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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1530 Session of  
1991

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INTRODUCED BY STEELMAN, COLE, BARLEY, DeWEESE, STEIGHNER, COY,  
RUDY, GIGLIOTTI, FREEMAN, TRELLO, G. SNYDER, DERMODY, MELIO,  
BROUJOS, CAPPABIANCA, HERMAN, JOSEPHS, CARLSON, PISTELLA,  
LLOYD, PESCI, COLAIZZO, MARKOSEK, BISHOP, BUSH, NOYE, ARGALL  
AND NYCE, JUNE 3, 1991

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REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,  
JUNE 3, 1991

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AN ACT

1 Establishing an Agricultural Advisory Board in the Department of  
2 Environmental Resources and prescribing its powers and  
3 duties; and providing for rules and regulations adopted by  
4 the Environmental Quality Board.

5 The General Assembly finds and declares as follows:

6 (1) Agriculture is this Commonwealth's number one industry.

7 The citizens of this Commonwealth have, through their vote,  
8 affirmed the preservation of agriculture as a vital public  
9 policy. The family farmers of this Commonwealth have a deep and  
10 rich history of responsible land stewardship. This  
11 Commonwealth's first environmentalists were farmers. State  
12 agencies must be more mindful of the impact that certain  
13 policies, rules and regulations impose upon the family farmers  
14 of this Commonwealth.

15 (2) The intent of this act is to ensure that the  
16 agricultural impact of certain Commonwealth policies, rules and  
17 regulations receive due consideration and to ensure that the

1 agricultural community and agricultural experts have the  
2 opportunity to provide comment regarding these policies, rules  
3 and regulations.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Agricultural  
8 Advisory Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall  
11 have the meanings given to them in this section unless the  
12 context clearly indicates otherwise:

13 "Board." The Agricultural Advisory Board established in  
14 section 3.

15 "Department." The Department of Environmental Resources of  
16 the Commonwealth.

17 "Normal farming practices." The customary and generally  
18 accepted activities, practices and procedures that farmers  
19 adopt, use or engage in year after year in the production and  
20 preparation for market of crops, livestock and livestock  
21 products and in the production and harvesting of agricultural,  
22 agronomic, horticultural, silvicultural and aquacultural crops  
23 and commodities.

24 "Secretary." The Secretary of Environmental Resources of the  
25 Commonwealth.

26 Section 3. Establishment of board.

27 There is hereby established in the Department of  
28 Environmental Resources the Agricultural Advisory Board. The  
29 board shall consist of the secretary or his designee, who shall  
30 be chairperson; the Secretary of Agriculture or his designee;

1 three active producers of agricultural commodities, citizens of  
2 this Commonwealth, who shall be appointed by the Governor; two  
3 representatives of The Pennsylvania State University College of  
4 Agriculture, one of whom shall be an expert in soil science and  
5 one whom shall be an expert in water quality, both of whom shall  
6 be appointed by the Governor; two representatives of two  
7 separate Statewide farm organizations, one of whom shall be  
8 appointed by the President pro tempore of the Senate and one of  
9 whom shall be appointed by the Speaker of the House of  
10 Representatives.

11 Section 4. Powers and duties of board.

12 The board shall have the following powers and its duties  
13 shall be to:

14 (1) Provide advice and expertise to the secretary  
15 regarding the nature of normal farming practices in this  
16 Commonwealth.

17 (2) Assist the secretary and provide comment prior to  
18 the development of departmental policy that will impact upon  
19 normal farming practices in this Commonwealth.

20 (3) Assist the secretary and provide comment prior to  
21 the promulgation of rules or regulations that will impact  
22 upon normal farming practices in this Commonwealth.

23 (4) Provide comment to the secretary regarding existing  
24 departmental policy that will affect normal farming practices  
25 in this Commonwealth.

26 Section 5. Powers of Environmental Quality Board.

27 The Environmental Quality Board shall have no power to adopt  
28 rules or regulations affecting normal farming practices until  
29 receipt of written comments on the proposed rules or regulations  
30 from the board or until 90 days have expired from the date when

1 the rules and regulations were submitted by the secretary to the  
2 board for their comments.

3 Section 6. Effective date.

4 This act shall take effect in 60 days.