



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 188

PRINTERS NO. 1757

PRIME SPONSOR: Sonney

COST / (SAVINGS)

FUND	FY 2014/15	FY 2015/16
General Fund	\$0	\$0

SUMMARY: House Bill 188, Printer's Number 1757, amends the Agricultural Area Security Law to provide for wind power generation systems on preserved farmland.

ANALYSIS: This bill amends the Agricultural Area Security Law (Act 43 of 1981) by adding the definition of "wind power generation system," which is a system designed to collect and utilize wind power, including the foundation of a wind turbine and appurtenant structures such as roads and bridges, transmission lines, substations and other related buildings or structures.

It also revises the section addressing restrictions and limitations to include language stating that an agricultural easement shall not prevent the granting of rights-of-way by the land owner for wind power systems. An owner may grant access if the following apply:

- The land consists of at least 50 acres;
- If the land consists of less than 100 acres, the wind power generation may be constructed on no more than two acres;
- If the land consists of 100 or more acres, only two acres may be used for wind power generation on the first 100 acres, plus two additional acres for every 50 acres by which the land exceeds 100 acres; and
- Any subdivision to or conveyance of the subject land containing a wind power generation system must continue to consist of 50 or more acres.

The bill also requires the wind power generation company to determine the presence of threatened or endangered species or habitat impacted by the wind power generation system and to implement measures for avoiding, minimizing or mitigating these impacts.

This legislation would take effect in 60 days upon enactment.

FISCAL IMPACT: Enactment of this bill will have no fiscal impact on Commonwealth funds. Any costs related to such projects or requests on preserved farmland would be addressed via county farmland preservation boards.

PREPARED BY: Jeffrey Clukey
House Appropriations Committee (R)

DATE: June 16, 2015

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.