

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2380 Session of
1996

INTRODUCED BY LYNCH, BARLEY, FARGO, GEIST, BROWN, TULLI,
HERSHEY, PETTIT, ARGALL, SAYLOR, ROHRER, HALUSKA, MILLER,
D. W. SNYDER, YOUNGBLOOD, MERRY AND STEELMAN,
FEBRUARY 6, 1996

AS REPORTED FROM COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,
HOUSE OF REPRESENTATIVES, AS AMENDED, MAY 14, 1996

AN ACT

1 Amending the act of October 21, 1988 (P.L.1036, No.116),
2 entitled "An act establishing the Hardwoods Development
3 Council; conferring powers and duties upon the council; and
4 making an appropriation," further providing for definitions,
5 for the Hardwoods Development Council and for the council's
6 powers and duties; AND PROVIDING FOR A TRANSFER OF FUNCTIONS <—
7 FROM THE DEPARTMENT OF COMMERCE TO THE DEPARTMENT OF
8 AGRICULTURE.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Sections 3, 4 and 6 of the act of October 21,
12 1988 (P.L.1036, No.116), known as the Hardwoods Development
13 Council Act, are amended to read:

14 Section 3. Definitions.

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

18 "Council." The Hardwoods Development Council of the
19 Commonwealth established under section 4.

1 "Department." The Department of [Commerce] Agriculture of
2 the Commonwealth.

3 Section 4. Council.

4 (a) Composition.--The Hardwoods Development Council is
5 established within the department. The council shall include,
6 but not be limited to, the following [21] 24 members: <—

7 (1) [Four] FIVE members: <—

8 (i) The Secretary of Agriculture.

9 (ii) The Secretary of Commerce.

10 (iii) The Secretary of [Environmental] Conservation
11 and Natural Resources.

12 (iv) The State Forester.

13 (V) THE SECRETARY OF TRANSPORTATION. <—

14 (2) Four legislative members:

15 (i) Two senators, one appointed by the President pro
16 tempore of the Senate and one appointed by the Minority
17 Leader of the Senate.

18 (ii) Two representatives, one appointed by the
19 Speaker of the House of Representatives and one appointed
20 by the Minority Leader of the House of Representatives.

21 (3) [Thirteen] FIFTEEN public members appointed by the <—
22 Governor:

23 (i) One representative of an agricultural college
24 from a State-related university.

25 (ii) One representative of the Forest Service of the
26 Federal Department of Agriculture.

27 (iii) One representative of furniture manufacturers.

28 (iv) One representative of veneer manufacturers.

29 (v) Two representatives of secondary processors.

30 (vi) Two representatives of nonprofit corporations

1 which have the purpose to promote and enhance the
2 hardwood industry in this Commonwealth.

3 (vii) One representative of the Pennsylvania Chamber
4 of Business and Industry.

5 (viii) One representative of the Pennsylvania
6 Forestry Association.

7 (ix) One representative of the Pennsylvania Hardwood
8 Lumber Manufacturing Association.

9 (x) One representative of pulp and paper
10 manufacturers.

11 (xi) One representative of the saw mill operators.

12 (XII) ONE REPRESENTATIVE OF MAPLE PRODUCERS. <—

13 (XIII) ONE REPRESENTATIVE OF THE PENNSYLVANIA STATE
14 ASSOCIATION OF TOWNSHIP SUPERVISORS.

15 (b) Term of office.--

16 (1) Members under subsection (a)(1) shall serve as long
17 as they are in office.

18 (2) Legislative members under subsection (a)(2) shall
19 serve terms of two years.

20 (3) Public members under subsection (a)(3) shall serve
21 the following terms:

22 (i) Public members under subsection (a)(3)(vi)
23 through (ix) AND (XII) shall serve terms of two years. <—

24 (ii) Public members under subsection (a)(3)(iii)
25 through (v), (x) and (xi) shall serve terms of three
26 years.

27 (iii) Public members under subsection (a)(3)(i) and
28 (ii) shall serve terms of four years.

29 (c) Designees.--Members under subsection (a)(1) and
30 legislative members under subsection (a)(2) may appoint

1 designees to serve on the council.

2 (d) Vacancies.--Vacancies in office shall be filled by the
3 appointing authority who made the original appointment.

4 (e) Officers.--The Secretary of [Commerce] Agriculture or
5 his designee shall serve as the chairperson, and the council
6 shall elect other officers as it deems necessary.

7 (f) Meetings.--The council shall meet quarterly and shall
8 hold special meetings at the call of the chairperson. A simple
9 majority shall constitute a quorum.

10 (g) Compensation.--Members of the council shall serve
11 without compensation.

12 Section 6. Powers and duties of council.

13 The council has the following powers and duties:

14 (1) To recommend appropriate measures relating to the
15 promotion of the industrial potential of the hardwood
16 industry in this Commonwealth.

17 (2) To propose plans for economic development and
18 expansion of the Commonwealth's hardwood industry.

19 (3) To develop a national and international marketing
20 program to promote Pennsylvania hardwoods as the world's
21 finest and to assist Pennsylvania's hardwood manufacturers
22 and processors in developing national and foreign markets.

23 (4) To encourage cooperation and coordination among
24 Federal, State and local programs. This paragraph includes
25 public-sector and private-sector programs. This paragraph
26 includes access to the data of administrative agencies unless
27 the access is prohibited by law.

28 (5) To recommend to the Governor, THE SECRETARY OF <—
29 AGRICULTURE, the Secretary of [Commerce] ~~Agriculture~~ and the <—
30 General Assembly the updating of economic delivery tools as

1 well as to develop research initiatives which would lead to
2 the promotion of the hardwood industry in this Commonwealth.

3 (6) To maintain liaison with and advise the Governor,
4 THE SECRETARY OF AGRICULTURE, the Secretary of ~~{Commerce}~~ <—
5 ~~Agriculture~~ and the General Assembly on programs and
6 projects, including, but not limited to, research, marketing
7 and promotion. These activities shall be carried out in
8 conjunction with the department and the appropriate nonprofit
9 organizations whose primary role is to promote the hardwood
10 industry.

11 SECTION 2. (A) THE SUBJECTS OF TRANSFER OF THE DEPARTMENT <—
12 OF COMMERCE ARE TRANSFERRED TO THE DEPARTMENT OF AGRICULTURE
13 WITH THE SAME FORCE AND EFFECT AS IF THEY HAD ORIGINALLY
14 BELONGED TO THE DEPARTMENT OF AGRICULTURE.

15 (B) THE CIVIL SERVICE STATUS OF EMPLOYEES OF THE DEPARTMENT
16 OF COMMERCE TRANSFERRED BY SUBSECTION (A) SHALL NOT BE AFFECTED
17 BY TRANSFER.

18 (C) AS USED IN THIS SECTION, THE TERM "SUBJECTS OF TRANSFER"
19 MEANS PERSONNEL, APPROPRIATIONS, ALLOCATIONS, DOCUMENTS,
20 RECORDS, EQUIPMENT, MATERIALS, RIGHTS AND OBLIGATIONS UTILIZED
21 OR ACCRUING IN CONNECTION WITH THE FUNCTIONS TRANSFERRED BY THIS
22 ACT.

23 Section ~~2~~ 3. This act shall take effect in 60 days. <—