

No. 1994-99

AN ACT

HB 1860

Reenacting the proceeds disposition provision of the act of June 18, 1982 (P.L.549, No.159), entitled "An act providing for the administration of certain Commonwealth farmland within the Department of Agriculture," and providing for an agricultural land conservation assistance grant program.

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

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

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

(a) Proceeds from the sale of all land, or portions of land, equipment or facilities, transferred to the Department of Agriculture under this act and subsequently disposed of by the Commonwealth under Article XXIV-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, shall, notwithstanding *section 623 of The Administrative Code of 1929* or any other provision of the law to the contrary, be credited to the Agricultural Conservation Easement Purchase Fund.

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

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

Section 2. The act is amended by adding a section to read:

Section 7.3. Agricultural land conservation assistance grant program.

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

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

(2) To cover costs incurred by a county to train staff, contract with consultants and pay for computer software.

(3) To assist counties in the development and implementation of agricultural zoning ordinances, including model ordinances for possible adoption by local government units.

(b) Grants made pursuant to subsection (a) shall not exceed the lesser of \$10,000 or 50% of the costs incurred by the county.

(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 section but which fails to implement an agricultural conservation easement purchase program shall be required to repay the grant to the Commonwealth. Any such repayments shall be credited to the Agricultural Conservation Easement Purchase Fund and may be used for the purposes of this section.

(e) The department shall administer the provisions of this section and is authorized, in consultation with the State board, to adopt and promulgate regulations for the administration and enforcement of the provisions of this section.

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

Section 4. This act shall take effect January 1, 1995.

APPROVED—The 23rd day of November, A.D. 1994.

ROBERT P. CASEY