
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1283 Session of
1982

INTRODUCED BY HELFRICK, STAPLETON, RHOADES, MOORE, CORMAN, HESS,
WILT, O'PAKE, SHAFFER, ROSS, SNYDER, ANDREZESKI, MANBECK AND
PECORA, JANUARY 20, 1982

AS REPORTED FROM COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,
HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 26, 1982

AN ACT

1 Providing for the administration of certain Commonwealth
2 farmland within the Department of Agriculture.

3 WHEREAS, The General Assembly hereby finds and declares that
4 in order to ensure economic and efficient land use, increase and
5 improve production and provide food, Commonwealth lands may be
6 transferred to the Pennsylvania Department of Agriculture and
7 advisory committee appointed by the Department of Agriculture as
8 is provided by this act; and

9 WHEREAS, The General Assembly finds that the Commonwealth
10 currently possesses extensive holdings of farmland; and

11 WHEREAS, The General Assembly finds that these lands should
12 be sold or conserved by the Commonwealth in order to preserve
13 this land for agricultural use, research use, educational use or
14 other public purposes;

15 THEREFORE, The General Assembly hereby instructs the
16 Department of Agriculture, in order to hold these lands in

1 public trust, to ensure economic and efficient land use, to
2 increase and improve production of agricultural products, and to
3 provide an opportunity for young farm families to begin
4 agricultural careers.

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

7 Section 1. Definitions.

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

11 "Advisory Committee." The advisory committee established by
12 this act shall advise the Secretary of Agriculture as to
13 appropriate actions consistent with sound husbandry, efficient
14 management of resources and decisions consistent with the
15 Commonwealth's policy of Agricultural Preservation of Lands
16 administered by the Department of Agriculture under the
17 provisions of this act.

18 "Agricultural products." Livestock and livestock products
19 and poultry products, fruits and fruit products, vegetables and
20 vegetable products, grains and hays, timber and timber products
21 and the products derived therefrom and other products derived
22 from the business of farming, including such other products as
23 may be manufactured, derived, or prepared from the heretofore
24 mentioned products, raw or processed, which are used as food for
25 man or animals.

26 "Department." The Pennsylvania Department of Agriculture.

27 "Land-use facility." Any processing plant, milking stable,
28 institution equipment storage building, barn, silo, grain
29 storage building, swinery or any other building owned by an
30 agency, department or commission of the Commonwealth used in its

1 land-use production and maintenance operations and transferred
2 to the department as provided in this act.

3 "Secretary." The Secretary of the Pennsylvania Department of
4 Agriculture.

5 Section 2. Advisory Committee established; composition; quorum.

6 There is hereby established within the Department of
7 Agriculture an advisory committee composed of nine members as
8 follows; the Director of the Bureau of Rural Affairs of the
9 Department of Agriculture who shall be chairman, the Secretary
10 of General Services or his designee, the Chairman of the House
11 Agriculture Committee, the Chairman of the Senate Agriculture
12 Committee and five farmers appointed from a list of names
13 submitted to the secretary by chartered farm organizations. The
14 terms of the farmer members shall be for six years. The terms
15 shall be staggered and one member shall be appointed every two
16 years. The initial appointments of farmer members shall be for
17 terms of two, four and six years. No business may be transacted
18 by the committee in the absence of a quorum which consists of
19 five members. The SECRETARY AND THE committee shall annually
20 file a report at the end of the fiscal year with the Governor
21 and the members of the General Assembly.

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22 Section 3. Powers, duties and responsibilities of the
23 secretary.

24 The secretary shall manage lands for the most efficient
25 production of agricultural products, and provide land and
26 facilities for agricultural research and educational purposes.
27 The secretary shall have full power and authority over all land
28 transferred to the department, including but not limited to the
29 management of; personnel, production, leasing of the land,
30 facilities and equipment; the making of recommendations for sale

1 with deed restrictions including easements, profits,
2 reservations or covenants limiting land use to agriculture; the
3 purchase of supplies, facilities and equipment, repairs,
4 maintenance, and the sale of agricultural products. Revenue from
5 the leasing of land, facilities and equipment and from the sale
6 of agricultural products shall be remitted to the State
7 Treasurer for payment into a restricted revenue account to be
8 known as the Agricultural Farm Operations Account. Moneys in the
9 account shall be used to pay the costs of operation, repairs,
10 modernization of facilities and equipment, and the purchases of
11 supplies, equipment and facilities.

12 Section 4. Additional powers and duties of the secretary.

13 (a) The secretary shall prepare an annual report of the
14 operations, including a list of all receipts and expenditures
15 and shall present it to the advisory committee at the end of
16 each fiscal year.

17 (b) As authorized or directed by this act, the secretary
18 shall also:

19 (1) Prepare the annual budget request for the operation
20 of the institutional lands and submit it to the advisory
21 committee and the budget office.

22 (2) Receive and approve all requisitions for supplies,
23 equipment and facilities.

24 (3) Recruit such employees as deemed necessary.

25 (4) Supervise all employees.

26 (5) Transfer supplies, equipment, facilities and
27 agricultural products to promote efficiency and improve land
28 management.

29 (6) Act as agent for the Secretary of General Services
30 in all negotiations for leases, contracts and agreements.

1 Section 5. Transfers to department; utility continuance.

2 (a) All land whether or not presently under leasehold
3 interests, previously transferred from the Department of Public
4 Welfare shall be administered in accordance with this act. Land
5 shall be transferred regardless of current leasehold interests.
6 The secretary, as agent for the Secretary of General Services
7 shall administer all leases.

8 (b) Land, together with all easements, mineral rights,
9 appurtenances, equipment, agricultural products, inventories,
10 and facilities thereon or attached thereto, may be transferred
11 by an agency, board or commission to the Department of
12 Agriculture upon approval by the Secretary. Any land so
13 transferred shall be managed under the terms and conditions
14 contained in this act.

15 Section 6. Establishment of land use division lines; appeal;
16 remedy.

17 (a) A surveyor shall establish the division lines and plot
18 plans for lands transferred to the department. In establishing
19 the division lines and plot plans, the ~~Land Management Director~~ <—
20 SECRETARY shall cooperate fully with the Department of General <—
21 Services and any other affected Commonwealth agency, department
22 or commission.

23 (b) In the event of disagreement over the placement of a
24 division line, the construction of a plot plan or the
25 disposition of equipment, supplies and facilities, the ~~Land~~ <—
26 ~~Management Director~~ SECRETARY OR HIS DESIGNEE and the <—
27 Commonwealth agency, department, or commission involved in the
28 disagreement shall, within 30 days, appear before the Secretary
29 of General Services for a hearing on the matter. The Secretary
30 of General Services shall decide the matter in all cases.

1 (c) The secretary shall have the power to make agreements
2 with other Commonwealth agencies, departments and commissions to
3 provide utility services to lands transferred. The ~~executive~~ <—
4 ~~director~~ ADVISORY COMMITTEE shall annually recommend to the <—
5 secretary payment in lieu of taxes to political subdivisions.

6 Section 7. Transfer of operations.

7 (a) All moneys paid into the State Treasury under the
8 provisions of this act shall be paid into a restricted revenue
9 account hereby created and to be known as the Agricultural Farm
10 Operations Account.

11 (b) All appropriations shall be paid into the Agricultural
12 Farm Operations Account.

13 (c) All moneys in the Agricultural Farm Operations Account
14 shall be used to pay:

15 (1) All salaries of employees.

16 (2) All expenses incurred in the performance and
17 administration of this act.

18 (3) All expenditures for the purchases of supplies,
19 equipment and facilities.

20 (d) All moneys currently within the existing restricted
21 revenue account known as the Agricultural Farm Operations
22 Account of the Bureau of Rural Affairs shall be transferred to
23 the Agricultural Farm Operations Account.

24 Section 8. Leasing provisions.

25 (a) The ~~commission~~ SECRETARY AS AGENT FOR THE SECRETARY OF <—
26 GENERAL SERVICES may enter into leases for the rental of land,
27 equipment and facilities. The lease may not exceed five years in
28 duration. Options may be granted at any time during the term of
29 the lease, but shall not exceed a duration of five years.

30 (b) The secretary, as agent for the ~~Commonwealth~~ SECRETARY <—

1 OF GENERAL SERVICES, shall give preference to young farm
2 families who wish to begin a career in agriculture in the
3 letting of any lease for land under this act: PROVIDED, THAT ←
4 NOTHING HEREIN SHALL PROHIBIT THE SECRETARY FROM:

5 (1) RESTRICTING ANY SUCH LEASE TO ALLOW THE LIMITED USE
6 OF THE LAND OR BUILDINGS BY EDUCATIONAL INSTITUTIONS OR BY
7 FARM YOUTH ORGANIZATIONS.

8 (2) EXCLUDING FROM ANY SUCH LEASE A LIMITED PART OF THE
9 LAND OR A BUILDING OR BUILDINGS IN ORDER TO ALLOW THE
10 EXCLUDED PROPERTY TO BE USED BY EDUCATIONAL INSTITUTIONS OR
11 BY FARM YOUTH ORGANIZATIONS. The ~~commission~~ SECRETARY shall ←
12 set standards, criteria and other qualifications for
13 applicants who wish to enter into a lease for land. These
14 standards, criteria and qualifications shall be established
15 by regulation through the Department of Agriculture.

16 Section 9. Effective date.

17 This act shall take effect immediately.