
THE GENERAL ASSEMBLY OF PENNSYLVANIA

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No. 143

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INTRODUCED BY WENGER, WILT, COLE, PITTS, MADIGAN, HONAMAN,
BOWSER, KLINGAMAN, W. W. FOSTER, HALUSKA, CALTAGIRONE, BROWN,
JOHNSON, HAYES, MORRIS, D. R. WRIGHT, PHILLIPS, GRUPPO,
JACKSON, BURD, MILLER, E. H. SMITH, ARMSTRONG, BRANDT,
STUBAN, SNYDER, MOEHLMANN AND SIEMINSKI, JANUARY 19, 1981

AS REPORTED FROM COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,
AS AMENDED, MARCH 10, 1981

AN ACT

1 Authorizing the creation of agricultural areas.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the "Agricultural
9 Area Security Law."

10 Section 2. Statement of legislative findings.

11 It is the declared policy of the Commonwealth to conserve and
12 protect and to encourage the development and improvement of its
13 agricultural lands for the production of food and other
14 agricultural products. It is also the declared policy of the
15 Commonwealth to conserve and protect agricultural lands as
16 valued natural and ecological resources which provide needed
17 open spaces for clean air ~~sheds~~, as well as for aesthetic <—
18 purposes. Article VIII, section 2 of the Constitution of
19 Pennsylvania provides that the General Assembly may, by law,
20 establish standards and qualifications for agricultural
21 reserves. Agriculture in many parts of the Commonwealth is under
22 urban pressure from expanding metropolitan areas. This urban
23 pressure takes the form of scattered development in wide belts
24 around urban areas, and brings conflicting land uses into
25 juxtaposition, creates high costs for public services, and
26 stimulates land speculation. When this scattered development
27 extends into good farm areas, ordinances inhibiting farming tend
28 to follow, farm taxes rise, and hopes for speculative gains
29 discourage investments in farm improvements. Many of the
30 agricultural lands in the Commonwealth are in jeopardy of being

1 lost for any agricultural purposes. Certain of these lands
2 constitute unique and irreplaceable land resources of Statewide
3 importance. It is the purpose of this act to provide a means by
4 which agricultural land may be protected and enhanced as a
5 viable segment of the Commonwealth's economy and as an economic
6 and environmental resource of major importance.

7 Section 3. Definitions.

8 The following words and phrases when used in this act shall
9 have the meanings given to them in this section, unless the
10 context clearly indicates otherwise:

11 "Advisory committee." An Agricultural Area Advisory
12 Committee.

13 "Agricultural area." A unit of 500 or more acres of land
14 used for the agricultural production of crops, livestock and
15 livestock products under the ownership of one or more persons.

16 "Agricultural production." The production for commercial
17 purposes of crops, livestock and livestock products, but not
18 land or portions thereof used for processing or retail
19 merchandising of such crops, livestock or livestock products.

20 "County governing body." The county board of commissioners
21 or other designated council of representatives under home rule
22 charters.

23 "Crops, livestock and livestock products." Include but are
24 not limited to:

25 (1) Field crops, including corn, wheat, oats, rye,
26 barley, hay, potatoes and dry beans.

27 (2) Fruits, including apples, peaches, grapes, cherries
28 and berries.

29 (3) Vegetables, including tomatoes, snap beans, cabbage,
30 carrots, beets, onions and mushrooms.

1 (4) Horticultural specialties, including nursery stock
2 ornamental shrubs, ornamental trees and flowers.

3 (5) Livestock and livestock products, including cattle,
4 sheep, hogs, goats, horses, poultry, furbearing animals,
5 milk, eggs and furs.

6 (6) Timber, wood and other wood products derived from
7 trees.

8 "Development easement." An interest in land, less than fee
9 simple title, which interest represents the right to develop
10 such lands for residential, commercial, recreational or
11 industrial uses.

12 "Governing body." The governing body of a local government
13 unit.

14 "Local government unit." Any city, borough, township or
15 town.

16 "NORMAL FARMING OPERATIONS." THE CUSTOMARY AND GENERALLY <—
17 ACCEPTED ACTIVITIES, PRACTICES, AND PROCEDURES THAT FARMERS
18 ADOPT, USE, OR ENGAGE IN YEAR AFTER YEAR IN THE PRODUCTION AND
19 PREPARATION FOR MARKET OF POULTRY, LIVESTOCK, AND THEIR PRODUCTS
20 AND IN THE PRODUCTION AND HARVESTING OF AGRICULTURAL, AGRONOMIC,
21 HORTICULTURAL, SILVICULTURAL, AND AQUICULTURAL CROPS AND
22 COMMODITIES.

23 "Planning commission." A local government planning
24 commission.

25 "Viable agricultural land." Land suitable for agricultural
26 production and which will continue to be economically feasible
27 for such use if real estate taxes, farm use restrictions, and
28 speculative activities are limited to levels approximating those
29 in commercial agricultural areas not influenced by the proximity
30 of urban and related nonagricultural development.

1 Section 4. Agricultural Area Advisory Committee.

2 The governing body of any local government may establish an
3 Agricultural Area Advisory Committee which shall consist of ~~two~~ <—
4 ~~THREE~~ active farmers and ~~two agribusinessmen~~ ONE CITIZEN <—
5 residing within the unit of local government and one member of
6 the governing body of such local government, who shall serve as
7 the chairman of the committee. Such a committee shall be
8 established when a petition is received by the governing body
9 for the creation of an agricultural area. Pursuant to this act
10 the members of such committee shall be appointed by and shall
11 serve at the pleasure of the chairman of the governing body. The
12 members shall serve without salary, but the governing body may
13 entitle each such member to reimbursement for his actual and
14 necessary expenses incurred in the performance of his official
15 duties. Such committee shall advise the governing body and work
16 with the planning commission in relation to the proposed
17 establishment, modification, and termination of agricultural
18 areas. In particular, the committee shall render expert advice
19 relating to the desirability of such action, including advice as
20 to the nature of farming and farm resources within the proposed
21 area and the relation of farming in such area to the local
22 government unit as a whole.

23 Section 5. Agricultural areas.

24 (a) Proposals for creation.--Any owner or owners of land may
25 submit a proposal to the governing body for the creation of an
26 agricultural area within such local government unit, provided
27 that such owner or owners own at least 500 acres or ~~at least 10%~~ <—
28 ~~of the~~ VIABLE AGRICULTURAL land proposed to be included in the <—
29 area. ~~whichever is greater.~~ The proposed area may also consist <—
30 of two or more noncontiguous parcels or areas. Such proposal

1 shall be submitted in such manner and form as may be prescribed
2 by the governing body of the local government unit wherein the
3 proposed area is situated and shall include a description of the
4 proposed area, including the boundaries thereof. If the proposed
5 area is situated in more than one local government unit, the
6 proposal shall be submitted to the governing bodies of all local
7 government units affected.

8 (b) Notice.--Upon the receipt of such a proposal, the
9 governing body shall thereupon provide notice of such proposal
10 by publishing a notice in a newspaper having general circulation
11 within the proposed area and by posting such notice in five
12 conspicuous places within, adjacent or near to the proposed
13 area. The notice shall contain the following information:

14 (1) A statement that a proposal for an agricultural area
15 has been filed with the governing body pursuant to this act.

16 (2) A statement that the proposal will be on file open
17 to public inspection in the office of the local government
18 unit.

19 (3) A statement that any municipality whose territory
20 encompasses the proposed area, or any landowner who owns at least 10% of the land proposed to be included within the
21 ~~least 10% of~~ the land proposed to be included within the
22 proposed area, or any landowner with lands adjacent or near
23 to the proposed area who wishes such lands to be included OR
24 NOT INCLUDED therein, may propose modifications of the
25 proposed area in such form and manner as may be prescribed by
26 the governing body.

27 (4) A statement that any proposed modification must be
28 filed with the governing body and the planning commission
29 within 30 days after the publication of such notice.

30 (5) A statement that at the termination of the 30-day

1 period, the proposal and proposed modifications will be
2 submitted to the planning commission and the advisory
3 committee, and that thereafter a public hearing will be held
4 on the proposal, proposed modifications and recommendations
5 of the planning commission and advisory committee.

6 (c) Modification proposals.--The governing body shall
7 receive any proposals for modifications of such proposal which
8 may be submitted by such landowners or municipalities within 30
9 days after the publication of such notice.

10 (d) Report by planning commission.--The governing body
11 shall, upon the termination of such 30-day period, refer such
12 proposal and proposed modifications to the planning commission,
13 which shall, within 45 days, report to the governing body the
14 potential effect of such proposal and proposed modifications
15 upon the local government's planning policies and objectives.

16 (e) Referral to advisory committee.--The governing body
17 shall also, upon the termination of such 30-day period, refer
18 such proposal and proposed modifications to the Agricultural
19 Area Advisory Committee, which shall, within 45 days report to
20 the governing body its recommendations concerning the proposal
21 and proposed modifications.

22 Section 6. Public hearings.

23 (a) Hearings.--The governing body, shall upon receipt of the
24 reports from the advisory committee and the planning commission,
25 hold a public hearing relative to the proposed agricultural
26 area.

27 (b) Place of hearing.--The hearing shall be held at a place
28 within the proposed area or otherwise readily accessible to the
29 proposed area.

30 (c) Notice of hearing.--A hearing notice shall be published

1 in a newspaper having a general circulation within the proposed
2 area and shall be given in writing to those municipalities whose
3 territory encompasses the proposed area and any proposed
4 modifications AND TO THOSE LANDOWNERS WHO PROPOSED MODIFICATIONS ←
5 PURSUANT TO SECTION 5(C), and by posting such notice in five
6 conspicuous places within, adjacent or near to the proposed
7 area. Such notice shall contain the following information:

8 (1) A statement of the time, date and place of the
9 public hearing.

10 (2) A description of the proposed area, any proposed
11 additions or deletions and any recommendations of the
12 planning commission or advisory committee.

13 (3) A statement that the public hearing will be held
14 concerning:

15 (i) The original proposal.

16 (ii) Any written amendments proposed during the 30-
17 day review period.

18 (iii) Any recommendations proposed by the
19 Agricultural Area Advisory Committee and the planning
20 commission.

21 Section 7. Evaluation criteria.

22 (a) Factors to be considered.--The following factors shall
23 be considered by the planning commission, advisory committee,
24 and at any public hearing:

25 (1) The viability of active farming within the proposed
26 area and in areas near or adjacent thereto.

27 (2) The presence of any viable farm lands within the
28 proposed area and adjacent thereto that are not now in active
29 farming.

30 (3) The nature and extent of land uses other than active

1 farming within the proposed area and near or adjacent
2 thereto.

3 (4) Local government unit developmental patterns and
4 needs.

5 (5) The ~~county's~~ LOCAL GOVERNMENT UNIT'S comprehensive
6 plan. <—

7 (6) Any other matter which may be relevant.

8 (b) Other factors.--In judging viability the following
9 factors shall be considered:

10 (1) Soil.

11 (2) Climate.

12 (3) Topography.

13 (4) Markets for farm products.

14 (5) The extent and nature of farm improvements.

15 (6) The present status of farming.

16 (7) Anticipated trends in agricultural economic
17 conditions and technology.

18 (8) Any other natural or economic factors as may be
19 relevant.

20 (c) Resource materials.--In considering the viability
21 factors as set forth in this section, various resource materials
22 shall be used, including, but not limited to, the following:

23 (1) Soil surveys of the Pennsylvania State University.

24 (2) Soil surveys and other information provided by the
25 National Cooperative Soil Survey.

26 (3) Soil survey maps prepared by the United States Soil
27 Conservation Service.

28 (4) The United States census of agricultural categories
29 of land use classes.

30 (5) Agricultural viability maps prepared by the

1 Department of Agriculture.

2 (6) Any other relevant published data, maps, charts, or
3 results of soil or land use surveys made by any State or
4 Federal agency.

5 Section 8. Decision on proposed area.

6 (a) Action by governing body.--The governing body, after
7 receiving the reports of the planning commission and the
8 advisory committee, and after such public hearing, may adopt ~~as~~ ←
9 ~~a plan~~ the proposal or any modification of the proposal they
10 deem appropriate, including the inclusion, to the extent
11 feasible, of adjacent viable farm lands, and, the exclusion, to
12 the extent feasible, of nonviable farm land and nonfarm land.
13 The existence of utility facilities on the proposed area shall
14 not prevent the designation of the area as "agricultural" nor
15 shall the rights of utilities with respect to the existing
16 facilities be disturbed or affected by such designation. The
17 governing body shall act to adopt or reject the proposal, or any
18 modification of it, no later than 180 days from the date the
19 proposal was originally submitted.

20 (b) Effective date of creation of area.--The proposed area,
21 shall become effective upon the adoption of same by the
22 governing body.

23 (c) Filing of area description.--Upon the creation of an
24 agricultural area, a description thereof shall be filed by the
25 governing body with the recorder of deeds and with the planning
26 commission.

27 (D) PARTICIPATION.--PARTICIPATION IN THE AGRICULTURAL AREA ←
28 SHALL BE AVAILABLE AT ITS CREATION TO LANDOWNERS WITHIN THE
29 JURISDICTION OF THE GOVERNING BODY INCLUDING THOSE NOT AMONG THE
30 ORIGINAL PETITIONERS ON A VOLUNTARY BASIS. THE ADDITION OR

1 DELETION OF LAND IN THE AGRICULTURAL AREA SHALL ONLY OCCUR AFTER
2 SEVEN YEARS OR WHENEVER THE AGRICULTURAL AREA IS SUBJECT TO
3 REVIEW BY THE LOCAL GOVERNING BODY.

4 Section 9. Review of area.

5 (A) REVIEW BY GOVERNING BODY.--The governing body shall <—
6 review any area created under this section ~~eight~~ SEVEN years <—
7 after the date of its creation and every ~~eight~~ SEVEN years <—
8 thereafter. In conducting such review, the governing body shall
9 ask for the recommendations of the planning commission, the
10 county planning commission and the advisory committee, and
11 shall, at least 120 days prior to the end of the ~~eighth~~ SEVENTH <—
12 year and not more than 180 days prior to such date, hold a
13 public hearing at a place within the area or otherwise readily
14 accessible to the area upon notice in a newspaper having a
15 general circulation within the area by posting in five
16 conspicuous places within, adjacent or near the area and by
17 individual notice, in writing, to those municipalities whose
18 territories encompass the area and the person owning land within
19 the area. The governing body after receiving the reports of the
20 planning commission, the county planning commission and the
21 advisory committee and after the public hearing, may terminate
22 the area at the end of such ~~eight-year~~ SEVEN-YEAR period by <—
23 filing a notice of termination with the recorder of deeds and
24 with the planning commission or may modify the area in the same
25 manner as is provided in this act for the creation of areas. If
26 the governing body does not act, or if a modification of an area
27 is rejected, the area shall continue as originally constituted.

28 (B) LANDOWNER WITHDRAWAL.--LANDOWNERS WHO WISH THEIR LAND TO <—
29 BE WITHDRAWN OR INCLUDED IN THE AGRICULTURAL AREA SHALL NOTIFY
30 THE LOCAL GOVERNING UNIT OF THEIR INTENT AT LEAST 120 DAYS

1 BEFORE THE END OF THE SEVENTH YEAR.

2 Section 10. Appeals.

3 Any party in interest aggrieved by a decision or action of
4 the governing body relating to the creation, composition,
5 modification, rejection or termination of an agricultural area
6 may take an appeal to the court of common pleas, in the manner
7 provided by law within 30 days after such decision or action.

8 Section 11. Limitation on local regulations.

9 ~~No municipality or political subdivision shall exercise any~~ <—
10 ~~of its powers to enact local laws or ordinances within an~~
11 ~~agricultural area in a manner which would unreasonably restrict~~
12 ~~or regulate farm structures or farming practices in~~
13 ~~contravention of the purposes of the act unless such~~
14 ~~restrictions or regulations bear a direct relationship to the~~
15 ~~public health or safety.~~

16 (A) GENERAL RULE.--EVERY MUNICIPALITY OR POLITICAL <—
17 SUBDIVISION CREATING AN AGRICULTURAL AREA SHALL ENCOURAGE THE
18 CONTINUITY, DEVELOPMENT AND VIABILITY OF AGRICULTURE WITHIN SUCH
19 AN AREA BY NOT ENACTING LOCAL LAWS OR ORDINANCES WITHIN SUCH AN
20 AREA IN A MANNER WHICH WOULD UNREASONABLY RESTRICT FARM
21 STRUCTURES OR FARM PRACTICES IN CONTRAVENTION OF THE PURPOSES OF
22 THIS ACT UNLESS SUCH RESTRICTIONS OR REGULATIONS BEAR A DIRECT
23 RELATIONSHIP TO THE PUBLIC HEALTH OR SAFETY.

24 (B) PUBLIC NUISANCE.--ANY MUNICIPAL OR POLITICAL SUBDIVISION
25 LAW OR ORDINANCE DEFINING OR PROHIBITING A PUBLIC NUISANCE SHALL
26 EXCLUDE FROM THE DEFINITION OF SUCH NUISANCE ANY AGRICULTURAL
27 ACTIVITY OR OPERATION CONDUCTED USING NORMAL FARMING OPERATIONS
28 WITHIN AN AGRICULTURAL AREA AS PERMITTED BY THIS ACT IF SUCH
29 AGRICULTURAL ACTIVITY OR OPERATION DOES NOT BEAR A DIRECT
30 RELATIONSHIP TO THE PUBLIC HEALTH AND SAFETY.

1 Section 12. Policy of Commonwealth agencies.

2 It shall be the policy of all Commonwealth agencies to
3 encourage the maintenance of viable farming in agricultural
4 areas and their administrative regulations and procedures shall
5 be modified to this end insofar as is consistent with the
6 promotion of public health and safety, with the provisions of
7 any Federal statutes, standards, criteria, rules, regulations,
8 or policies, and any other requirements of Federal agencies,
9 including provisions applicable only to obtaining Federal
10 grants, loans, or other funding.

11 Section 13. Limitation on exercise of eminent domain.

12 (a) Approval required for condemnation by an agency of the
13 Commonwealth.--No agency of the Commonwealth having or
14 exercising powers of eminent domain shall condemn any land
15 within any agricultural area for any purpose unless prior
16 approval has been obtained from the ~~following committee: a~~ <—
17 ~~committee made up of six members, consisting of the Director of~~
18 ~~the Office of State Planning and Development, or his designee,~~
19 ~~the Secretary of Agriculture, or his designee, the Secretary of~~
20 ~~Environmental Resources, or his designee, the Secretary of~~
21 ~~Transportation, or his designee, and two active farmers~~
22 ~~appointed by the Governor, with the advice and consent of a~~
23 ~~majority of the Senate, for a term of four years. The chairman~~
24 ~~of this committee shall be the Secretary of Agriculture, or his~~
25 ~~designee.~~ AGRICULTURAL LANDS CONDEMNATION APPROVAL BOARD AS <—
26 ESTABLISHED IN SECTION 306 OF THE ACT OF APRIL 9, 1929 (P.L.177,
27 NO.175), KNOWN AS "THE ADMINISTRATIVE CODE OF 1929." The
28 condemnation approval specified by this subsection shall not be
29 required for an underground public utility facility FOR ANY <—
30 FACILITY OF AN ELECTRIC COOPERATIVE CORPORATION or for any

1 public utility facility the necessity for and the propriety and
2 environmental effects of which has been reviewed and ratified or
3 approved by the Pennsylvania Public Utility Commission or the
4 Federal Energy Regulatory Commission.

5 (b) Approval required for condemnation by a political
6 subdivision, authority, public utility or other body.--No
7 political subdivision, authority, public utility or other body
8 having or exercising powers of eminent domain shall condemn any
9 land within any agricultural area for any purpose, unless prior
10 approval has been obtained from AGRICULTURAL LANDS CONDEMNATION <—
11 APPROVAL BOARD AND FROM each of the following bodies: the
12 governing bodies of the municipalities encompassing the
13 agricultural area, the county commissioners, and the
14 Agricultural Area Advisory Committee. The condemnation approvals
15 specified by this subsection shall not be required for an
16 underground public utility facility FOR ANY FACILITY OF AN <—
17 ELECTRIC COOPERATIVE CORPORATION or for any public utility
18 facility the necessity for and the propriety and environmental
19 effects of which has been reviewed and ratified or approved by
20 the Pennsylvania Public Utility Commission or the Federal Energy
21 Regulatory Commission, regardless of whether the right to
22 establish and maintain such underground or other public utility
23 facility is obtained by condemnation, or by agreement with the
24 owner.

25 (c) Notice.--Any condemnor wishing to condemn property the
26 approval for which is required under this section shall at least
27 30 days prior to taking such action notify each of the foregoing
28 bodies that such action is contemplated, and no such
29 condemnation shall be effective until 90 days following the
30 receipt of such notice.

1 (d) Review by ~~committee~~ AGRICULTURAL LANDS CONDEMNATION <—
2 APPROVAL BOARD.--Upon receipt of such notice the ~~committee~~ <—
3 ~~provided for in this section~~ BOARD PROVIDED FOR IN SUBSECTION <—
4 (A) OR THE BODIES PROVIDED FOR IN SUBSECTION (B) JOINTLY OR
5 SEPARATELY shall review the proposed condemnation to determine
6 its effect upon the preservation and enhancement of agriculture
7 and agricultural resources within the area and upon
8 Commonwealth, county and municipal environmental and
9 comprehensive plans, policies and objectives.

10 (e) Public hearings.--Within such 90-day period the
11 ~~committee~~ AGRICULTURAL LANDS CONDEMNATION BOARD shall hold a <—
12 public hearing concerning the proposed condemnation at a place
13 within or otherwise readily accessible to the area. Timely
14 notice of such hearing shall be placed in a newspaper having a
15 general circulation within the area and a written notice shall
16 be posted at five conspicuous places within or adjacent to the
17 area. Individual written notice shall also be given to all
18 municipalities encompassing all or part of the area, ~~and~~ to the <—
19 proposed condemnor, AND TO THE OWNERS OF THE LAND PROPOSED TO BE <—
20 CONDEMNED.

21 (f) Findings and decisions ~~of the committee.~~ The <—
22 ~~committee~~ --THE AGRICULTURAL LANDS CONDEMNATION APPROVAL BOARD <—
23 shall render ~~its~~ findings and decisions on or before the <—
24 expiration OF such 90-day period and likewise within such period <—
25 shall report the same to the proposed condemnor, the
26 municipalities affected and any party who shall file an
27 appearance at such hearing. If the ~~committee~~ AGRICULTURAL LANDS <—
28 CONDEMNATION APPROVAL BOARD finds that such proposed
29 condemnation might have an unreasonably adverse effect upon the
30 preservation and enhancement of agriculture or municipal

1 resources within the area or upon the environmental and
2 comprehensive plans of the county, municipality and the
3 Commonwealth or upon the goals, resources plans, policies or
4 objectives thereof, or that in any event there is a reasonable
5 or prudent alternative to such condemnation, the ~~committee~~ <—
6 AGRICULTURAL LANDS CONDEMNATION APPROVAL BOARD shall refuse <—
7 approval for such condemnation.

8 (g) Injunctions.--The ~~committee~~ AGRICULTURAL LANDS <—
9 CONDEMNATION APPROVAL BOARD may request the Attorney General OR <—
10 THE BODIES MAY REQUEST THEIR SOLICITOR to bring an action to
11 enjoin any such condemnor from violating any of the provisions
12 of this section.

13 (h) Emergencies excepted.--This section shall not apply to
14 any emergency project which is immediately necessary for the
15 protection of life or property.

16 Section 14. Purchase of development easement in agricultural
17 areas.

18 (a) Program to purchase easements.--After the establishment
19 of an agricultural area by the governing body, the county
20 governing body may authorize a program to purchase the
21 development easements for land within an agricultural area. The
22 program shall be administered by the county planning commission
23 and a farmer member from each Agricultural Area Advisory
24 Committee within the county.

25 (b) Funds for purchases.--The county governing body may use
26 moneys from its general fund and/or incur debt to make available
27 moneys to purchase the development easements in agricultural
28 areas. The incurring of debt by the county governing body shall
29 be consistent with all present laws and procedures imposed on
30 counties for such action.

1 (c) Offers.--Agents, employees or officials of the county
2 planning commission shall be responsible to make such offers and
3 to enter into such negotiations as are necessary with any owner
4 of lands in an agricultural area, in order to purchase any
5 development easements. Nothing in this act shall be construed as
6 to require any owner of land in an agricultural area to sell or
7 transfer any development easements thereto. An owner may reject
8 any offer by any official of the county planning commission to
9 purchase any development easements. The price for the purchase
10 of development easements shall be mutually agreed to by the
11 owner of the land affected and the county governing body. All
12 such contracts for purchase shall be in writing.

13 (d) Sale of land.--A county governing body may sell any
14 development easements it has acquired under this act: Provided,
15 That the local governing body, which has jurisdiction over the
16 effected land, approves the sale by a majority vote of its
17 members: And, further provided, That the present owner of the
18 land affected has refused to purchase such development easement.
19 Section 15. Rules and regulations.

20 The Secretary of the Department of Agriculture shall
21 promulgate rules and regulations necessary to promote the
22 efficient, uniform and Statewide administration of the act.

23 Section 16. Effective date.

24 This act shall take effect in 60 days.