

SPONSOR: Sen. Walsh & Rep. Bolden
Sens. Hansen, Sokola, Pettyjohn, Richardson; Reps. Bennett, Brady, Dukes, Spiegelman

DELAWARE STATE SENATE
149th GENERAL ASSEMBLY

SENATE BILL NO. 74
AS AMENDED BY
SENATE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE DELAWARE AGRICULTURAL LANDS PRESERVATION ACT.

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

Section 1. Amend § 903, Title 3 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 903. Delaware Agricultural Lands Preservation Foundation.

(h) A Trustee may be removed by the Trustee's appointing authority at any time for gross inefficiency, neglect of duty, malfeasance, misfeasance, or nonfeasance in office.

(1) A Trustee is deemed in neglect of duty if the Trustee is absent from 3 consecutive Foundation meetings without good cause or attends less than 50% of Foundation meetings in a calendar year.

(2) A Trustee who is deemed in neglect of duty is considered to have resigned and, upon appointment of a successor, is no longer a Trustee.

Section 3. Amend § 945, Title 3 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 945. Loan requirements and approval.

(a) The following requirements and conditions ~~shall~~ apply to loans provided by the Foundation:

(5) Loans ~~shall be~~ are limited to the purchase of farmland and farmland improvements only. Portions of the property subject to purchase which are used or proposed for use for residential purposes ~~shall not be~~ are not eligible for loans, provided further nonetheless, that those lands used or intended for use for residential purposes ~~shall be~~ are subject to the limitations set forth in ~~§ 904(a)(4)a. and b. [sic]~~ § 909(a)(4)a. and b. of this title.

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