

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 884 Session of 2009

INTRODUCED BY WAUGH, ALLOWAY, BOSCOLA, BROWNE, BRUBAKER,  
ERICKSON, MUSTO, O'PAKE, RAFFERTY, ROBBINS, WASHINGTON AND  
YAW, MAY 27, 2009

REFERRED TO AGRICULTURE AND RURAL AFFAIRS, MAY 27, 2009

AN ACT

1 Amending the act of June 30, 1981 (P.L.128, No.43), entitled "An  
2 act authorizing the creation of agricultural areas,"  
3 providing for proceeds from sales by the Department of  
4 Agriculture and for grants for agricultural land conservation  
5 assistance; and making a related repeal.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. The act of June 30, 1981 (P.L.128, No.43), known  
9 as the Agricultural Area Security Law, is amended by adding  
10 sections to read:

11 Section 14.8. Proceeds from sale of land, equipment or  
12 facilities.

13 (a) Agricultural Conservation Easement Purchase Fund.--  
14 Proceeds from the sale of all land, or portions of land,  
15 equipment or facilities, transferred to the Department of  
16 Agriculture under the act of June 18, 1982 (P.L.549, No.159),  
17 entitled "An act providing for the administration of certain  
18 Commonwealth farmland within the Department of Agriculture," and  
19 subsequently disposed of by the Commonwealth under Article XXIV-

A of the act of April 9, 1929 (P.L.177, No.175), known as "The Administrative Code of 1929," shall, notwithstanding section 623 of "The Administrative Code of 1929" or any other provision of the law to the contrary, be credited to the fund.

(b) State Farm Products Show Fund.--Proceeds from the sale of all land or portions of land, equipment or facilities at the Woodville State Farm, Collier Township, Allegheny County, and transferred to the Department of Agriculture under the act of June 18, 1982 (P.L.549, No.159), and subsequently disposed of by the Commonwealth under Article XXIV-A of "The Administrative Code of 1929" shall, notwithstanding any other provision of the law to the contrary, be credited to the State Farm Products Show Fund.

(c) Administrative Code.--Section 623 of "The Administrative Code of 1929," relating to disposition of Commonwealth assets, shall not apply to subsection (a) insofar as it is inconsistent with this section.

Section 14.9. Agricultural land conservation assistance grant program.

(a) Authorization.--The Department of Agriculture, in consultation with the State Agricultural Land Preservation Board, is hereby authorized to use up to \$200,000 of the funds deposited into the Agricultural Conservation Easement Purchase Fund under section 14.8(a) to make grants to counties for the following purposes:

(1) To cover costs incurred by a county in creating a spatial mapping database. Such database shall contain topographic data, property boundaries, soil boundaries, soil capability classes and soil productivity ratings.

(2) To cover costs incurred by a county to train staff,

1 contract with consultants and pay for computer software.

2 (3) To assist counties in the development implementation  
3 of agricultural zoning ordinances, including model ordinances  
4 for possible adoption by local government units.

5 (b) Limit.--Grants made under subsection (a) shall not  
6 exceed the lesser of \$10,000 or 50% of the costs incurred by the  
7 county.

8 (c) Application.--A county may submit an application for a  
9 grant under this section to the department in such form and  
10 manner and containing such documentation as the department, in  
11 consultation with the State board, shall prescribe.

12 (d) Criteria.--The department, in consultation with the  
13 State board, shall establish eligibility criteria for awarding  
14 grants for the purposes enumerated in subsection (a). No county  
15 shall be eligible for more than an accumulative total of \$10,000  
16 in grants annually pursuant to this section. A county which  
17 receives a grant under this section but which fails to implement  
18 an agricultural conservation easement purchase program shall be  
19 required to repay the grant to the Commonwealth. Any such  
20 repayments shall be credited to the fund and may be used for the  
21 purposes of this section.

22 (e) Administration.--The department shall administer the  
23 provisions of this section and is authorized, in consultation  
24 with the State board, to adopt and promulgate regulations for  
25 the administration and enforcement of the provisions of this  
26 section.

27 Section 2. Repeals are as follows:

28 (1) The General Assembly declares that the repeal under  
29 paragraph (2) is necessary to effectuate the addition of  
30 sections 14.8 and 14.9 of the act.

1           (2) Sections 7.1 and 7.3 of the act of June 18, 1982  
2           (P.L.549, No.159), entitled "An act providing for the  
3           administration of certain Commonwealth farmland within the  
4           Department of Agriculture," are repealed.  
5           Section 3. This act shall take effect in 60 days.