

SANDRA J. MAJOR, MEMBER
111TH LEGISLATIVE DISTRICT

12047 MAIN CAPITOL BUILDING
PO BOX 202111
HARRISBURG, PA 17120-2111
PHONE: (717) 783-2910
FAX: (717) 783-2010

16501 STATE ROUTE 706, SUITE 2
MONTROSE, PA 18801
PHONE: (570) 278-3374
FAX: (570) 278-2952

130 NORTH BRIDGE STREET
TUNKHANNOCK, PA 18657
PHONE: (570) 836-5888
FAX: (570) 836-5453



House of Representatives

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HARRISBURG

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EDUCATION ASSISTANCE AGENCY (PHEAA)

WEBSITE: WWW.REPMAJOR.COM
E-MAIL: SMAJOR@PAHOUSEGOP.COM

MEMORANDUM

TO: All House Members *SJM*
FROM: Rep. Sandra J. Major
SUBJECT: Cosponsor – Clean & Green Amendment
(Small noncoal surface mining, i.e., Bluestone)
DATE: January 20, 2011

In the near future, I plan to introduce legislation providing guidance to county assessors on how to treat small noncoal surface mining conducted on Clean and Green land.

The current Clean and Green law would require a county assessor to apply roll-back taxes to the entire enrolled parcel of Clean and Green land if small noncoal surface mining activities are conducted. (Under the Noncoal Surface Mining Conservation and Reclamation Act, a small noncoal mining permit limits extraction of a mineral to 10,000 tons per year, on no more than 5 acres. Permits are approved or denied by the Department of Environmental Protection.)

The language I am proposing would limit the roll-back taxes to just the small portion of property that is being mined. This is consistent with language we recently enacted that limits roll-back taxes to just the portion of land used for wind energy and for oil and gas and coal bed methane exploration and extraction activities. Additionally, my bill will limit one small noncoal surface mine permit per Clean and Green enrolled property.

Small noncoal mining is already occurring on land enrolled in Clean and Green. To my knowledge, county assessors have not applied the current law to assess roll-back taxes on the entire property. Counties are, however, seeking guidance, especially now that they have it for other natural resource activities. My legislation would provide uniform application of the law in all counties.

If you wish to co-sponsor this legislation, please contact Teri Swanger at 3-2910 or by e-mail to tswanger@pahousegop.com.

SJM/ts