

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5313

---

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27, 2006

Received

NOVEMBER 13, 2006

Read twice and referred to the Committee on Agriculture, Nutrition, and  
Forestry

---

## AN ACT

To reserve a small percentage of the amounts made available to the Secretary of Agriculture for the farmland protection program to fund challenge grants to encourage the purchase of conservation easements and other interests in land to be held by a State agency, county, or other eligible entity, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Open Space and Farm-  
5       land Preservation Act”.

6       **SEC. 2. ADDITIONAL TITLE-HOLDING OPTION UNDER**  
7               **FARMLAND PROTECTION PROGRAM.**

8       (a) ADDITIONAL TITLE-HOLDING OPTION; RESERVA-  
9       TION OF FUNDS.—Section 1238I of the Farm Security  
10      Act of 1985 (16 U.S.C. 3838i) is amended by adding at  
11      the end the following new subsection:

12      “(d) OPTION FOR TITLE TO BE HELD BY ELIGIBLE  
13      ENTITY.—

14              “(1) RESERVATION OF FUNDS; PURPOSE.—Of  
15      the funds made available under section 1241(a)(4)  
16      for a fiscal year to carry out this section, the Sec-  
17      retary shall reserve not less than 15 percent to make  
18      grants to support cooperative efforts by an eligible  
19      State agency, a county, and one or more other eligi-  
20      ble entities to purchase conservation easements and  
21      other interests in eligible land under subsection (a),  
22      the title to which will be held by an eligible entity  
23      rather than the United States.

24              “(2) COST SHARING.—Notwithstanding sub-  
25      section (c)(1), the share of the cost of purchasing a

1 conservation easement or other interest in eligible  
2 land borne by the United States under this sub-  
3 section shall not exceed 25 percent. The State agen-  
4 cy involved in the purchase shall contribute 25 per-  
5 cent of the purchase price, the county involved in the  
6 purchase shall contribute 25 percent of the purchase  
7 price, and the other eligible entities involved in the  
8 purchase shall contribute 25 percent of the purchase  
9 price.

10 “(3) PROHIBITION ON USE OF GRANT FUNDS.—  
11 Federal funds made available under this subsection  
12 may not be used by grant recipients for administra-  
13 tive purposes.”.

14 (b) EFFECTIVE DATE.—The amendment made by  
15 subsection (a) shall take effect on October 1, 2006.

Passed the House of Representatives September 26,  
2006.

Attest:

KAREN L. HAAS,  
*Clerk.*