

requiring that agricultural land preservation easements whose purchase is approved by the Board of Public Works on or after a certain date be held by the Foundation in perpetuity; making stylistic changes; and generally relating to the termination of agricultural land preservation easements.

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 2-514

Annotated Code of Maryland

(1999 Replacement Volume and 2003 Supplement)

BY adding to

Article – Agriculture

Section 2-514.1

Annotated Code of Maryland

(1999 Replacement Volume and 2003 Supplement)

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

Article – Agriculture

2-514.

(a) It is the intent of the General Assembly that [the] ANY easement [purchased under this subtitle] WHOSE PURCHASE IS APPROVED BY THE BOARD OF PUBLIC WORKS ON OR BEFORE SEPTEMBER 30, 2004, be held by the Foundation for as long as profitable farming is feasible on the land under easement, and an easement may be terminated only in the manner and at the time specified in this section.

(b) At any time after 25 years from the date of purchase of an easement, the landowner may request that the easement be reviewed for possible termination of the easement.

(c) (1) Upon a request for review of an easement for termination, an inquiry shall be conducted by the Foundation to determine the feasibility of profitable farming on the subject land. [The inquiry shall be concluded and a decision reached by the Foundation within 180 days after the request for termination and]

(2) THE INQUIRY shall include:

[(1)] (I) On-site inspection of the subject land; and

[(2)] (II) A public hearing conducted by the Foundation board within the county containing the subject land after adequate public notice.

(3) THE INQUIRY SHALL BE CONCLUDED AND A DECISION REACHED BY THE FOUNDATION WITHIN 180 DAYS AFTER THE REQUEST FOR TERMINATION, UNLESS THE LANDOWNER REQUESTS A HEARING UNDER SUBSECTION (H) OF THIS SECTION.