

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, YAW
AND FERLO, MAY 27, 2009

SENATOR BRUBAKER, AGRICULTURE AND RURAL AFFAIRS, AS AMENDED,
JANUARY 26, 2010

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

1 subsequently disposed of by the Commonwealth under Article XXIV-
2 A of the act of April 9, 1929 (P.L.177, No.175), known as "The
3 Administrative Code of 1929," shall, notwithstanding section 623
4 of "The Administrative Code of 1929" or any other provision of
5 the law to the contrary, be credited to the fund.

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

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

19 Section 14.9. Agricultural land conservation assistance grant
20 program.

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

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

1 (2) To cover costs incurred by a county to train staff,
2 contract with consultants and pay for computer software.

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

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

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

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

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

28 Section 2. Repeals are as follows:

29 (1) The General Assembly declares that the repeal under
30 paragraph (2) is necessary to effectuate the addition of

1 sections 14.8 and 14.9 of the act.

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

6 Section 3. This act shall take effect in 60 days.