

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 1155

PRINTER'S NO. 2112

AMOUNT

FUND

\$26,092 Annually

Noncoal Surface Mining Conservation
& Reclamation Fund

DATE INTRODUCED

PRIME SPONSOR

October 25, 2013

Senator Scarnati

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 1155 amends Section 18 of the Surface Mining Conservation and Reclamation Act (Act 418 of 1945) by establishing the Aggregate Advisory Board to advise the Secretary of the Department of Environmental Protection (DEP) on surface mining. Specifically, the Board will assist the Secretary of DEP to expend funds for the purposes provided for in Section 17 of the Noncoal Surface Mining Conservation and Reclamation Act (Act 219 of 1984) and to advise the Secretary of DEP on all matters pertaining to surface mining as described in Section 3 of that Act.

The bill establishes membership of the Aggregate Advisory Board to include:

1. The Secretary of DEP;
2. Three aggregate surface mine operators;
3. Four public members from the Citizens Advisory Council, who shall be appointed by the Council;
4. One member from the County Conservation Districts, who shall be appointed by the State Conservation Commission; and
5. Four members of the General Assembly, two from each chamber, one member of the majority party and one from the minority party, appointed by the Senate President Pro Tempore and the Speaker of the House.

The bill provides that the Secretary of DEP serve as the chair of the Aggregate Advisory Board and appoint the members from the aggregate industry. The terms of members are specified to be two years, except that one-half of the initial members shall serve for three (3) years. All actions of the Board require a majority vote. The Board is required to meet not less than quarterly. An annual report by the Board to the General Assembly is required.

The Act shall take effect in 60 days.

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FISCAL IMPACT:

Because the establishment of the new Aggregate Advisory Board is based on the existing Mining and Reclamation Advisory Board (MRAB), the DEP estimates similar costs to be incurred for new Board's operation. The DEP estimates reimbursement for travel expenses for the Aggregate Advisory Board members to be about \$2,880 annually, based on actual 2013 reimbursement costs for the MRAB. DEP expects to provide a liaison to assist the new Board, as they do for the MRAB. Based on 2014 personnel costs, and assuming 25% of the staff person's time, annual costs for the liaison's duties are expected to be about \$23,212.

These costs, totaling about \$26,092 annually, will be charged to the Noncoal Surface Mining Conservation and Reclamation Fund, authorized by Section 17 of the Noncoal Surface Mining Conservation and Reclamation Act (Act 219 of 1984).