



Legislation of Interest to PFFPA – Fall 2016

HB 188 (Sonney)

Short Title: An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further providing for definitions and for the purchase of agricultural conservation easements.

Summary: Defines “wind power generation systems” and permits the granting of rights-of-way for wind power generation systems on a preserved farm. Farm must be at least 50 acres, ROW limited to 2.0 acres for farms up to 149 acres, increasing by 2.0 acres for every 50 acres over 100 acres.

Status: Referred to Senate Rules and Executive Nominations (June 22, 2015)

PFFPA Position: Oppose

HB 458 (Ross)

Short Title: An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further providing for the purchase of agricultural conservation easements.

Summary: Provides for the granting of rights-of way for trails for nonmotorized use on a preserved farm. Trail must be limited to 20’ wide, for nonmotorized passive recreational use, available for use without charge, may not convert land devoted primarily to agricultural production or commercial equine activity, agreement for trail use must be recorded.

Status: Before House Ag. Committee (February 12, 2015)

PFFPA Position: Oppose (2012 Policy Priorities, Act 43, 6)

HB 633 (Thomas)

Short Title: An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further providing for limitation on certain governmental actions.

Summary: Removes the exemption from ALCAB review and approval for PUC and FERC-approved projects. Only applies to first, second and third class counties.

Status: Before House Ag. Committee (February 26, 2015)

PFFPA Position: Support

Other

HB 859 (Staats)

Short Title: An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in realty transfer tax, further providing for exclusions from imposition of tax.

Summary: Exempts transfers of perpetual agricultural conservation easements, historic preservation easements, and recreational use and scenic preservation easements to or between the United States, the Commonwealth or any of their instrumentalities, agencies or political subdivisions are exempt from payment of the realty transfer tax.

Status: **Before House Appropriations Committee (June, 9, 2015)**

PFPA Position: **Support**

SB 556 (McIlhinney)

Short Title: An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in realty transfer tax, further providing for excluded transactions.

Summary: Exempts transfers of conservation easements to municipalities from real estate transfer tax.

Status: **Before Appropriations Committee (June 1, 2015)**

PFPA Position: **Support**

HB 806 (Causer)

Short Title: An Act amending the act of December 19, 1974 (P.L.973, No.319), known as the Pennsylvania Farmland and Forest Land Assessment Act of 1974, further providing for responsibilities of department and for responsibilities of county assessor in establishing use values.

Summary: Prohibits the application of use values that result in assessments higher than fair market value.

Status: **Act 89 of 2016**

SB 201 (Schwank)

Short Title: An Act amending the act of December 19, 1974 (P.L.973, No.319), known as the Pennsylvania Farmland and Forest Land Assessment Act of 1974, further providing for roll-back taxes and special circumstances.

Summary: Allow for the operation of a rural enterprise, as currently defined, by a party other than the landowner or his beneficiaries who enters into a lease with the landowner.

Status: **Laid on the Table (January 27, 2016)**

(Amended to remove allowance for leasing rural enterprise to non-Class A beneficiary)

HB 1447 (Sturla)

Short Title: An Act amending the act of December 19, 1974 (P.L.973, No.319), known as the Pennsylvania Farmland and Forest Land Assessment Act of 1974, further providing for definitions and for applications for preferential assessments.

Summary: Require that those seeking preferential assessment for agricultural land in the Clean and Green Program have submitted an Agricultural Erosion and Sediment Control Plan, Manure Management Plan, National Pollutant Discharge System Permit for Concentrated Animal Feeding Operations and a Nutrient Management Plan.

Status: **Before House Ag. Committee (July 9, 2015)**

SB 1136 (White)

Short Title: An Act amending the act of December 19, 1974 (P.L.973, No.319), known as the Pennsylvania Farmland and Forest Land Assessment Act of 1974, further providing for definitions and for penalty for ineligible use.

Summary: Reduce rollback taxes for landowners who choose to leave the program from seven years to one year. Also reduce the interest rate on rollback taxes from six percent to one percent plus prime (capped at six percent).

Status: **Before Senate Ag. Committee (March 7, 2016)**

SB 803 (Dinniman)

Short Title: An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further providing for limitation on certain governmental actions.

Summary: Protect taxpayer-funded easements against pipeline projects on an acre-to-acre basis, and to protect agricultural easements against condemnation of land for pipeline and Electric Corridor projects.

Description: *Pipeline Acre-for-Acre Act.* In addition, due to the many existing pipelines in my district and the many more planned in order to bring Marcellus Shale gas to market in Philadelphia and other parts, a third bill I am introducing would require pipeline operators that take taxpayer-funded agriculture and conservation easements to replace them within the same county. My bill would only require such acre-for-acre replacement in the first, second and third-class counties – which are more prone to population and land pressures. To further protect these easements and other land in first, second and third-class counties, the bill would further require that pipeline operators take whatever measures are necessary to ensure that their projects do not worsen the stormwater characteristics (total volume and rate of stormwater run-off) of their pipeline right-of-ways.

Status: **Before Senate Ag. Committee (May 14, 2015)**