House Bill 457)

AN ACT concerning

Maryland Agricultural Land Preservation Foundation – Easements

FOR the purpose of allowing each county governing body to rank certain applications to sell certain easements based on certain locally established priorities that have been approved by the Foundation; altering the basis on which a county agricultural preservation advisory board shall make certain recommendations for ranking applications to sell easements under certain circumstances; providing that the Foundation rank certain applications and submit offers to buy certain easements based on certain Foundation–approved, locally established priorities; and generally relating to the Maryland Agricultural Land Preservation Foundation.

BY repealing and reenacting, with amendments,

    Article – Agriculture

    Section 2–510(e) and (f)

    Annotated Code of Maryland

    (1985 Replacement Volume and 1998 Supplement)

    SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Agriculture

2–510.

    (e) (1) Within 30 days after the receipt of an application to sell, the Foundation shall notify the governing body of the county containing the subject land, that an application to sell has been received. Within 60 days of the notification, the county governing body shall advise the Foundation as to local approval or disapproval of the application. The Foundation shall grant a 30–day extension of this response period if the county governing body applies to the Foundation for an extension and states its reasons for seeking an extension.

        (2) In deciding whether to approve the application, the county governing body shall:

            (I) [receive] RECEIVE the recommendation of the county agricultural preservation advisory board established under § 2–504.1 of this subtitle[.]; AND

            (II) RANK ALL APPLICATIONS BASED ON ITS LOCALLY ESTABLISHED PRIORITIES AS APPROVED BY THE FOUNDATION, WHICH, FOR PURPOSES OF ENHANCING COMPETITIVE BIDDING, MAY INCLUDE A SYSTEM THAT RANKS PROPERTIES IN ASCENDING ORDER WITH RESPECT TO THE PROPORTION OBTAINED BY DIVIDING THE ASKING PRICE BY THE VALUE OF THE EASEMENT.