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TO: Members of the House of Representatives

SUBJECT: Position Paper – House Bill 83, P.N. 61 (Rep. Ross)

DATE: January 16, 2013

### **PBA OPPOSES HOUSE BILL 83**

#### ***Bill Summary***

House Bill 83 amends the Agricultural Security Law by adding that the owner of the land subject to the agricultural conservation easement may relinquish and extinguish the right of construction and use of structures by recording, in the office for the recording of deeds in the county in which the land subject to the agricultural conservation easement is located, an affidavit evidencing the intent to relinquish and extinguish which includes a reference to the original deed of easement.

#### **PBA Position**

**PBA opposes House Bill 83 for the reasons listed below. We ask that you vote in opposition of the legislation.**

- **Adds unnecessary authority for existing landowners.** Pennsylvania's existing agricultural easement purchase program is one of the most successful in the nation. Since its inception in 1989, over 4,100 farms across the state have been approved for easement purchases, protecting more than 450,000 acres of valuable farmland. This program was strengthened in 2011 to remove certain conditions that would cause the expiration of the easement after 25 years. House Bill 83 would allow the existing landowner to affect the value and rights of the property for generations to come.
- **Weakens property rights for future generations.** Because House Bill 83 provides stronger property rights to the current landowner of properties in easement, it affects the availability of certain rights of future landowners. While it extinguishes any ability of future landowners, including family members, to develop the land, it also prevents those landowners from employing the right of construction for personal use buildings.

If you have any questions, please contact me at 717-386-9941 or [bsailhamer@pabuilders.org](mailto:bsailhamer@pabuilders.org).

