

BY adding to

Article - Agriculture

Section 2-509(c)

Annotated Code of Maryland

(1999 Replacement Volume and 2001 Supplement)

BY repealing and reenacting, with amendments,

Article - Agriculture

Section 2-509(c) and (d)

Annotated Code of Maryland

(1999 Replacement Volume and 2001 Supplement)

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

Article - Agriculture

2-509.

(C) REGULATIONS AND PROCEDURES ADOPTED BY THE FOUNDATION FOR THE ESTABLISHMENT AND MONITORING OF AGRICULTURAL DISTRICTS MAY NOT REQUIRE, IN GARRETT COUNTY OR ALLEGANY COUNTY, A NATURAL GAS RIGHTS OWNER OR LESSEE TO SUBORDINATE ITS INTEREST TO THE FOUNDATION'S INTEREST IF THE FOUNDATION DETERMINES THAT EXERCISE OF THE NATURAL GAS RIGHTS WILL NOT INTERFERE WITH AN AGRICULTURAL OPERATION CONDUCTED ON LAND IN THE AGRICULTURAL DISTRICT.

[(c)] (D) Regulations and criteria developed by the Foundation relating to land which may be included in an agricultural district shall provide that:

(1) Subject to item (2) of this subsection, land shall meet productivity, acreage, and locational criteria determined by the Foundation to be necessary for the continuation of farming;

(2) As long as all other criteria are met, land that is at least 50 acres in size shall qualify for inclusion in an agricultural district;

(3) The Foundation shall attempt to preserve the minimum number of acres in a given district which may reasonably be expected to promote the continued availability of agricultural suppliers and markets for agricultural goods;

(4) Land within the boundaries of a 10-year water and sewer service district may be included in an agricultural district only if that land is outstanding in productivity and is of significant size; and

(5) Land may be included in an agricultural district only if the county regulations governing the land permit the activities listed under § 2-513(a) of this subtitle.

[(d)] (E) The Foundation may not purchase an easement on land which is located outside an agricultural district established under this subtitle.