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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 1860

Session of  
1993

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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

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SENATOR TILGHMAN, APPROPRIATIONS, IN SENATE, RE-REPORTED AS  
AMENDED, SEPTEMBER 26, 1994

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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," and providing for an  
5 agricultural land conservation assistance grant program.

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

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

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

15 (a) Proceeds from the sale of all land, or portions of land,  
16 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 (b) Proceeds from the sale of all land, or portions of land,  
9 equipment or facilities at the Woodville State Farm, Collier  
10 Township, Allegheny County, and transferred to the Department of  
11 Agriculture under this act and subsequently disposed of by the  
12 Commonwealth under Article XXIV-A of The Administrative Code of  
13 1929 shall, notwithstanding any other provision of the law to  
14 the contrary, be credited to the Farm Products Show Fund.

15 (c) Section 623 of The Administrative Code of 1929, relating  
16 to disposition of Commonwealth assets, shall not apply to  
17 section 7.1(a) of this act insofar as it is inconsistent with  
18 this section.

19 Section 2. The act is amended by adding a section to read:  
20 Section 7.3. Agricultural land conservation assistance grant  
21 program.

22 (a) The department, in consultation with the State  
23 Agricultural Land Preservation Board, is hereby authorized to  
24 use up to \$750,000 of the funds deposited into the Agricultural  
25 Conservation Easement Purchase Fund under section 7.1(a) to make  
26 grants to counties for the following purposes:

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

(2) To cover costs incurred by a county to train staff,  
contract with consultants and pay other administrative  
expenses related to promoting and implementing agricultural  
conservation easement purchase programs. AND PAY FOR COMPUTER  
SOFTWARE.

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(3) To assist counties in the development and  
implementation of agricultural zoning ordinances, including  
model ordinances for possible adoption by municipalities  
LOCAL GOVERNMENT UNITS.

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(b) Grants made pursuant to subsection (a) shall be in the  
following amounts:

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(1) An amount not to exceed the lesser of \$5,000 or 50%  
of the cost incurred by a county in the development of a  
spatial mapping database.

(2) An amount not to exceed the lesser of \$20,000 or 50%  
of the cost incurred by a county in the development and  
implementation of agricultural zoning ordinances or in the  
establishment of an agricultural land preservation program.

(B) GRANTS MADE PURSUANT TO SUBSECTION (A) SHALL NOT EXCEED  
THE LESSER OF \$10,000 OR 50% OF THE COSTS INCURRED BY THE  
COUNTY.

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

(d) The department, in consultation with the State board,  
shall establish eligibility criteria for awarding grants for the  
purposes enumerated herein. No county shall be eligible for more  
than an accumulative total of \$25,000 in grants pursuant to this  
section. A COUNTY WHICH RECEIVES A GRANT PURSUANT TO THIS

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1 SECTION BUT WHICH FAILS TO IMPLEMENT AN AGRICULTURAL  
2 CONSERVATION EASEMENT PURCHASE PROGRAM SHALL BE REQUIRED TO  
3 REPAY THE GRANT TO THE COMMONWEALTH. ANY SUCH REPAYMENTS SHALL  
4 BE CREDITED TO THE AGRICULTURAL CONSERVATION EASEMENT PURCHASE  
5 FUND AND MAY BE USED FOR THE PURPOSES OF THIS SECTION.

6 (e) The department shall administer the provisions of this  
7 ~~act~~ SECTION and is authorized, in consultation with the State <—  
8 board, to adopt and promulgate regulations for the  
9 administration and enforcement of the provisions of this ~~act~~ <—  
10 SECTION. <—

11 ~~(f) The authority of the department to make grants under~~ <—  
12 ~~this section shall expire on December 31, 1999.~~

13 Section 3. The reenactment of and the amendment to section  
14 7.1 shall be retroactive to August 14, 1991.

15 Section 4. This act shall take effect ~~immediately~~ JANUARY 1, <—  
16 1995.