



SPONSOR: Rep. Cathcart ;

Reps. Boulden, Brady, Buckworth, Carey, Caulk, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Houghton, Hudson, Keeley, Lee, Lofink, Maier, Miro, Plant, Price, Quillen, Reynolds, Roy, Schroeder, Spence, Stone, Thornburg, Ulbrich, Valihura, Van Sant, Viola, Wagner, West, Williams; Sens. Bonini, Cloutier, Connor, Simpson, Sokola, Sorenson

HOUSE OF REPRESENTATIVES

141st GENERAL ASSEMBLY

HOUSE BILL NO. 153

AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTY AGRICULTURAL LAND PRESERVATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 1301, Title 9 of the Delaware Code, by adding thereto a new paragraph as follows:

2 "(18)a. The Department may undertake studies of the pattern of and potential for agricultural land preservation within
3 the County and recommend to the County Executive a program designed to improve basic conditions conducive
4 to the conservation, protection, and improvement of agricultural lands within the County. Any program
5 developed for these purposes should not conflict with the Delaware Agricultural Lands Preservation Program,
6 and should supplement the benefits available under the State Program.

7 b. The Department may organize and create an office within the Department to manage, administer, operate,
8 supervise, and monitor any agricultural land preservation program the Department may develop. The
9 Department may utilize existing staff, or hire new staff, to maintain such an office as deemed necessary or
10 desirable, subject to the availability of funding. The Department may adopt, after notice and public hearing, any
11 rules and regulations necessary for the effective function of the office, provided however, that no such rule or
12 regulation shall have the force and effect of law unless approved by resolution of the County Council.

13 c. Funding for any program developed pursuant to this paragraph may come from any source available to the
14 County unless appropriated or identified for some other use."

SYNOPSIS

This Act authorizes the New Castle County Department of Land Use to conduct studies and develop programs for the preservation of agricultural lands in the county that compliment and supplement the State Agricultural Preservation Program. The Department may create an internal office to manage and monitor the program. The County may cover the costs of any such program using funding from any source available to the County unless it is appropriated or identified for some other use.