

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1860 Session of 1993

INTRODUCED BY MILLER, ROHRER, HERSHEY, TRUE, BAKER, KREBS, GORDNER, LAUB, FICHTER, NAILOR, ARGALL, FAIRCHILD, HENNESSEY, FARGO, BUNT, SEMMEL, STERN, SANTONI, GEIST, NICKOL, GERLACH, EGOLF, HASAY, BARLEY, NYCE, STEELMAN, GODSHALL, SCHEETZ, McCALL, CLYMER, PLATTS, E. Z. TAYLOR, HESS, PITTS, BROWN, TRELLO, MARSICO, ARMSTRONG, VANCE, PETTIT AND STEIL, JUNE 22, 1993

AS REPORTED FROM COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 9, 1994

AN ACT

1 Reenacting the proceeds disposition provision of the act of June
2 18, 1982 (P.L.549, No.159), entitled "An act providing for
3 the administration of certain Commonwealth farmland within
4 the Department of ~~Agriculture.~~" AGRICULTURE," AND PROVIDING <—
5 FOR AN AGRICULTURAL LAND CONSERVATION ASSISTANCE GRANT
6 PROGRAM.

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

9 Section 1. Section ~~7.1(a)~~ 7.1 of the act of June 18, 1982 <—
10 (P.L.549, No.159), entitled "An act providing for the
11 administration of certain Commonwealth farmland within the
12 Department of Agriculture," added May 13, 1988 (P.L.398, No.64),
13 is reenacted AND AMENDED to read: <—

14 Section 7.1. Proceeds from the sale of land, equipment or
15 facilities.

16 (a) Proceeds from the sale of all land, or portions of land,
17 equipment or facilities, transferred to the Department of

1 Agriculture under this act and subsequently disposed of by the
2 Commonwealth under Article XXIV-A of the act of April 9, 1929
3 (P.L.177, No.175), known as The Administrative Code of 1929,
4 shall, notwithstanding SECTION 623 OF THE ADMINISTRATIVE CODE OF <—
5 1929 OR any other provision of the law to the contrary, be
6 credited to the Agricultural Conservation Easement Purchase
7 Fund.

8 * * * <—

9 ~~Section 2. This act shall take effect immediately.~~

10 (B) PROCEEDS FROM THE SALE OF ALL LAND, OR PORTIONS OF LAND, <—
11 EQUIPMENT OR FACILITIES AT THE WOODVILLE STATE FARM, COLLIER
12 TOWNSHIP, ALLEGHENY COUNTY, AND TRANSFERRED TO THE DEPARTMENT OF
13 AGRICULTURE UNDER THIS ACT AND SUBSEQUENTLY DISPOSED OF BY THE
14 COMMONWEALTH UNDER ARTICLE XXIV-A OF THE ADMINISTRATIVE CODE OF
15 1929 SHALL, NOTWITHSTANDING ANY OTHER PROVISION OF THE LAW TO
16 THE CONTRARY, BE CREDITED TO THE FARM PRODUCTS SHOW FUND.

17 (C) SECTION 623 OF THE ADMINISTRATIVE CODE OF 1929, RELATING
18 TO DISPOSITION OF COMMONWEALTH ASSETS, SHALL NOT APPLY TO
19 SECTION 7.1(A) OF THIS ACT INsofar AS IT IS INCONSISTENT WITH
20 THIS SECTION.

21 SECTION 2. THE ACT IS AMENDED BY ADDING A SECTION TO READ:
22 SECTION 7.3. AGRICULTURAL LAND CONSERVATION ASSISTANCE GRANT
23 PROGRAM.

24 (A) THE DEPARTMENT, IN CONSULTATION WITH THE STATE
25 AGRICULTURAL LAND PRESERVATION BOARD, IS HEREBY AUTHORIZED TO
26 USE FUNDS DEPOSITED INTO THE AGRICULTURAL CONSERVATION EASEMENT
27 PURCHASE FUND UNDER SECTION 7.1(A) TO MAKE GRANTS TO COUNTIES
28 FOR THE FOLLOWING PURPOSES:

29 (1) TO COVER COSTS INCURRED BY A COUNTY IN CREATING A
30 SPATIAL MAPPING DATABASE. SUCH DATABASE SHALL CONTAIN COUNTY

1 TOPOGRAPHIC DATA, PROPERTY BOUNDARIES, SOIL BOUNDARIES, SOIL
2 CAPABILITY CLASSES AND SOIL PRODUCTIVITY RATINGS FOR LANDS IN
3 THE COUNTY UNDER AGRICULTURAL CONSERVATION EASEMENT
4 RESTRICTIONS.

5 (2) TO COVER COSTS INCURRED BY A COUNTY IN ESTABLISHING
6 AN AGRICULTURAL CONSERVATION EASEMENT PURCHASE PROGRAM. SUCH
7 GRANTS MAY BE USED TO TRAIN STAFF, CONTRACT WITH CONSULTANTS
8 AND PAY OTHER ADMINISTRATIVE EXPENSES RELATED TO PROMOTING
9 AND IMPLEMENTING AGRICULTURAL CONSERVATION EASEMENT PURCHASE
10 PROGRAMS.

11 (3) TO ASSIST COUNTIES IN THE DEVELOPMENT AND
12 IMPLEMENTATION OF AGRICULTURAL ZONING ORDINANCES, INCLUDING
13 MODEL ORDINANCES FOR POSSIBLE ADOPTION BY MUNICIPALITIES.

14 (B) GRANTS MADE PURSUANT TO SUBSECTION (A) SHALL BE IN THE
15 FOLLOWING AMOUNTS:

16 (1) AN AMOUNT NOT TO EXCEED THE LESSER OF \$5,000 OR 50%
17 OF THE COST INCURRED BY A COUNTY IN THE DEVELOPMENT OF A
18 SPATIAL MAPPING DATABASE.

19 (2) AN AMOUNT NOT TO EXCEED THE LESSER OF \$20,000 OR 50%
20 OF THE COST INCURRED BY A COUNTY IN THE DEVELOPMENT AND
21 IMPLEMENTATION OF AGRICULTURAL ZONING ORDINANCES OR IN THE
22 ESTABLISHMENT OF AN AGRICULTURAL LAND PRESERVATION PROGRAM.

23 (C) ON OR BEFORE JANUARY 1 OF EACH YEAR, A COUNTY MAY SUBMIT
24 AN APPLICATION FOR A GRANT UNDER THIS SECTION TO THE DEPARTMENT
25 IN SUCH FORM AND MANNER AND CONTAINING SUCH DOCUMENTATION AS THE
26 DEPARTMENT, IN CONSULTATION WITH THE STATE BOARD, SHALL
27 PRESCRIBE.

28 (D) THE DEPARTMENT, IN CONSULTATION WITH THE STATE BOARD,
29 SHALL ESTABLISH ELIGIBILITY CRITERIA FOR AWARDING GRANTS FOR THE
30 PURPOSES ENUMERATED HEREIN.

1 (E) THE DEPARTMENT SHALL ADMINISTER THE PROVISIONS OF THIS
2 ACT AND IS AUTHORIZED, IN CONSULTATION WITH THE STATE BOARD, TO
3 ADOPT AND PROMULGATE REGULATIONS FOR THE ADMINISTRATION AND
4 ENFORCEMENT OF THE PROVISIONS OF THIS ACT.

5 (F) THE AUTHORITY OF THE DEPARTMENT TO MAKE GRANTS UNDER
6 THIS SECTION SHALL EXPIRE ON DECEMBER 31, 1999.

7 SECTION 3. THE REENACTMENT OF AND THE AMENDMENT TO SECTION
8 7.1 SHALL BE RETROACTIVE TO AUGUST 14, 1991.

9 SECTION 4. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.