

## AMENDMENTS TO SENATE BILL NO. 1171

Sponsor: REPRESENTATIVE CAUSER

Printer's No. 1893

1 Amend Bill, page 1, line 12, by inserting after "BOARD"  
2 , for powers of board and for review of regulations

3 Amend Bill, page 11, lines 24 and 25, by striking out all of  
4 said lines and inserting

5 Section 2. Sections 702(b)(2), 703 and 704(a) and (b) of  
6 Title 27 are amended to read:

7 Amend Bill, page 12, lines 1 through 5, by striking out all  
8 of said lines and inserting

9 (2) A dairy producer, a livestock producer, a poultry  
10 producer, a grain producer, a fruit producer, a vegetable  
11 producer, a representative of the ornamental horticultural  
12 industry, a producer engaged in sustainable agriculture, a  
13 representative from the agricultural chemical manufacturers  
14 industry and a representative from the agribusiness industry.  
15 The Governor shall appoint these representatives to sit for a  
16 three-year term. Representatives appointed under this  
17 paragraph must receive a majority of their gross income from  
18 the activity which they represent. Two of the representatives  
19 appointed under this paragraph shall hold an active  
20 concentrated animal feeding operation permit as required by  
21 the act of June 22, 1937 (P.L.1987, No.394), known as The  
22 Clean Streams Law.

23 \* \* \*

24 § 703. Powers of board.

25 (a) General rule.--The board shall have the following  
26 powers:

27 (1) Provide advice and expertise to the secretary  
28 regarding the nature of agriculture in this Commonwealth.

29 (2) Assist the secretary and provide written comments on  
30 new departmental policy that will impact upon agriculture in  
31 this Commonwealth.

32 (3) Assist the secretary and provide comment on  
33 regulatory, permitting, technical guidance and policy  
34 proposals pursuant to section 704 (relating to review of  
35 regulations).

1 (4) Provide comment to the secretary regarding existing  
2 departmental policy, permitting, technical guidance and  
3 regulations affecting agriculture in this Commonwealth.

4 (b) Exempt regulations.--Regulations subject to review by  
5 the seasonal farm labor committee under the act of June 23, 1978  
6 (P.L.537, No.93), known as the Seasonal Farm Labor Act, are  
7 exempt from review under subsection (a).

8 § 704. Review of regulations and other documents.

9 (a) Notice to board.--

10 (1) The department shall notify the board of the  
11 development of any regulatory proposal, permit, technical  
12 guidance or departmental policy which would regulate or  
13 affect agriculture as early as possible but not less than 120  
14 days prior to:

15 (i) the date the Environmental Quality Board meets  
16 to initially consider any proposed rulemaking resulting  
17 from the regulatory proposal[.];

18 (ii) the date the department publishes notice to  
19 establish or change a permit; or

20 (iii) the date the department establishes a policy.

21 (2) Not less than 60 days prior to an action under  
22 paragraph (1)(i), (ii) or (iii), the department shall provide  
23 the board with a written version in substantially the form  
24 that will be published or established of any regulatory,  
25 permit, technical guidance or departmental policy proposal  
26 that would regulate or affect agriculture.

27 (3) The department may not publish or establish any  
28 regulatory, permit, technical guidance or departmental policy  
29 proposal that regulates or affects agriculture prior to board  
30 review of a document provided under paragraph (2). Any  
31 discussion or decision by the board related to the review  
32 shall be reflected in the minutes of the board.

33 (b) Meeting and consultation with board.--At the request of  
34 the board, if the request is made within 30 days from the date  
35 of receipt of the notice required by subsection (a), the  
36 department shall meet and consult with the board in the  
37 formulation of any such regulatory, permit, technical guidance  
38 or departmental policy proposal, and thereafter the board may  
39 provide the department with written comments thereon.

40 \* \* \*

41 Amend Bill, page 12, line 7, by inserting after "BOARD"

42 and members of the Agricultural Advisory Board

43 Amend Bill, page 12, line 8, by inserting after "MEMBERS"

44 of their respective boards